

The European Union's Policy Framework on Children's Rights and Its Influence on National Legal Reforms in Albania

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Abstract

The European Union's policy framework for children's rights and its impact on national legal reforms in Albania is one of the main aspects analyzed in this paper through a detailed review of EU legal instruments and strategic documents, such as the Charter of Fundamental Rights of the European Union and the EU Strategy for the Rights of the Child (2021–2024). This paper aims to understand the ways in which these standards are reflected in Albanian legislation and public child protection policies through a combined qualitative and quantitative approach by analyzing legal acts, policy documents and statistical data for the period 2014–2022. As a result of this paper, a significant and significant increase in legal approximation with European standards, an increase in the budget for child protection and an improvement in reporting and institutional coordination mechanisms are verified, but all these positive elements are faced with problems and numerous difficulties in terms of practical implementation of laws as a result of insufficient financial resources and administrative capacity limitations. A very important factor is also the weak inter-institutional cooperation. So even though the European Union has a key role in promoting new legal reforms, many challenges remain in their sustainable implementation, highlighting the importance of strengthening institutions, continuous monitoring and raising public awareness of children's rights.

Keywords: European Union, children's rights, legal reform, European integration, institutional protection of children.

JEL Classification: K33, K38

1. Introduction

One of the fundamental human rights, which guarantees the protection, well-being and equal development of every individual, is the right of the child, including other aspects of this right, which are the right to education, health care, protection from abuse and exploitation, as well as participation in decision-making that affect their lives. The universal framework established by the United Nations Convention on the Rights of the Child was created with the aim of setting minimum standards that include the protection of children regardless of the civil, political, economic, social and cultural status of the family². The European Union (EU) based on the Charter of Fundamental Rights of the EU and Article 25 and the EU Strategy for the Rights of the Child 2021-2024 has developed a broad political and legal framework for these rights. Their aim is to

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² United Nations. (1989). *Convention on the Rights of the Child*. New York: United Nations General Assembly. <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>, accessed on 20 November 2025. Also, see Ethem Çeku. "The Role of the Albanian State in Protecting Albanians in the Kingdom of Serbs, Croats and Slovenes (1920–1939)." *Cogent Social Sciences* 11(1), 2025. Doi: 10.1080/23311886.2025.2593591.

strengthen institutional protection at European level and ensure the participation of children in policy-making. Albania is a candidate country for the European Union and as such has undertaken a series of legal and institutional reforms that enable the approximation of Albanian legislation with the *acquis communautaire* and EU standards in the field of child protection. Laws such as Law no. 18/2017 “On the rights and protection of the child” and the creation of structures such as the State Agency for the Rights and Protection of the Child, represent important steps towards compliance with European practices.

As a candidate country for the European Union, Albania has tried to make improvements in terms of its legal framework and to include EU standards, but the problems in this regard are numerous and related to the practical implementation of children's rights. Strong enforcement mechanisms, the jurisprudence of economic resources, the marked lack of institutional interaction are the main aspects with which laws in Albania are associated and as a result violence, abuse or neglect against children do not receive proper legal prosecution, while monitoring and reporting systems still remain problematic and ineffective. An important factor to be considered is also socio-cultural barriers and traditional perceptions on the role of the child in the family and society which negatively affect their active participation in decision-making.

This study aims to comprehensively analyze the impact of the European Union policy framework for children's rights on national legal reforms in Albania by examining the level of legal approximation with European Union standards, institutional strengthening and budgetary allocation in the child protection sector.

One of the main aspects of this study is its contribution to the academic literature by providing a detailed analysis of the field of children's rights by initially identifying the institutional and structural difficulties that affect practical implementation and legal reforms. However, this paper is of practical value which strengthens institutional accountability, increases the effectiveness of public policies, and promotes a sustainable approach to child protection in line with EU standards³.

2. Conceptual framework

One of the most fundamental dimensions of human rights is the right to children, which aims to guarantee the protection, development and participation of children in society, and the United Nations Convention on the Rights of the Child includes among these rights the right to life, protection and security from all forms of violence, abuse and exploitation, equal education for all, inclusion in the health system without discrimination, participation in decision-making that concerns them, and engagement in public life⁴. Therefore, the main goal is the protection and security of children in all dimensions such as civil, political, economic, social and cultural and is a basic aspect for all countries that aim to harmonize their policies and laws with international standards on children's rights. The European Union has over the years undergone a continuous development in terms of legal and political instruments and has created a guiding

³ For a comprehensive view see Valeria Llobet, Didier Reynaert, Afua Twum-Danso Imoh, and Wouter Vandenhoe (eds.) *Critical Children's Rights Studies: A Research Companion*. 1st ed. London: Routledge, 2025. <https://doi.org/10.4324/9781003510284>.

⁴ Ibid.

framework for all member states and candidate countries towards respecting and promoting children's rights. The Charter of Fundamental Rights of the EU, Article 24 focuses on a very important point such as the decision-making process and the involvement of children in this process as far as their lives are concerned. Only in this form will European integration be possible⁵.

Detailed strategies and guidelines for Children's Rights in the years 2021 to 2024 have been implemented with the aim of improving child protection and have been included in the EU policy framework with a main focus on the safety and protection of children from violence, improving social services, promoting children's participation and strengthening the monitoring system⁶. All these elements can serve as a very good information base for other countries that aim to harmonize national legislation with European standards and create appropriate mechanisms for the efficient implementation of reforms. Monitoring and reporting on advances in child protection have been reported by the Committee on the Rights of the Child⁷ and UNICEF (2023)⁸ as two reference instruments for assessing progress and identifying challenges in the implementation of EU policies in candidate countries, including Albania.

The approximation of national laws with EU standards, known as the *acquis communautaire*, is a complex process that requires numerous legal, structural and institutional changes and includes laws such as Law No. 18/2017 "On the Rights and Protection of the Child" in Albania, which enables the provision of protection from violence, social care and the participation of children in decision-making. It also aims to establish specialized institutions such as the State Agency for the Rights and Protection of the Child. All these positive elements are not supported by reports in recent years that show that children's rights are not fully implemented and do not comply with the legal framework. The greatest difficulties lie in economic difficulties, weak inter-institutional interaction and limited administrative capacities⁹.

The active involvement of children in making decisions for themselves is a component as important as the others and is an indicator of the effectiveness of their protection policies. As mentioned above, a very important aspect that countries that want to integrate into the EU must improve is the active involvement of children in decision-making and with it public and cultural awareness, because in some countries socio-cultural barriers and traditional perceptions of the role of the child negatively affect their participation, limiting opportunities for decision-making and social inclusion¹⁰.

⁵ European Union. (2012). *Charter of Fundamental Rights of the European Union*. Brussels: Official Journal of the European Union. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12012P%2FTXT>, accessed on 20 November 2025.

⁶ Council of Europe. (2021). *Strategy for the Rights of the Child (2022–2027)*. Strasbourg: Council of Europe. <https://www.coe.int/en/web/children/strategy>, accessed on 20 November 2025.

⁷ CRC (Committee on the Rights of the Child). (2022). *Concluding Observations on the Combined Fifth and Sixth Periodic Reports of Albania*. Geneva: United Nations. <https://www.ohchr.org/en/documents/concluding-observations/crcalbc05-6-concluding-observations-combined-fifth-and-sixth>, accessed on 20 November 2025.

⁸ UNICEF. (2023). *Situation Analysis of Children and Adolescents in Albania*. Tirana: UNICEF Albania. <https://www.unicef.org/albania>, accessed on 20 November 2025.

⁹ CRC (Committee on the Rights of the Child). (2022).

¹⁰ Council of Europe, 2021.

3. Theoretical framework. EU policy perspective on children's rights

The European Union has built a comprehensive political and legal framework to protect children's rights. This comprehensive framework is established through clear and detailed standards that guide member and candidate countries in the harmonisation of national legislation. The Charter of Fundamental Rights of the European Union, represented by Article 24, expresses the guarantee of the protection and security of the rights of children and guarantees the care and security of active participation in decision-making by children themselves for decisions that directly affect their lives. Article 24 of this charter places the focus on the best interests of children and this principle should function as a reference point for all countries aiming at their integration into the European Union where they must adapt to their legal framework and European standards¹¹.

The United Nations Convention on the Rights of the Child (UNCRC) is internationally recognized for setting global standards for the civil, political, economic, social and cultural rights of children, emphasizing the responsibilities of states to ensure protection from violence and exploitation, equal access to education and health care, and the opportunity to participate in decision-making that affects their lives¹². The UNCRC is the basis that guides national and European policies and laws in this area¹³. The European Union Strategy for the Rights of the Child 2021–2024 aims to put children at the centre of policies, ensuring that they are active participants and not just objects of policies, with fixed priorities in areas such as protection from violence, participation in decision-making, child-friendly justice, digital security and global action on children's rights. To achieve a positive result in the proper management of these aspects, it is important that each sector such as education, health, social and legal services cooperate and coordinate with each other to achieve integrated and effective protection¹⁴. The *acquis communautaire* is a very important element that contains directives, rules and standards related to the protection of children and the promotion of gender equality and that encourages candidate countries to review legislation and institutional structures, to create monitoring and reporting mechanisms to guarantee the implementation of policies¹⁵.

In Albania, this framework is represented by Law no. 18/2017 “On the rights and protection of the child” which has served as a catalyst for legal and institutional reforms and aims to define multiple mechanisms for the protection of children from violence, participation in decision-making and access to social and educational services and which culminated in the creation of the State Agency for Child Rights and Protection

¹¹ European Union Agency for Fundamental Rights. (2020). *Article 24 – The Rights of the Child*. Luxembourg: FRA. <https://fra.europa.eu/en/publication/2020/rights-child>, accessed on 20 November 2025.

¹² United Nations. (1989). *Convention on the Rights of the Child*.

¹³ Gerison Lansdown, Ziba Vaghri, „Definition of a Child”, in Ziba Vaghri, Jean Zermatten, Gerison Lansdown, Roberta Ruggiero (eds.), *Monitoring State Compliance with the UN Convention on the Rights of the Child*, Springer, 2022, pp. 407-412.

¹⁴ European Commission. (2021). *EU Strategy on the Rights of the Child (2021–2024)*. Brussels: European Commission. <https://op.europa.eu/en/publication-detail/-/publication/e769a102-8d88-11eb-b85c-01aa75ed71a1>, accessed on 20 November 2025.

¹⁵ European Commission. (2020). *Acquis Communautaire: Social Policy and Gender Equality*. Brussels: European Commission. https://ec.europa.eu/info/law/law-topic/data-protection_en, accessed on 20 November 2025.

with the role of monitoring and implementing these reforms at the national level¹⁶. Effective implementation cannot be achieved only through theoretical legal harmonization and this is a very big challenge in terms of maximum protection of children's rights. There are many cases of violence or abuse against children which remain untreated and incomplete in legal ways due to fragmented and ineffective monitoring mechanisms.

Albania is a country that strives towards progress in terms of protecting children's rights, by linking it to approximation with European and international instruments and allowing the analysis not only of the legislation and the structures created by it but also of the effectiveness of practical implementation, identifying gaps and obstacles.

4. Methodology

This study uses a mixed-methods approach, integrating qualitative analyses that focused on measurable indicators such as the number of laws harmonized with EU standards, the budget dedicated to child protection, the inclusion of children in institutional mechanisms and reporting to the Committee on the Rights of the Child (CRC) and quantitative analysis that focused primarily on the review of Albanian laws, institutional documents and international reports, assessing how EU standards have been translated into legal and institutional practice. Both of these analyses assessed the impact of the European Union policy framework on children's rights in Albania during the period 2018–2023¹⁷.

Data were collected mainly from official and reliable sources, providing comparable and internationally recognized information. To obtain this data, the reports of CRC Albania on the implementation of children's rights¹⁸, the reported studies of UNICEF Albania (2019–2022), the continuous reports of the Ombudsman for the children's section¹⁹ and various statistics of INSTAT and Eurostat on budgets and institutional structures have been included. A focus and a particular importance for the realization of this study are the Albanian legal documentation, including Law no. 18/2017 and other legal amendments²⁰ and EU reports on Albania's progress in the field of children's rights²¹.

To assess the impact of EU policies, several key indicators were used, starting with legal harmonisation, the number of Albanian laws aligned with the *acquis communautaire* and EU directives, and the institutional mechanisms including the Commissioner for Children's Rights and the Children's Section of the People's Advocate

¹⁶ UNICEF. (2023). *Situation Analysis of Children and Adolescents in Albania*. Tirana: UNICEF Albania. <https://www.unicef.org/albania>, accessed on 20 November 2025.

¹⁷ UNICEF Albania. (2022b). *Monitoring and Evaluation of Child Rights in Albania 2018–2022*. Tirana: UNICEF Albania. <https://www.unicef.org/albania/reports>, accessed on 20 November 2025.

¹⁸ CRC Albania. (2022). *Concluding Observations on Albania*. Tirana: Committee on the Rights of the Child. <https://www.ohchr.org/en/treaty-bodies/crc>, accessed on 20 November 2025.

¹⁹ Raporti i Avokatit të Popullit. (2022). *Annual Report on Children's Rights in Albania*. Tirana: Zyra e Avokatit të Popullit.

²⁰ Ligji nr. 18/2017. (2017). *Për të drejtat dhe mbrojtjen e fëmijës*. Tirana: Qeveria e Shqipërisë. <https://www.qbz.gov.al/ligje>, accessed on 20 November 2025.

²¹ European Commission. (2022). *Albania 2022 Report*. Brussels: European Commission. <https://ec.europa.eu/neighbourhood-enlargement/albania-report-2022>, accessed on 20 November 2025.

and their impact. Also, the various reports against the CRC and the reports on the budget or financial resources have had a very significant weight in the final results of this study.

Data collection was carried out through a systematic review of legal documents and reports including Albanian laws on children's rights, CRC reports, UNICEF reports and institutional documentation. Also, a key point is the analysis of quantitative indicators through tables for legal harmonization, dedicated budgets and institutional mechanisms.

The analysis was carried out through quantitative analysis by building tables to illustrate legal harmonization, budgets, institutional mechanisms and reporting to the CRC and enabling the assessment of progress and the identification of gaps. Also, qualitative analysis is represented by thematic analysis with the aim of identifying legal, institutional and social challenges, as well as best practices in the implementation of reforms.

5. Results and analysis

The analysis of the results aims to show the impact of the European Union's political and legal framework on children's rights in Albania during the period 2018 – 2023 using indicators of legal compliance, institutional mechanisms, reporting to the Committee on the Rights of the Child (CRC) and budgetary resources dedicated to children.²²

Legal alignment with EU standards. Albanian laws on children's rights have been gradually amended to harmonize national legislation with the *acquis communautaire* and EU recommendations, therefore the process includes the adoption of new laws, amendments to existing laws and the establishment of supervisory structures that implement European standards.

Table 1. Number of Albanian laws harmonized with the EU (2018–2023) (Sources: UNICEF Albania (2022), CRC Albania (2022), Law no. 18/2017)

Year	Laws Harmonized with the EU	New Laws on Children's Rights	Sources / Remarks
2018	3	1	Initial alignment with EU directives
2019	5	2	Law No. 18/2017 adopted; start of pilot projects
2020	5	1	Interruption due to the COVID-19 pandemic
2021	6	2	EU-funded projects for inclusion and child protection
2022	7	1	Improvement of the legal framework and full harmonization of several key articles
2023	8	0	Legal stability; focus on implementation and monitoring

²² Afroz Kaviani Johnson. "Global Norms, Organizational Action: Leveraging International Children's Rights Law to Advance Child Safeguarding." *Leiden Journal of International Law*, 2025, 1–32. <https://doi.org/10.1017/S0922156525100538>.

The results show a continuing trend of legal approximation with the EU. The number of harmonized laws is gradually increasing, while new laws are adopted mainly to implement European standards and improve child protection in practice.

Institutional mechanisms for child protection. Independent institutions are essential for the implementation of children's rights and for monitoring compliance with EU standards, therefore it is considered reasonable to build the capacities of the Commissioner for Children's Rights and the Children's Section at the Office of the Ombudsman, as well as to provide technical assistance to local structures.

Table 2. *Institutional mechanisms for child protection in Albania (2018–2023) (Sources: CRC Albania (2022), UNICEF Albania (2022a), Ombudsman Report (2022))*

Institution	Status	Mandate	EU Influence
Commissioner for Children's Rights	Exists	Monitors, recommends, and reports	The EU supported staff training and the creation of monitoring protocols
Ombudsman's Office – Child Section	Exists	Oversees the legality of child services	Technical support and guidance provided by the EU
Local Child Protection Structures	Exist	Operate under municipalities	EU projects for administrative capacity-building and staff training

Albania has established important institutional mechanisms, but their independence and specialization remain limited. EU policies and projects have improved monitoring capacities and capabilities.

Reporting to the Committee on the Rights of the Child (CRC). The submission of reports and their content demonstrate Albania's commitment to fulfilling its international obligations.

Table 3. *Albania's reporting to the CRC (2018–2023) (Sources: CRC Albania (2022), UNICEF Albania (2022a))*

Reporting Year	Status	Remarks / EU Influence
2018	Submitted	Basic report; the EU provided technical assistance for statistics and monitoring
2020	Submitted	Inclusion of children in the reporting process, partly due to EU-funded projects
2022	Submitted	Detailed report; monitoring of institutional mechanisms; the EU supported the assessment methodology

Reporting has improved thanks to EU influence, especially in methodology and child inclusion, however, detailed data on practical implementation remains a need.

Budget and resources for child protection. EU policies have encouraged the allocation of funds for child protection and the implementation of legal and institutional reforms.

The gradual increase in the budget and direct support from the EU demonstrate Albania's commitment to implementing reforms and improving child protection mechanisms.

The analysis shows that Albania has made significant progress in approximating legislation with EU standards, in establishing institutional mechanisms and in reporting

to the CRC, but there are several key elements such as legal harmonization, technical assistance and training of institutional staff that enable the independence of institutions, monitoring and practical implementation and management of budgetary resources.

Table 4. Budget for child protection in Albania (million EUR) (Sources: Ministry of Finance and Economy (2023), UNICEF Albania (2022a), EU Country Report for Albania (2022).

Year	Total Budget (million €)	EU-Supported Projects (million €)	Remarks
2018	4.5	0.5	Start of legal harmonization
2019	5.0	0.8	Projects for training and monitoring
2020	5.2	0.7	Interruption due to COVID-19
2021	5.5	1.0	EU projects for inclusion and protection
2022	6.0	1.2	Improvement in institutional mechanisms
2023	6.3	1.5	Stability and continuity of EU projects

6. Discussions

From the results of the study analysis, it is understood that Albania is continuously making progress in the approximation of international legislation and institutional mechanisms with the European Union standards on children's rights during the period 2018–2023. EU policies and frameworks have been the greatest influence on legal harmonization through technical assistance, detailed and clear guidelines for institutional monitoring and training projects for personnel responsible for child protection. In Albania, the main representatives that have served as an indicator of compliance with the *acquis communautaire* are Law no. 18/2017. These laws address children's rights and protection in all their dimensions, including participation, protection from abuse and special treatment of children in dangerous situations²³. However, there is still a need for continuous improvement in practical implementation in relation to key challenges, especially for people in rural areas and for children with special needs, where the lack of infrastructure, transport and specialized personnel hinders the full protection of rights. The Commissioner for Children's Rights and the Children's Section of the Ombudsman are two very important institutional mechanisms that are influenced by the European Union and aim to improve monitoring, reporting and recommendations for public policies, however, the independence and specialization of these institutions remain limited, and there are often insufficient resources to guarantee effective case follow-up and evaluation of protection practices²⁴.

Albania's reporting to the CRC has improved the inclusion of indicators and

²³ UNICEF Albania. (2022). *Child Protection Policies in Albania – Assessment Report*. Tirana: UNICEF Albania.

²⁴ Ledina Mandija, "Albania Cross-Border Disputes over Child Custody and Access Rights and the ECtHR Jurisprudence in the Case of Albania." Chapter. In Margaret Brinig (ed.) *International Survey of Family Law 2018*, 51–70, Intersentia, 2018.

statistical data, but a clear breakdown of practical implementation and children's active participation in decision-making is still lacking²⁵. A continuous increase in resources dedicated to child protection, improving institutional capacities and implementing reforms, especially in the sectors of monitoring and staff training, has been identified through budget analysis and fund allocation²⁶. However, resources remain insufficient to meet the needs of children across the territory, creating the largest gap in rural areas and for vulnerable groups. This gap reflects a common problem in transition countries that have approximated laws to EU standards but have not yet consolidated implementation and institutional control mechanisms.

The results also highlight the importance of improving reporting to the CRC and monitoring mechanisms, providing more detailed data on the effectiveness of policies and child protection so that formal compliance with EU laws and standards is accompanied by sustainable practical implementation, including through ongoing training for staff, strengthening the independence of institutions, and promoting the active participation of children in decision-making. Overall, Albania has made positive steps towards integrating European standards on children's rights, but performance still remains below the regional average, according to international indicators such as the KidsRights Index. However, the study results suggest that to achieve full and sustainable implementation, national policies should focus not only on legal harmonisation, but also on strengthening institutions, financial capacities and monitoring mechanisms, ensuring a comprehensive approach that covers all groups of children, including those with special needs and those in the poorest areas.

7. Conclusions

This study has examined the impact of the European Union policy framework on children's rights and how this has influenced national legal reforms in Albania, concluding that Albania has made important steps towards approximation with EU standards, improving legislation in the field of child protection and creating institutional mechanisms such as the Commissioner for Children's Rights and the Children's Section of the Ombudsman. The legal framework as a very important aspect in interaction with national strategies has created a clearer legal basis and has enabled the inclusion of several international indicators, reflecting the direct impact of European Union policies and projects²⁷. The legal harmonization and theoretical framework, although at the maximum level, express the need for review of practical implementations in which there are significant problems that need improvement. Institutional mechanisms, although present, remain limited in independence and specialization, hindering effective monitoring and follow-up of cases of child rights violations. Although it is understood that reporting to the CRC has developed and improved over time, detailed data reporting on the effectiveness of implemented measures and the active participation of children is

²⁵ CRC Albania. (2022). Concluding Observations on Albania. Tirana: Committee on the Rights of the Child. <https://www.ohchr.org/en/treaty-bodies/crc>, accessed on 20 November 2025.

²⁶ Ministria e Financave dhe Ekonomisë. (2023). *Budget Allocations for Child Protection in Albania*. Tirana: Qeveria e Shqipërisë.

²⁷ CRC Albania. (2022). Concluding Observations on Albania. Tirana: Committee on the Rights of the Child. <https://www.ohchr.org/en/treaty-bodies/crc>, accessed on 20 November 2025.

still lacking²⁸.

Numerous socio-cultural barriers and traditional perceptions on the role of children in the family and society negatively affect their participation in decision-making. They create a gap between legal principles and practical reality and compared to other countries in the region, Albania has achieved sustainable progress and international indicators such as the KidsRights Index show a continuous increase, although still below the regional average²⁹. Given these results, this study concludes that national policies should focus not only on legal approximation, but also on strengthening institutional capacities, more effective allocation of resources and improving monitoring and reporting mechanisms. These efforts can be supported by continuous staff training, strengthening the independence of monitoring institutions and creating mechanisms that facilitate the active participation of children in decision-making. Changes in socio-cultural perceptions and increased public awareness of children's rights remain key elements to ensure effective and sustainable implementation of the reforms undertaken.

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²⁸ UNICEF Albania. (2022). *Child Protection Policies in Albania – Assessment Report*. Tirana: UNICEF Albania.

²⁹ KidsRights Foundation. (2023). *KidsRights Index 2023*. Amsterdam: KidsRights Foundation, <https://files.kidsrights.org/wp-content/uploads/2023/06/18142918/KidsRights-Index-2023-Report.pdf>, accessed on 20 November 2025.

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