

REPORTING DOMESTIC VIOLENCE AND SEXUAL ASSAULT CASES

A Guide for Journalists in Albania 2018

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2018



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Table of Contents

WHY A GUIDE FOR JOURNALISTS IN DOMESTIC VIOLENCE AND SEXUAL ASSAULT	5
	7
DOMESTIC VIOLENCE AND SEXUAL ASSAULT IN ALBANIA	10
IMPORTANT INTERNATIONAL CONVENTIONS	12
DOMESTIC VIOLENCE AND SEXUAL ASSAULT LAWS IN ALBANIA	18
ETHICAL ISSUES	22
Using details in a story Use of Language - What to avoid and what to use	
REPORTING WITH SENSITIVITY	
Treat the Survivor with Respect	
WRITING STORIES	
CASES OF SEXUAL ASSAULT	
CASES OF DOMESTIC VIOLENCE	
Key Points to have in mind Online comments and social media	-
INTERVIEWING A VICTIM/SURVIVOR	
WHERE TO REFERVICTIMS FOR HELP	40

Why a Guide for journalists in domestic violence and sexual assault?

Journalists and reporters play a very important role in informing and educating the public about different social issues, while the media is the mirror through which public is informed and create its views about domestic violence and sexual assaults in the family and society. This guide is trying to assist journalists and reporters on better reporting taking into consideration the significant impact of domestic violence and sexual violence plays in our society. The stories they write affect the way people think and behave. Hence, each reporter and journalist has a role to play in changing mentalities about these complex social issues.

Different researchs on this field show that the media tends not to reflect the prevalence and severity of family violence and can unintentionally perpetuate commonly held but untrue beliefs about domestic violence. Yet statistics show that family violence is one of the most significant social issues in terms of number of people affected, long-term life effects and cost to the country¹.

Examine the news stories about Domestic Violence in printed and electronic media in the recent years it is pretty clear that most of the stories have been reported mostly by focusing on seemingly isolated events, rather than reporting them as a social problem, which has complex causes and requires a society-wide response. While stories about Sexual Assault are very rare, almost non-existent in the media reports and this has its own reasons.

There is sporadic interest of media for these topics and their tendency toward sensationalist cover, without a proper analysis of the gender-rooted causes of violence against women it states in the National Report on Implementation of Beijing Platform². In some rare cases, stories about domestic violence might capture headlines and receive intense media coverage, but unfortunately this tends to be for a short time and not continued beyond a week.

¹ http://meae.gov.mt/en/Public_Consultations/MEAE/PublishingImages/Pages/Consultations/ReportingDomesticViolence-GuidelinesforJournalistsandMediaContentProducers/Reporting%20Domestic%20Violence%20-%20consultation%20document.pdf

²Albania's National report on implementation of Beijing Platform: "[t]here is a need to focus on the role of media in the re-conception of the social relations among men and women, and a change of attitudes, positions and traditional roles that reinforce stereotypes and gender inequality. It is important to understand that the actual reporting quality on human rights, discrimination, and gender equality is a matter of technical capacities as well as an issue of prevailing attitude that exists in addition to being an issue of understanding that reinforces stereotypes instead of putting an end to them."

Reporters and editors must understand that these stories doesn't represent only some stories that are happening here and there, but a social change for the whole society and if they really want to bring a change then they should campaign with their stories and reports in order to bring social change on the issue of Domestic Violence and Sexual Assault.

The reason of this guide is to provide understanding into new trends and help journalists in developing strategies to accurately frame the public discussion on domestic violence and sexual assault. We hope that this guide will promote a balanced and accurate reporting and will help reporters and journalists to report in a responsible and respectful way the issues. Reporters and journalists should bear in mind the negative effect and trauma that their work might add on the victims due to their irresponsible reporting.

Terms of Reference

Some of the terms below describe various aspects of domestic and sexual violence. These definitions provide some of the most common terms that may arise when reporting on domestic violence and sexual assault. This is not an exclusive list. Note that often the definitions refer to specific language found in international laws or in common discourse among professionals who work in the field of sexual violence.

Abuse — is any act or omission of one person against another, resulting in violation of the physical, moral, psychological, sexual, social and economic integrity³.

Acquaintance Rape — an umbrella term used to describe sexual assaults in which the survivor and the perpetrator know each other. The perpetrator may be a passing acquaintance or someone the survivor knows intimately, such as a partner, husband, ex-partner, co-worker, family friend or neighbour.

Consent — to give permission or approval to do something.

Defendant — the person accused in either a civil or criminal case.

Domestic Violence — any act of violence that results in, or is likely to result in, physical, sexual or psychological harm, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

Gender - shall mean the socially constructed roles, behaviors, activities and attributes that a given society considers appropriate for women and men⁴.

³ http://www.sherbimisocial.gov.al/wp-content/uploads/2016/12/30437.pdf

⁴ Istanbul Convention https://rm.coe.int/168008482e

Gender-based violence against women - shall mean violence that is directed against a woman because she is a woman or that affects women disproportionately.

Hotline — a free 24 hours/7 day a week phone number answered by advocates to assist victims of domestic violence. Assistance may include shelter, legal services and/or safety planning.

Marital Rape — Sexual violence committed against a legal spouse.

Perpetrator — a person who commits harmful or illegal acts.

Protection Order — is an order issued by a court providing protective measures for victims.

Emergency Protection Order – a temporary court order valid for a specified time period.

Rape — Criminal sexual conduct involving penetration.

Recidivism — A return to offending behaviour after a period of abstinence or being offence-free. The tendency to relapse into a certain mode of behaviour.

Sexual Assault — Sexual acts, which may or may not include penetration, that are conducted against someone's will (without consent) by force or threat of force or in situations in which an individual is unable to give consent.

Sexual Harassment — Unwanted and unwelcome sexual behaviour that interferes with an individual's life, work or education. This behaviour can include verbal or physical acts as well as acts that create a hostile environment.

Sexual Violence — includes forcing, coercing, or attempting to coerce any sexual contact or behaviour without consent. Sexual violence includes, but is not limited to marital rape, attacks on sexual parts of the body, forcing sex after physical violence has occurred, or treating one in a sexually demeaning manner. Sexual violence can be committed by intimate partners and family members within the context of marriage, dating relationships and family.

Stalking — when one person pursues, follows or harasses another person against her/his wishes. Examples include, but are not limited to: repeated, unwanted phone calls, following a victim, sending unwanted gifts, destroying or vandalizing a victim's property, repeated threats and/or tracking a victim's online activity.

Survivor — for purposes of this manual, used to describe the individual who was assaulted. This term is largely used by advocacy groups to acknowledge the strength of an individual who endures trauma such as a sexual assault. Not every individual refers to herself or himself as a survivor and when interviewing survivors, reporters are encouraged to use the term preferred by the individual.

Victim — the person who has been subject to violence, resulting in violation of the physical, moral, psychological, sexual, social and economic integrity. This word is most commonly used in the criminal justice system, in news stories and by the public.

Violence against Women — is understood as a violation of human rights and a form of discrimination against women and shall mean all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life⁵.

⁵ Istanbul Convention, https://rm.coe.int/168008482e

Domestic Violence and Sexual Assault in Albania

Domestic violence in Albanian society is a serious and widespread problem; it also one of the most underreported crimes.

Traditionally domestic violence in Albania has been considered normal in marriage and family life, a private family matter and not a question of human rights or public health. While sexual violence has been, and still is, considered taboo it gets little media coverage apart from in very rare cases – most sexual violence involving the abuse of children.

In a special report about violence against women produced in July 2012, the People's Advocate stated that sexual violence is often perceived as something shameful for the woman, particularly in rural areas, and that it sometimes leads to forced marriage with the perpetrator, as a way to "protect the honour" of the woman.

The latest official survey shows 59.4% of women and girls in Albania have experienced at least one form of gender based violence and 53.% of women were "currently" experiencing domestic violence (within the 12 months prior to the survey interview)

See:

http://www.instat.gov.al/media/225815/domestic_violence_in_albania_2013.pdf.

The same survey reveals 5% of women between 18 and 55 years of age were "currently" experiencing sexual violence (within the 12 months prior to the survey interview). This is an extremely low number compared with developed countries. The probable explanation for this is cultural: a reflection of the fact that violations of a woman's body are frequently justified within the context of marriage through cultural and religious values that define women as property and sex as a marital obligation of wives.

Internationally, victims of domestic violence and sexual assaults are, in the majority of cases, women and children. In Albanian, the Law on Measures against Violence in Family Relations entered into force I June 2007 was designed to prevent and reduce domestic violence, and to guarantee victims' protection. Albanian women's non-governmental organizations presented a draft law to Parliament in 2006 with a citizens' petition of over 20,000 signatures. The law defined domestic violence as "any act of violence ... committed between persons who are or used to be in a family relation," violence being "any act or omission of one person against another, resulting in violation of the physical, moral, psychological, sexual, social and economic integrity."

For the original version of the law and its subsequent amendments see:

Main law: http://www.qbz.gov.al/botime/fletore_zyrtare/2006/PDF-2006/150-2006.pdf

I st amendment: http://www.qbz.gov.al/botime/fletore_zyrtare/2008/PDF-2008/76-2008.pdf

2nd amendment: <u>http://www.qbz.gov.al/botime/fletore_zyrtare/2010/PDF-2010/142-2010.pdf</u>

Who are victims? The answer is anyone can be a victim of domestic violence and sexual assault. The problem transcends education, socio-economic status, sexual orientation and age to affect any person.

Who are the perpetrators? They come from many different backgrounds but share some characteristics. They tend to be self-justifiers, have a heightened sense of entitlement, fail to take responsibility and they present a different personality outside the home from the one inside.

Why do victims stay? There are many reasons including fear (victims are most at danger in the 18 months following separation); lack of affordable housing, childcare, employment or legal protection, religious or cultural beliefs, family pressures, immigration status and a desire to keep the family together.

Important International Conventions

The government of the Republic of Albania signed on as a party to numerous important international covenants and conventions. Countries signing on do so in one of three statuses based on the United Nations Treaty collection glossary:

Accession: is the act whereby a state accepts the offer or the opportunity to become a party to a treaty already negotiated and signed by other states. It has the same legal effect as ratification. Accession usually occurs after the treaty has entered into force. The Secretary-General of the United Nations, in his function as depositary, has also accepted accessions to some conventions before their entry into force. The conditions under which accession may occur and the procedure involved depend on the provisions of the treaty. A treaty might provide for the accession of all other states or for a limited and defined number of states. In the absence of such a provision, accession can only occur where the negotiating states were agreed or subsequently agree on it in the case of the state in question⁶.

Signature: Where the signature is subject to ratification, acceptance or approval, the signature does not establish the consent to be bound. However, it is a means of authentication and expresses the willingness of the signatory state to continue the treaty-making process. The signature qualifies the signatory state to proceed to ratification, acceptance or approval. It also creates an obligation to refrain, in good faith, from acts that would defeat the object and the purpose of the treaty⁷.

Ratification: Ratification defines the international act whereby a state indicates its consent to be bound to a treaty if the parties intended to show their consent by such an act. In the case of bilateral treaties, ratification is usually accomplished by exchanging the requisite instruments, while in the case of multilateral treaties the usual procedure is for the depositary to collect the ratifications of all states, keeping all parties informed of the situation. The institution of ratification grants states the necessary time-frame to seek the required approval for the treaty on the domestic level and to enact the necessary legislation to give domestic effect to that treaty⁸.

⁶ Arts.2 (1) (b) and 15, Vienna Convention on the Law of Treaties 1969

⁷Arts.10 and 18, Vienna Convention on the Law of Treaties 1969

⁸ Arts.2 (1) (b), 14 (1) and 16, Vienna Convention on the Law of Treaties 1969

Entry into Force: Typically, the provisions of the treaty determine the date on which the treaty enters into force. Where the treaty does not specify a date, there is a presumption that the treaty is intended to come into force as soon as all the negotiating states have consented to be bound by the treaty. Bilateral treaties may provide for their entry into force on a particular date, upon the day of their last signature, upon exchange of the instruments of ratification or upon the exchange of notifications. In cases where multilateral treaties are involved, it is common to provide for a fixed number of states to express their consent for entry into force. Some treaties provide for additional conditions to be satisfied, e.g., by specifying that a certain category of states must be among the consenters. The treaty may also provide for an additional time period to elapse after the required number of countries have expressed their consent or the conditions have been satisfied. A treaty enters into force for those states which gave the required consent. A treaty may also provide that, upon certain conditions having been met, it shall come into force provisionally⁹.

⁹Art.24,Vienna Convention on the Law of Treaties 1969

<u>UN Covenant on Civil and Political Rights</u> ICCPR (Albania holds accession status as of 4 October 1991)

The International Covenant on Civil and Political Rights (ICCPR) is an international human rights treaty adopted by the United Nations (UN) in 1966. It is one of the two treaties that give legal force to the Universal Declaration of Human Rights (the other being the International Covenant on Economic, Social and Cultural Rights, ICESCR).

Journalists reading this guide, might know that ICCPR rights are fundamental to enabling people to enjoy a broad range of human rights, including those relating to:

- freedom from torture and other cruel, inhuman or degrading treatment or punishment
- freedom from slavery and forced labor
- treatment by the judicial process
- privacy, home and family life
- marriage and the rights of children
- Equality and non-discrimination, etc.

<u>UN International Covenant on Economic, Social and Cultural Rights</u> (Albania holds accession status as of 4 October 1991)

The International Covenant on Economic, Social and Cultural Rights (ICESCR) is one of the most important United Nations (UN) human rights treaties. It is one of the two treaties that give legal force to the Universal Declaration of Human Rights (the other being the International Covenant on Civil and Political Rights, ICCPR).

UN Convention on the Rights of the Child (Albania ratified on 27 February 1992)

The Convention on the Rights of the Child (CRC) is an international treaty setting out the civil, political, economic, social and cultural rights of all children.

By ratifying this Convention in 1991, Albania agreed that public bodies should consider the best interests of the child when doing anything that affects children. The CRC protects the rights of children in all areas of their life, including their rights to:

- express their views freely and be heard in legal proceedings that affect them
- privacy
- freedom from violence, abuse and neglect
- health
- an adequate standard of living
- education
- freedom from economic and sexual exploitation, and be treated with dignity and respect within the criminal justice system.

UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Albania holds accession status as of 11 May 1994)

The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) makes it clear that torture is not justified under any circumstances.

States that sign up to the treaty must act to prevent and investigate torture and punish anyone who carries it out. States must also ensure that any victim of torture (or their immediate family if the victim dies) gets adequate compensation, including support for rehabilitation.

By ratifying CAT Albania agrees to prevent acts of torture in connection with activities that include:

- returning, expelling or extraditing someone to another country where there are real grounds to believe he or she will face torture
- arrest, detention and imprisonment

• interrogation, and connected to the training of police (civil or military), medical staff, public officials and anyone else who may be involved in the arrest, detention and questioning of a person.

UN Convention on the Elimination of all Forms of Discrimination against Women (Albania holds accession status as of 11 May 1994)

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is the international human rights treaty that focuses specifically on equality between women and men in all areas of life. It is often referred to as the 'women's bill of rights'. CEDAW provides the basis for making equality between women and men a reality.

European Convention for the Protection of Human Rights and Fundamental Freedoms (Albania ratified on 2 October 1996) and the related Protocols to the Convention of the Protection of Human Rights and Fundamental Freedoms¹⁰ (Albania ratified the ECPHRFF but with declarations, denunciation and/ or derogations)

European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (Albania ratified on 2 October 1996)

The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) makes it clear that torture is not justified under any circumstances.

States that sign up to the treaty must act to prevent and investigate torture and punish anyone who carries it out. States must also ensure that any victim of torture (or their immediate family if the victim dies) gets adequate compensation, including support for rehabilitation.

¹⁰ https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/005/declarations?p_auth=13Q66ql5&_coeconventions_WAR_coeconventionsportlet_enVigueur=false&_coeconventions_WAR_coeconventionsportlet_searchBy=state&_coeconventions_WAR_coeconventionsportlet_codePays=ALB&_coeconventions_WAR_coeconventionsportlet_codePays=ALB&_coeconventions_WAR_coeconventionsportlet_codePays=ALB&_coeconventions_WAR_coeconventionsportlet_codePays=ALB&_coeconventions_WAR_coeconventionsportlet_codePays=ALB&_coeconventions_WAR_coeconventionsportlet_codePays=ALB&_coeconventions_WAR_coeconventionsportlet_codePays=ALB&_coeconventions_WAR_coeconventionsportlet_codePays=ALB&_coeconventions_WAR_coeconventionsportlet_codePays=ALB&_coeconventions_WAR_coeconventionsportlet_codePays=ALB&_coeconventions_WAR_coeconventionsportlet_codePays=ALB&_coeconventions_WAR_coeconventionsportlet_codePays=ALB&_coeconventions_WAR_coeconventionsportlet_codePays=ALB&_coeconventions_WAR_coeconventionsportlet_codePays=ALB&_coeconventions_WAR_coeconventionsportlet_codePays=ALB&_coeconventions_WAR_coeconventionsportlet_codePays=ALB&_coeconventions_WAR_coeconventionsportlet_codePays=ALB&_coeconventions_WAR_coeconventionsportlet_codePays=ALB&_coeconventionsportlet_coeconventionsportlet_codePays=ALB&_coeconventionsp

By ratifying CAT Albania agrees to prevent acts of torture in connection with activities that include:

- returning, expelling or extraditing someone to another country where there are real grounds to believe he or she will face torture
- arrest, detention and imprisonment, interrogation, and connected to the training of police (civil or military), medical staff, public officials and anyone else who may be involved in the arrest, detention and questioning of a person.

European Convention on Preventing and Combating Violence against Women and Domestic Violence (ratified on 4 February 2013)

The Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) is a Council of Europe convention against violence against women and domestic violence which was opened for signature on 11 May 2011, in Istanbul, Turkey. The convention aims at prevention of violence, victim protection and "to end with the impunity of perpetrators". On 12 March 2012, Turkey became the first country to ratify the Convention, followed by Albania in 4 February 2013. The Convention came into force on 1 August 2014.

Domestic Violence and Sexual Assault Laws in Albania

The Law on Measures against Violence in Family Relations was passed by the Albanian Parliament in December, 2006 and entered into force in June, 2007. Its main purpose entitled: Measures against Violence in Family Relations was to prevent and reduce domestic violence in all its forms through appropriate legal measures, and to guarantee protection to members of the family who are subject to domestic violence, paying attention to the needs of children, disabled people, and the elderly.

Its main objectives are:

- To set up a coordinated network of responsible authorities for the protection, support, and rehabilitation of victims, and mitigation of consequences and prevention of domestic violence.
- To direct efforts for the setup of responsible structures and authorities at the central and local level in support of victims and prevention of domestic violence.
- To empower the judiciary in taking protection measures against domestic violence.
- To guarantee that quick, affordable, and simple services are provided to victims of domestic violence by courts and other law enforcement agencies in compliance with the law.

In 2010, the law was amended. The changes included a commitment to set up a national centre for services of social care for victims of domestic violence. It also included a focus on the confidentiality of victim's personal data and information, enhancing coordination and referral mechanisms to support and rehabilitate domestic violence victims, and enhancements to protection orders.

In 2012 the <u>Criminal Code</u> was amended to criminalise domestic violence and recommended punishment of up to five years imprisonment. The amended Criminal Code states:

Article 130/a - Domestic Violence

"Domestic violence, including battery, threat and intentional injuries, punishable by imprisonment up to five years."

Sexual violence, which falls within the remit of domestic violence as defined in <u>the Istanbul Convention</u>, is not included in Article 130/a and is criminalised under the separate provision of <u>Article 102 of the Criminal Code on sexual</u> <u>assault</u>. This provision only refers to "engagement in sexual activity by use of force ... between spouses or cohabitants" which attracts the same punishment as sexual assault outside any intimate partner relationship. Sexually violent acts within the domestic sphere are subject to private prosecution, as are all acts of sexual violence.

In 2013, in the <u>Criminal Code Article 108/a was added by law no. 144, dated</u> 02.05.2013 regarding Sexual Harassment "Commitment of actions of a sexual nature which infringe the dignity of a person, by any means or form, by creating a threatening, hostile, degrading, humiliating or offensive environment, shall constitute a criminal offence and is punishable with one to five years of imprisonment.

When this offence is committed in complicity, against several persons, more than once, or against children, it shall be punishable by three to seven years of imprisonment."

Stalking was also introduced as a criminal offence under the Criminal Code in 2012.

According to <u>GREVIO¹¹ report for Albania</u>, other forms of violence against women, such as forced marriage, sexual harassment and sexual violence, have received little legislative and political attention. Available data regarding these other forms of violence against women - however limited - corroborates the need to address them comprehensively.

¹¹ GREVIO is the independent expert body responsible for monitoring the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence by the Parties.

There are several articles addressing rape in the Criminal Code. Article 102 establishes a punishment of three to ten years for non-consensual intercourse with adult women. If serious consequences affecting the health of the victim occur, the punishment increases from five to fifteen years of imprisonment. If the offense leads to the victim's death or suicide, the sentence increases from ten to twenty years of imprisonment. Article 284 establishes that the party injured under the first paragraph of Article 102 must file a complaint to begin the prosecution.

Articles 100 and 101 refer to intercourse with minors. Under Article 100, intercourse with minor children, who have not reached the age of 14, or with a minor girl who has not reached sexual maturity, is punishable by seven to fifteen years of imprisonment. Under Article 101, non-consensual sexual intercourse with a minor between the ages of 14-18 is punishable by five to ten years of imprisonment. If the sexual intercourse is committed by force with the complicity of others, or repeatedly, or if serious consequences to health have been caused to the injured child, it is punishable by ten to twenty years of imprisonment. If the offense caused the death or suicide of the minor child, it is punishable by not less than twenty years of imprisonment.

In 2013, an amendment to the Criminal Code introduced spousal rape and spousal sexual violence as criminal offences

For rape of an adult, the prison term is three to 10 years; for rape of an adolescent between the ages of 14 and 18, the term is five to 15 years; and for rape of a child under 14, the term is seven to 15 years. The criminal code includes provisions on sexual assault and sexual harassment and makes the criminalization of spousal rape explicit.

<u>The Family Code of Albania</u> also includes several articles relevant to domestic violence against a spouse and children. The Family Code addresses parental obligations and child rights in the family life, as well as child abuse and neglect. Article 62 provides that "the abuser spouse may be removed from the conjugal domicile."

<u>The Law "On Reproductive Health"</u> stipulates that every woman shall decide of her own free will and without any form of discrimination, pressure, or violence all issues related to her own sexuality, and sexual and reproductive health.

Ethical Issues

"The way the media frame their news stories, who they talk to, what information they include or don't include, has been shown to have a pretty potent influence on how the issue is interpreted by the public," - Annie Blatchford from the Centre for Independent Journalism in Australia

Cases of domestic violence and sexual violence are crimes. They transform lives forever. The media has an important role to play in moving the debate on these crimes forward. Almost in any journalistic textbook when the news is defined, it is highlighted the unusual nature of the news. This is the reason that reports such as, killing as a result of domestic violence, case of rape, assaults of very young or very old people, etc are news primarily because they are not so usual.

The media has a special role in reporting these crimes but must also respect the enormous potential for trauma and harm.

It is important to note that sexual assault is usually committed by an acquaintance or family member. In most of the cases the victim doesn't file a report because she/he is afraid or embarrassed and moreover she/he thinks that people will not believe her/him.

Victim's identity

Many newsrooms in the country usually don't identify victims of rape of sexual assault with full name, but in a small country like Albania when stories are happening in small urban or rural areas, by giving specific details in the story identifies the victim very quickly. **Example:** "15 years old girl describes the terror how she was raped from her father¹²".

The story broadcasted in TV Klan starts with the name and the picture of the perpetrator that is also the father of the victim in a small village in Dibra. There is no doubt for the habitants of this village who is the victim and she possibly risks ever getting married with somebody from this village that knows her story and this will have long-term effect in her later life and this will affect her and her family.

Example: "12 years old declares: My mother knew about my six years of being raped from stepfather¹³."

The story broadcasted in Ora News shows the picture of victims's mother and her perpetrator (stepfather). It gives specific details about the village she was living till the moment when the police arrested the perpetrator and her mom and provides the name of the other village where she is now living with her father.

<u>The Code of Ethics of Albanian media</u> states "Journalists shall treat with caution the identification of victims and witnesses of crime, especially in cases involving sexual assault, unless they give consent to being identified."

Stories like these, even don't reveal directly the name of the victims, make it very clear for the people in village or neighborhood to get to identify the victim and most of the times makes them subject of scrutiny, rumors and blame. Even though rape and sexual assault happens much more than it is reported in our country, the vast majority of these crimes remain unreported. Victims stay silent because they fear being recognized in the public. Our culture continues to condemn the victim for rape and, as a result, an extraordinary amount of shame and silence becomes associated with the crime. Publicizing details that makes it very easy to identify a victim of rape or sexual assault only discourages more victims from coming forward.

¹² https://www.youtube.com/watch?v=t-hwionaLfQ

¹³ https://www.youtube.com/watch?v=lz4yRtxNDpg

News media outlets should also consider how and when to use names of friends or family members, location details and other information that may reveal the identity of a victim/survivor. In our increasingly connected world we need to be exceptionally aware, it is often quite easy to unintentionally identify victims who wish to remain anonymous and/or need protection.

In cases when victims are minors, journalists should avoid reporting stories in such a way that makes them identifiable. There have been public debates on this issue ("Prrenjasi Case and Media Ethics" Opinion Debate in TV Klan¹⁴). In this case the name and photos of a 10- year- old victim of a sexual assault were published along with the whole testimony given by the perpetrator to the prosecution office giving details of sexual intercourse with the child. But this is not the only case¹⁵. There are many sensationalist headlines with identifying details in the story and pictures showing the victim. These are examples of all-too-common headlines:

- Horrible Confession: Here's how I made sex with him on a same bed with his wife – "Bota Sot", 29 january, 2016¹⁶
- I5-year-old rape opens a drama: Better to have killed herself! Mapo newspapers, 16 october 2017¹⁷
- Raped from neighbor in pogradec. Parents of 15 year old daughter: he destroyed her life News 24, 15 october 2017¹⁸
- From the first rape to knocking at the night of the assassination Shekulli newspaper, 15 august 2012¹⁹
- $\circ~$ The kid escapes the family, raped by a 40-year-old Tirana Observer, 16 may 2013^{20}
- The testimony of the girl's mother who was raped in Saranda Balkan web/ News 24, 6 november 2017²¹
- I8-year-old horrible testimony: From rape I have a girl, Opozita.com, I5 december 2016²²

¹⁹ http://shekulli.com.al/2831/

¹⁴ https://www.youtube.com/watch?v=oyR7qX2YZB4

¹⁵ Shqiptarja.com "The rape.The Maniac: How I did it with the 10 years old boy", 17 march 2013

¹⁶ http://www.botasot.info/lifestyle/508656/rrefim-i-tmerrshem-ja-si-bera-seks-ne-nje-krevat-bashke-me-gruan-e-tij/

¹⁷ http://www.mapo.al/2017/10/perdhunimi-i-15-vjecares-hap-nje-drame-me-mire-te-vriste-veten/1

¹⁸ http://www.balkanweb.com/site/perdhunimi-nga-fqinji-ne-pogradec-flasin-prinderit-e-15-vjecares-vajzes-i-shkaterroi-jeten-kerkojme/

²⁰ http://www.tiranaobserver.al/e-mitura-arratiset-nga-familja-perdhunohet-nga-40-vjecari/

²¹ https://www.youtube.com/watch?v=jpLRvoWRfpl&feature=player_embedded

²² http://www.opozita.com/2016/12/deshmia-rreqethese-e-18-vjecaresnga-perdhunimi-kam-nje-vajze/

- o Raped at work, ends in psychiatry, Ekonomia online, 2 September 2016²³
- I2-year-old raped by stepfather: Mother looked at us, Shqip newspaper, I2 September 2016²⁴
- The testimony of the 18-year-old raped in Durres, Lajmi.net, 26 February 2017²⁵
- Speaks for the first time the raped old woman in village Narta: Here what they did to me, - Ekspress.al, 16 July 2013²⁶

There are journalists that claim that stigma attached to being a victim will not vanish if they don't publish the names of the victims. This can be argued from several standpoints but we should keep in mind that social changes should never re-traumatize victims. Some brave victims may choose to have their stories and names reported of their own free will. These are stories that should be reported with details as allowed by the victim.

Only in two weeks #MeToo campaign went viral in the wake of sexual harassment allegations against producer Harvey Weinstein. #MeToo was created over a decade ago by female activist Tarana Burke, who works with Girls for Gender Equity and founded Just Be Inc., organizations focused on empowering women of color. She launched the campaign before even the hashtag didn't existed. CNN reported that #MeToo could move from social campaign to social change²⁷. That's a very good example showing us that brave victims that stand up and declare that they have no shame in what has been done to them and reported very accurately from media, might bring changes in the society.

²³ http://www.ekonomiaonline.com/globi/rajon/perdhunohet-ne-pune-perfundon-ne-psikiatri/

²⁴ http://gazeta-shqip.com/lajme/2016/09/12/12-vjecarja-e-perdhunuar-nga-njerku-mamaja-na-shikonte/

²⁵ http://lajmi.net/zbardhet-deshmia-e-18-vjecares-se-perdhunuar-ne-durres/

²⁶ http://www.ekspres.al/index.php?option=com_content&view=article&id=8040%3Aflet-per-here-te-pare-plaka-e-perdhunuar-ne-fshatinnarte-ja-cme-bene&Itemid=75

²⁷ http://edition.cnn.com/2017/10/30/health/metoo-legacy/index.html

Using details in a story

Reporters include details of crimes to help put stories into context. Reporters may also try to answer the question of "why" the crime they are reporting happened. But they need to heed the tendency of the public to blame the victim, which is a huge concern for sexual assault and domestic violence survivors.

Providing for the public details about the perpetrator may be relevant to the story, but most of the details about the victim, (way of dressing, physical appearance, and private life) can lead to blaming the victim. On the other side, the description of these details can give to the public a false sense of security that he/she will not be assaulted because he/she doesn't dresses like the victim, doesn't have the same private life, same habits, etc. Furthermore, you may be reporting information before the victim or his/her family knows it in the competition with other reporters who is giving as many details as possible.

When reporting on domestic violence and sexual assault, reporters are encouraged to balance the victim's right to privacy with the public's right to know. Reporters must decide when details are needed for public safety versus when they only serve in reporting a scoop and but might very well re-traumatize the victim(s).

Some examples of victim-related details that can be damaging or misinterpreted without further context:

- > The victim dressed provocatively and/or was attractive.
- No guns were used.
- > The victim had no physical injuries.
- > The victim was young, but not a child.
- The victim was a prostitute, was drunk, or willingly accompanied the offender.
- > The victim previously had consensual sex with the offender.

It is very important to choose very carefully the words for not creating the sense of blame for the victim.

Use of Language - What to avoid and what to use

What to avoid	What to use
Avoid using the term "alleged" rape or sexual assault. It reinforces the disbelief that a crime actually occurred.	The term "reported" is more neu- tral. It also indicates that a case is officially part of the justice system.
Avoid labeling the victim as an "accuser," for this term also reinforces a negative stereotype	The term "victim" is preferred and is standard in its use within the criminal justice system
In place of "date rape"	try "acquaintance rape."
explicit reference to females	Use: woman, girl, mother, daughter, etc

Reporting with Sensitivity

A media interview must meet the needs of the survivor. When interviewing female survivors, a female interviewer should be preferred or there should be a female attending. The journalist should know the rules of confidentiality. It is important to have an experienced journalist used to covering these types of stories who understands the necessary vocabulary. It is vital to be aware of the threat of re-stigmatising the interviewee through questioning; everything must be done to avoid exposing the interviewee to further abuse. The survivor's best interests must take precedence over other objectives. Reporters must prioritize the survivors' rights to dignity, privacy, confidentiality, safety, security and protection from harm or retribution and should consider if and how a story could violate any of these principles. A survivors' best interests are deeply impacted by the context in which a story is reported.

Prior to facilitating access on covering any story on domestic violence, there must be a clear purpose for the story and the implications of publicising the issue must be carefully considered. Both those who are facilitating access to affected people and media professionals who are reporting the story must be aware of the changing dynamics within crisis-affected communities and the possible negative impacts such a singular focus on sexual and other domestic violence could have on their well-being. The potential positive impact of reporting on domestic violence for survivors and others within the affected population must be clearly articulated beyond simply raising awareness or promoting an organization to increase their visibility.

Treat the Survivor with Respect

Journalists should respect privacy, provide detailed and complete information about topics to be covered, and fully inform the survivor on how the information will be used. The survivor should also be told before the interview that she/ he does not have to answer every question and that she/he has the right to ask the interviewer to skip a specific question or to take a break if the interview becomes upsetting. Journalists should provide contact details to interviewees and make themselves subsequently available. This will ensure interviewees are able to keep in touch if they wish, or need, to do so.

Survivors should also be allowed to be accompanied by someone that they trust, like a survivor advocate. Survivors may face increased risk of harm just by being seen with someone who is unknown and are best placed to determine the most appropriate and safest context for the interview. The use of images, footage and photographs to illustrate domestic violence is complicated. Except in cases where survivors have given their informed consent, photos should not include any identifiable information. Any use of images should present the subject in a way that upholds their dignity. Where possible, images should be used to illustrate a general situation, rather than a specific incident of domestic violence. It is not recommended to take pictures of survivors. If pictures are taken by photographers, it is important to obtain written consent from the survivors and to stay in contact with photographers to review and select images, clarify any information, and discuss possible uses. Unless the individuals represented in the images have given their written, informed consent for use of their image in association with a story on domestic violence, the use of stock footage to illustrate a story on domestic violence should also be avoided. Photos of child survivors should never be used.

Writing Stories

Cases of Sexual Assault

Even sexual assaults are happening almost everyday, those that are considered newsworthy are those that are uncommon and sensational. For example, sexual assaults that include another criminal aspect, or sexual assaults where the victim is very old or very young.

In these cases, reporters must:

Investigate stories on the various forms of sexual assault, such as: sexual assault in prisons, or sexual assaults on high schools, universities or dormitories.

Report trends and realities of sexual assault, including the frequency with which it occurs, and the frequency with which it is committed by an acquaintance as opposed to a stranger. This will help public to understand.

Report accurately the violent nature of the sexual assault (when this is the case, knowing that rape includes physical and/or verbal coercion) with particular clarifications of how threats or force were used.

Consent or lack of consent is often the central issue in sexual assault. Do not report only on the accused rapist's claim that there was consent. Report on the victim's testimony about the lack of consent, or make sure to have the sound bite of her lawyer or supporter.

Provide information about local resources and where survivors can go for help.

Learn about violence against women. Develop skills for recognizing what details to include and words to avoid that lead to public blame of the victim.

Cases of Domestic Violence

Reporting about stories of domestic violence provides a door to information and has the capacity to influence public policy. Ignoring domestic violence stories to be published preserves the power of those who perpetrate such abuse by further isolating their targets.

Careful use of language is important in reporting domestic violence. One of the most important consideration in reporting domestic violence is the accuracy.

In these cases, reporters must:

Report stories by labeling them domestic violence stories by avoiding calling them domestic dispute', 'relationship problem', or any other term that minimalizes the violent behavior.

Recognize that domestic violence is not a private matter but a human right's issue by reporting consequences of domestic violence and highlight the fact that domestic violence impacts children, health system, economy, etc.

Follow up the story with editorial or feature articles. This provides better knowledge about domestic violence for general public and alert your audience to the prevalence of domestic violence, existence of support services for both those perpetrating and experiencing domestic violence. Include interviews with experts and specialists of the field and explain that domestic violence is a crime. Avoid using sources that have a close relationship with the person perpetrating the violence, or sources that are not well informed about the crime and those involved.

Example of using sources with a close relationship with perpetrator "The execution of the judge: The brother of Fadil Kasemi: I couldn't stop the event, they turned his kids against him²⁸".

²⁸ http://www.gsh.al/2017/09/05/ekzekutimi-i-gjyqtares-vellai-i-fadil-kasemit-se-ndaloja-dot-ngjarjen-ia-kthyen-femijet-kunder/

In this interview the brother of the perpetrator that killed the judge Fildez Hafizi tried to explain that the perpetrator was a good man and was the victim that drove him crazy and insinuates that "she obliged him to kill her" In the interview he gives details that she was nobody before marrying him and he helped her and her family to live a better life. "When he got to know Fildez, she lived in Shkoder. He took her in Tirana together with her mother, father, sister and grandmother. He found them a home to be near with their daughter and he paid the rent for them, because they were poor.....The former wife of Fadil before worked as a teacher in a kindergarten. My brother interfered, so she could became the director of the kindergarten. Then he invested in her education. He registered her to study law and he made her a magistrate. He invested everything on her. She got the job as a judge because of him and then she divorced my brother and was offending him by saying "what shall I do with him".

By publishing this interview for the public, you help the perpetrator or relatives of the perpetrator to tell their side of the story and as in majority of the cases they blame the victim, by finding excuses for domestic violence and in this case for her killing. The judge was killed and she couldn't provide her own side of the story so public might start thinking after this interview that the victim deserved the punishment from the "generous perpetrator". This is a bad example that gives evidence why reporters should avoid these type of interviews. By avoiding this type of interview, you avoid offering excuses for violent behavior or perpetuating commonly held beliefs that are untrue. On the contrary, reporters should seek comment regarding the impact that violence has on those who are the target of abuse. Give those who have experienced domestic violence a voice.

Example: "Exclusive, the children of Hafizi: Dad was terrorizing us, when we cried he was laughing²⁹.

Give priority to the safety and confidentiality for victims of domestic violence. Ask if it is safe to use real names or other identifying information.

Include statistics about the occurrence of domestic violence.

²⁹ https://www.youtube.com/watch?v=NVKTRmKCemg

Key Points to have in mind

- Most sexual violence is committed by someone known to the victim.
- The vast majority of domestic violence and sexual assaults go unreported.
- Anyone can be a victim/survivor of domestic violence and sexual violence.
- The victim/survivor may not report a crime immediately after an incident.
- There should be no confusion about where the blame belongs for a sexual assault—it is with the attacker/perpetrator. Whether a victim dressed provocatively, or had a lot to drink, the responsibility and blame for a sexual assault lies with the person who perpetrated the offense.
- Victims of domestic violence and sexual violence are also victims of trauma, which can have short-term or lifelong mental and physical health implications, both for the harmed individual and for secondary victims such as family members. Even if the victim/survivor's experience becomes part of a court record or a media report, he/she is entitled to privacy, respect, dignity, and factual representation of what happened.
- Young people in particular need more information about preventing sexual violence and what consent really means.
- Research suggests that when news stories are written in the passive voice about domestic violence, male readers find less victim harm and less offender blame, and both male and female readers are more tolerant of abuse.
- Responsibility for abuse rests with the person perpetrating the violence.

- Do not imply that the person who suffered the violence could have done something to prevent it, or that the person perpetrating the violence was in any way justified in their behaviour.
- Treat those who have been victims of domestic violence/sexual assault and their families, with respect and dignity.

Online comments and social media

The print media that have their platform online often encourages readers to comment on news stories and do not moderate these comments. Some are insensitive and hurtful to victims with the writers hiding behind anonymity. Most of professional media hire an online media editor to check for negative and insulting comments and some do not allow public comment on stories of sexual assault, domestic violence or other such items.

Social networking. If your news organization uses Facebook/Twitter or other social networking sites, entries should be monitored on stories involving sexual and domestic violence. Be careful not to post an item about a breaking story when the facts are not yet in.As in all other cases, do not use names of victims.

Example: Shaban Norja: Aishe's sister brought her to me, I had sexual relation with her as well³⁰.

The well known story about 83 years old man that got pregnant a 17 years old girl and then killed her by cutting her head off. The perpetrator have been interviewed from the reporter of the newspaper and during the interview he declares that he also had a sexual relationship with her sister before she got married

By giving his version the perpetrator didn't got enough by killing the 17 years old girl, but is making another victim for the public – her sister that is so easy to be identified.

The article online brought only two comments and both of them are extremely hard on women's victim.

³⁰ http://www.gazetadita.al/shaban-norja-aishen-ma-solli-e-motra-kam-shkuar-edhe-me-te/

KOMENTE		Koment
	kokpalari i 21 janarit	
	kjo gazeta Panorama vetem me kurva dhe vrases merret. Gazet katundaresh ≪Reply to this comment	
	Vera Karakushi	
8	Une ket zotnine e kam kushurinin e burrit edhe e njoh per burre zotni. E kan shfrytezu keto vajzat per te perfitu para. Per kete ka bere proteste dhe vajza jeme ne sheshin Skenderbej ku u mbllodhen mijra veta.	

- 1. This Panorama newspaper is dealing only with whores and killers.Village newspaper.
- 2. I know this man (calling him Mister), he is a relative of my husband and I know him as a good man. This girls have been using him for money. For that was done a protest in Skenderbeg square, where my daughter participated and thousand of people were there.

Interviewing a Victim/Survivor

Learn about violence against women. Develop skills for recognizing what details to include and words to avoid that lead to public blame of the victim.

When you're writing a story and you have a name or face that you can attach to it, it adds more depth and personalizes the story. When covering a sexual assault crime, it is important for reporters to consider the victim's right to privacy and process for healing.

Always, keep in mind that in majority of the cases, the victim/survivor may still be suffering the lingering effects of trauma, anger, and grief.

Make your homework before the interview, outline points to make, and know what words or sentences to avoid.

Try to have a conversation rather than an interview, so the victim/survivor will feel better. Set the tone by expressing your regret for what happened to her/ him and your hope to communicate with this story issues that might be important to other victims.

Ask the interviewee when is the best time and place to conduct the interview. The result will be more open communication and a better interview.

Allow the victim/survivor to have some control over the interview, in terms of discussing beforehand topics you are going to raise with her/him. Make sure that he/she knows that you are there as a reporter, not as their friend, your goal is to help them tell their story.

Avoid questioning 'why,' because this can be viewed as victim- blaming and suggest that the victim somehow provoked the incident. Victims are never to blame for what happened to them.

Ask open-ended, non-judgmental questions that allow survivors to share their stories.

Thank the victim/survivor by mentioning that her/his testimony will likely further the public's understanding of the victim, and perhaps encourage other victims to come forward and seek help.

Provide information about local resources and where survivors can go for help.

Describing perpetrators as 'monsters' sets them apart from the rest of society. Such labels can hinder people from reporting suspicions they may have about someone, because it challenges their concept of how 'good people' do 'bad things.'

Try to use the most accurate language possible.

Where to Refer Victims for Help

Counseling Line for Women and Girls - National Hotline for Victims of GBV and VAW	"Jona" Association
Address: Rr "Muhamet Gjollesha", Pall 73/I Tirana Toll Free Number: 116 117 Tel: +355 422 33408 E-mail: <u>linjakeshillimit@gmail.com</u> Web: <u>www.hotlinealbania.org</u>	Address: Rruga "Adem Sheme" Sarandë Tel: 085 222 425 E-mail: jonaojq@yahoo.com Web: www.facebook.com/pg/ShoqataJona
Activities: Offers on the phone counseling to victims of domestic violence and sexual assault through the free toll number; face to face and group counseling; refer victims in other services,	Activities: The association works to prevent domestic violence and human trafficking. It has collected data and worked to improve inter-ethnic rela- tions and qualified women and girls to get skills that meet the labor market demands.

Centre for Legal Civic Initiative	Refleksione Association
Address: Rr. "Vaso Pasha" Pall 12, Shk 1, Ap 1. Tirane Tel: 00355 4 2 259 795 E-mail: <u>avokatore@albmail.com</u> Web: <u>www.qag-al.org</u>	Address: Rr.Elbasanit, P.Fratari, Tërshana, Tirane Tel: E-mail: <u>info@refleksione.org</u> Web: <u>www.refleksione.org</u>
Activities:The Center for Legal Civic Initiatives (CLCI) operates as a legal and psycho-social service center for the violated and poor women. All services are provided for FREE.	Activities: Protects women's rights and fight against women discrimination of all types and forms. Domestic violence has continuously been the focus of the Association. Its projects are designed to promote women's participation in the social, political and economic life of the country as well as to increase women participation in policy and de- cision making.
Shelter for Abused Women	Gender Alliance for Development Centre
	Address: Street: "Abdyl Frasheri", P.10/1, Ap.3, Shk.1, Tirana, Tel: +355 42 255 514 E-mail: <u>gadc@gadc.org.al</u> Web: <u>www.gadc.org.al</u>
Activities: It assists and supports women and girls who have fallen victim to gender violence (physical, emotional, sexual, economic and otherwise). It also provides care and support for children of abused mothers The abused women, girls and children receive shelter, emo- tional support and counseling.	Activities: GADC works mainly in the fields of gender mainstreaming, EU in- tegration, economic empowerment, governance, gender budgeting, violence against women, education, and media.

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"Une Gruaja" Association	Women to Women
Address: Rr. Kajo Karafili, Pogradec- Tel: 083222140 E-mail: <u>une_gruaja@yahoo.com;</u> Web: <u>www.unegruaja.com</u>	Address: Lagjia "Vasil Shanto", Rruga "Marin Barleti", Nr. 161, Shkodër Tel: 0682079112 E-mail: <u>gruajatekgruaja@gmail.com</u> Web: <u>www.gruajatekgruaja.com</u>
Activities: The activities of UG include: counseling services, training, public awareness raising, informa- tion dissemination, encouraging women to actively participate in decision-making, monitoring local government decisions from a gen- der perspective, and leading advo- cacy and lobbying campaigns at the local and national levels.	Activities: Direct services for children, women and girls – victims of domestic violence such as counselling, 48 hours shelter and legal assistance.

Women's Association with Social Problems	Psychosocial Center "Vatra"
Address: L.2, Rruga "Sefer Efendiu", prapa Prokurorise se Rrethit Gjyqesor Durrës Tel: 052234600 E-mail: <u>shoqatagrave@yahoo.com;</u> <u>qendraekeshillimit@yahoo.com;</u> Web: <u>www.drejtesisociale.com</u>	Address: "Nermin Vlora Falaski" Pallati 13, Shkalla I, Kati i trete Vlore, Albania Tel: +355 33 22 40 78 E-mail: <u>info@qendravatra.org.al</u> Web: <u>www.qendravatra.org.al</u>
Activities: Offers psycho- social, legal, and medical services, as well as on the provision of informative and awareness activities.	Activities: Offers shelter for victims of trafficking and domestic violence. Increase of information and aware- ness raising of the public opinion on the risk posed by the human traf- ficking and domestic violence phe- nomena and the other problems they generate;
	Improvement of the social status of a significant number of victims of trafficking and domestic violence;

Women's Forum	AnotherVision
Address: Lagja "5 Maj", Rruga "Muç Shqiptari" Pallati 450/1, Elbasan Tel: 054257723; 054254516 E-mail: <u>forumigruaselbasan1991@gmail.com</u> Web: <u>www.forumigruaselbasan.org</u>	Address: agja "Aqif Pasha"Rruga "Ali Arapi", Nr.19 Elbasan Tel: 00355 54 252919 E-mail: <u>tjetervizion@gmail.com</u> Web: <u>www.tjetervizion.org</u>
Activities: The organization has a good working experience for women's rights, direct service delivery to girls and women in need, training capacity, and management and specific services providers. The organization assists yearly more than 180 cases through psychological and legal counseling. Of- fers shelter for 48 – 72 hours.	

Social Center "Hapa të Lehtë"	Counselling Line for Men and Boys
Address: Rr. Murgeshave Nr 6, Shkodër Tel: 022241316 E-mail: <u>qendragruashk@yahoo.com;</u> <u>hapatelehte@gmail.com;</u> Web: <u>www.hapatelehte.org</u>	Address: Rr "Vllazën Huta"Shk I,Kati 8,Apt 39,Tirane Tel: (04) 2363712 E-mail: <u>linjakeshillimit@gmail.com</u> Web: <u>www.clmb.al</u>
Activities: Offers psycho- social, legal, and medical services, as well as on the provision of informative and awareness activities	Activities: offers counseling ser- vices for men and boys. Training with youth and youth networking, training in schools and awareness campaign. Lobby and advocacy for young people.

Agritra Vision	Office for Men and Boys
Address: Peshkopi E-mail: <u>a-vizion@adanet.com.al</u> Web: <u>www.anrd.al</u>	Address: Shkoder Tel: +35522241154 E-mail: <u>endrituligaj@yahoo.com</u> Web: <u>http://www.clmb.al/hello-world/</u>
Activities: to assist and advise rural women in Diber area on sectors of agriculture, livestock and agro-pro- cessing, to stimulate and support the organization (cooperation) of women in groups as an opportunity to increase their economic role in the family and community.	Activities: Individual counselling for violent men and boys, assistance in case management, conflict and aggressive behaviour. Awareness through media