

Gender Discrimination in Family Matters, Albanian Legal Framework

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ABSTRACT

The Albanian society, as well as the international community, has evolved over the years towards democratic values, which are fundamentally based on the respect and guarantee of human rights and freedoms. This paper focuses on the treatment of several key aspects of equality in matters related to family relationships, from which elements can be concluded that may be considered discriminatory in the context of gender stereotypes. Recognizing that family relationships are complex and the subject is very broad, we have endeavored to focus on issues that can be considered problematic for Albanian society in particular and the world in general. Here, we mention issues such as domestic violence, aspects of equality in matters pertaining to marriage, and relationships within the exercise of parental responsibility. Despite the progress made towards the establishment of an equal world, we observe that there are still aspects that need improvement in this regard, both in terms of legal frameworks and in the implementation of laws. This article aims to provide an approach to these issues, though it does not exhaustively analyze the subject matter.

Keywords: Equality, Child Marriage, Domestic Violence, Legal Framework, etc.

INTRODUCTION

International Acts and Instruments

Gender equality in family matters is a critical aspect of human rights and social justice. International instruments and legal acts play a key role in approving policies and structures that promote equality within family relationships. Some of these acts are listed as follow:

A. The Universal Declaration of Human Rights of 1948 stipulates the equal rights of men and women in its preamble¹. This act foresees the main elements related to marriage. More specifically, it establishes fundamental principles regarding the freedom of will and equality between parties in the marriage contract upon becoming adult. This equality is required both at the moment of marriage, during the marriage, and at the point of divorce, placing individuals entering into such a relationship on equal state².

B. The Charter of the United Nations, one of the earliest documents concerning fundamental human rights and freedoms, proclaims equal rights for men and women in its principles.

C. The International Covenant on Civil and Political Rights, in Article 23, requires State Parties to take appropriate measures to ensure equality in the rights and responsibilities of both parties within a marriage, during the marriage, and in the event of its termination.

¹ <https://www.un.org/sites/un2.un.org/files/2021/03/udhr.pdf>, accessed on 03.02.2024.

² The Universal Declaration of Human Rights

D. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), adopted in 1979, is an international treaty that generally addresses women's rights, including equality in family matters.³

E. The Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention), adopted in 2011 and ratified by our state, focuses on the prevention and combating of violence against women, including any form of violence in the family context.

F. The European Convention on Human Rights and Fundamental Freedoms, in Article 12, sets forth the conditions for marriage and family. Through Protocol 5 of the ECHR, foresees the equality between spouses. According to this protocol, spouses shall enjoy equality of rights and responsibilities of a private law character between themselves and in relation to their children concerning marriage, during marriage, and in the case of its termination. Protocol 12 of the ECHR prohibits general discrimination.

G. The Pekin Declaration and Platform for Action. This Declaration reaffirms the commitment to equal rights and human dignity for women and men, alongside the goals and principles enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights, and other international instruments for human rights.

National Legislation

Albania, since the 1990s, has undertaken a series of legal initiatives aimed at guaranteeing human rights and freedoms.

A. The Constitution of the Republic of Albania sanctions the principle of equality and non-discrimination, as well as the special protection of the family.⁴

B. The Family Code, in all matters addressed, is based on the principle of equality and the reciprocity of spouses in the rights and obligations derived from family and marriage.

C. Law No. 221 dated 04.02.2010 “On protection against discrimination.”

D. Law No. 9 970 dated 28.07.2008 “On gender equality in society.”

E. Law No. 104/2014 “On some amendments and additions to Law No. 7 703, dated 11.05.1993 “On Social Security in the Republic of Albania,” as amended.

In this law, within the framework of the equality of spouses, the right to parental leave for child care is granted to the father as well, after a period of 63 days following the birth of the child, and when this right is not exercised or the mother does not have the conditions to benefit from it.

F. Law No. 9 669, dated 18.12.2006, “On measures against violence in family relations,” as amended. The purpose of this law is to prevent and reduce domestic violence in all its forms. The two most significant improvements occurred in 2018 and 2020. With the changes made to this law, protective and procedural measures were strengthened for a more effective response to domestic violence and victim protection, through the issuance of Restraining Orders for Immediate Protective Measures. Additionally, for the first time, women and girls in intimate relationships, without having formal ties to their abusers, such as marriage or cohabitation, are protected."

MARRIAGE AND ISSUES OF EQUALITY BETWEEN SPOUSES

The Institution of Marriage

Marriage has traditionally been and still is one of the forms of family creation across generations in human society, evolving from primitive forms to the present day with a series of formal and substantial conditions for granting the status of a *sui generis* legal relationship.

At the outset of the Family Code, the principle is stated as a postulate: “*Marriage, as a legal cohabitation, is founded on the moral and legal equality of the spouses, in the mutual sentiment of love, respect and understanding, as the basis of unity in the family. Marriage and family enjoy special protection from the state...*”⁵. Meanwhile, the right to marry is sanctioned as one of the fundamental human rights, as provided for in Article 12 of the European Convention on Human Rights (ECHR).⁶

In the following, we will analytically present some of the conditions of marriage that, in practice, result in differences due to gender.

³ The convention is ratified by Albania through law no. 7767, date 9.11.1993

⁴ Constitution of Albania article 8 and 52

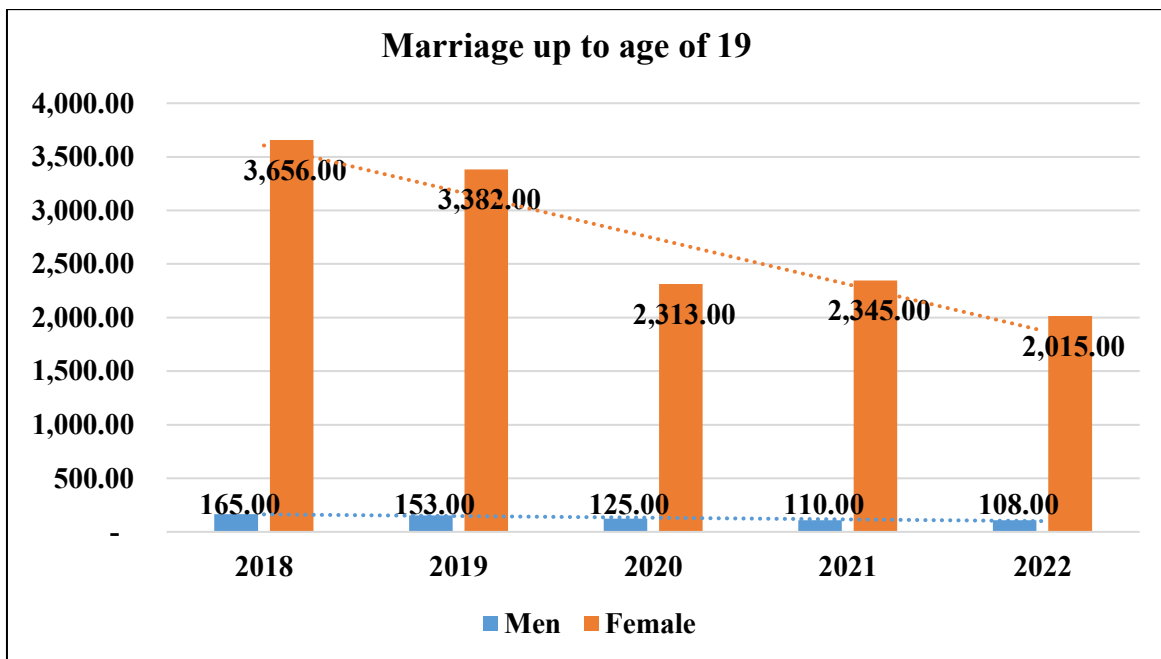
⁵ Law no. 9062, date 8.5.2003 “Family Code”, article 1

⁶ European Court of Human Rights, article 12 “Men and women of marriageable age have the right to marry and to found a family, according to the national laws governing the exercise of this right”.

Age for Marriage

Marriage, as a voluntary act, is regulated by law to occur between a man and a woman who have reached the age of 18.⁷ Article 12 of the Convention on the Elimination of Discrimination against Women (CEDAW) delegates to the domestic legislation of member states the determination of when the age of marriage can be considered reached. The Convention on Consent to Marriage, Minimum Age for Marriage, and Registration of Marriages mandates that states adopt a minimum age within their domestic legislation that permits marriage to occur.⁸ Meanwhile, returning to Albanian legislation, it appears to generally respect the obligation of reaching the age of majority when entering into marriage. Marriage, as a voluntary act, requires the free will of the parties involved in this relationship, which, according to the Civil Code, implies achieving full legal capacity to act, possible upon reaching the age of 18.⁹ On the other hand, the same legal acts foresee the possibility of entering into marriage during minority for significant reasons deemed appropriate by the court, without establishing a minimum age,¹⁰ below which marriage cannot be legitimized¹¹.

Practice has shown a significant presence of marriages at a young age within Albanian society, both in the legally authorized form by the court and in the form of de facto cohabitation between partners, one of whom is a minor. Minority is primarily observed, if not always, in the female gender.



Graphic1: The trend of marriages over the years until the age of 19.

Source: Data from INSTAT¹².

From the statistics, we observe a declining trend in marriages at a young age for both women and men. However, despite this trend, the ratio between the two genders remains high, with the presence of marriages among young women, despite the decreasing trend, continuing to remain higher in comparison to men.

⁷ Law no. 9062, date 8.5.2003 "Family Code", article 7/1

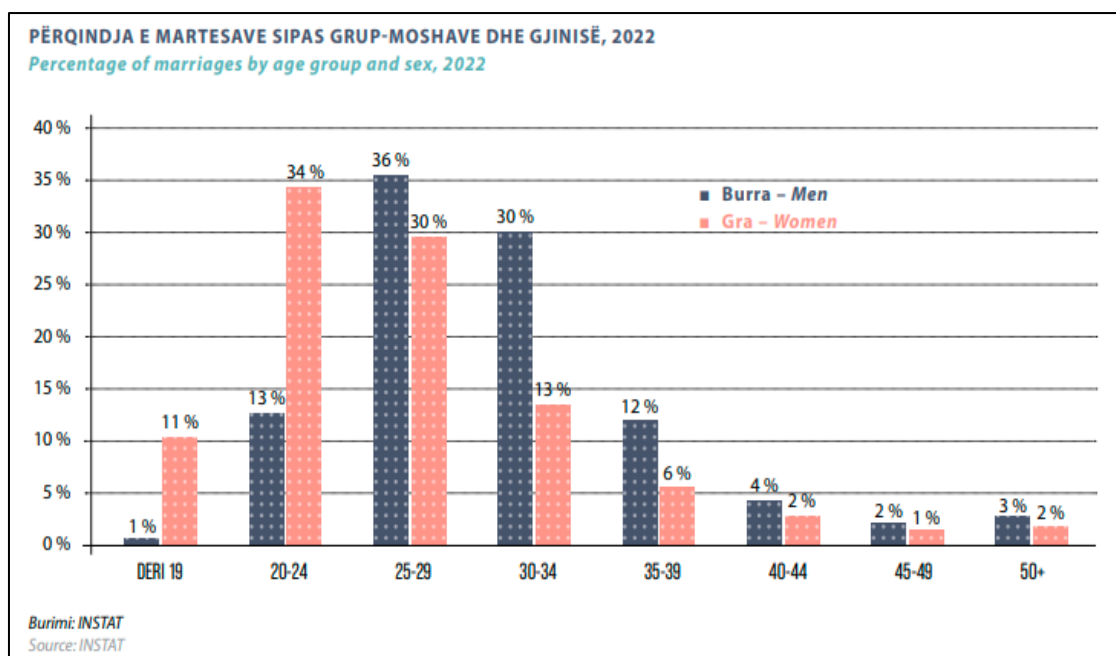
⁸ <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-consent-marriage-minimum-age-marriage-and-aksesuar-nw-13.02.2024>, Convention on Consent to Marriage, Minimum Age for Marriage, and Registration of Marriages approved through Resolution of General Assembly 1763 A (XVII), article 2.

⁹ Civil Code, article 6

¹⁰ To be kept in mind Criminal Code, and provisions of article 100 and following, with victims minor

¹¹ Law no. 9062, date 8.5.2003 "Family Code", article 7/2.

¹² <https://www.instat.gov.al/> accessed on 02/02/2024.



For the year 2022, it is reported that the number of girls married before the age of 18 during this year is 15. This number has decreased compared to the previous year, when 19 marriages of girls under 18 were registered. The percentage of girls married between the ages of 15 and 17 is very low, while the highest values are noted at ages 18 and 19, at 6.1% and 4.7%, respectively. Meanwhile, boys do not have marriages before the age of 18, and the percentage of boys married at ages 18-19 is below 1%.¹³

Marriage at a young age constitutes grounds for absolute invalidity of the marriage.¹⁴ In practice, the realization of marriage below the legal age is impossible without court authorization, which evaluates the objective important reasons justifying marriage at this age. However, it is of particular importance to identify the will of the minor and to analyze their physical, biological, and psychological aspects. If the court cannot assess such a fact, it cannot authorize the realization of a marriage, which would compromise the best interests of the minor.¹⁵ In practice, it has been noted that the applicants for marriage underage have been adult partners, and the minor was summoned as a third person. Such a violation directly compromises the minor, whose will must be clearly identified by the court and verified to be a free will alongside other conditions stipulated by law.¹⁶ Verifying the will takes on special significance in minor marriages, as they are often used as methods for committing criminal offenses related to the trafficking of minors.¹⁷

Regarding the subjects that may initiate proceedings in court for the annulment of the marriage, the Supreme Court has stated that if we are before the marriage that has all the prohibitive conditions or legal obstacles, such as: minor age, mental illness, prior marriage, or family relationships, kinship, or adoption, the intensity and compromise of public or state interest is such that: "*it may legitimize anyone who has a legitimate and current interest.*"¹⁸ Article 12 of the European Convention on Human Rights (ECHR) has been submitted to interpretation in relation to other rights sanctioned in this act. In one of the cases presented, the court stated that the right to family and the exercise of faith cannot prevail against the criterion established by Article 12 of the ECHR regarding the age necessary for marriage.¹⁹ In another case, age was considered a serious violation of public order. Swiss authorities have considered a marriage contracted underage through a religious ceremony as a breach of public order and have refused to recognize it.²⁰ In the convention for the recognition of marriages, the absence of the legal age constitutes one of the instances where the ratifying state may refuse to recognize marriages contracted in another state.²¹

¹³ <https://www.instat.gov.al/media/12598/burra-dhe-gra-2023.pdf> pg. 16 accessed on 12/02/2024.

¹⁴ Law no. 9062, date 8.5.2003 "Family Code", article 39

¹⁵ Decision no. 88/18.01.2011 i court of Shkodwr.

¹⁶ See Decison no. 1288/30.5.2013; Decision 2443/26.10.2011 court of Korca.

¹⁷ Decision of CCHC No.52907-00592-00-2008 i Regj.Themeltar Nr.00-2010-795 of Decision (538).

¹⁸ Decision no.00-2015-3505, date 14.10.2015 of High Court.

¹⁹ <http://hudoc.echr.coe.int/eng#%7B%22itemid%22:%7B%22001-76850%22%7D>} Khan vs UK, accessed on 12/02/2024.

²⁰ CASE OF Z.H. AND R.H. v. SWITZERLAND Application no. 60119/12.

²¹ <https://assets.hcch.net/docs/8e321c1a-9151-4608-a8a1-6dbee0f92cfd.pdf>, article 11. Accessed on 12/02/2024

The phenomenon of early marriages is a concerning issue that affects the development and empowerment of women in society, placing them in a vulnerable status in relation to their partners. Practice has shown that requests in court for marriage have been present even for minors under the age of 14. Judicial practice has been protective, establishing a limit where marriage is not authorized for those under 16 years old. However, despite this, we believe that the legislative power should address this matter and establish a minimum age, thus avoiding the wide discretion of the judicial power, in line with the principle of legality.

Will in the Marriage Contract

In this aspect, it is important to address the phenomenon of forced marriages. We find ourselves in such a situation when the will of one or both partners is missing to enter into marriage. Practice has shown that this phenomenon occurs sporadically, primarily when the lack of will is from the male, while it is more often observed with women, who are forced due to customs, cultural traditions, or other reasons to submit to such a marriage.

Under the pressure of family members, there may be marriages where the woman's will may not be entirely compromised, but is still influenced in the decision to marry. Such facts have been noted and documented in judicial practice.²²

Will is a substantial condition for the existence of marriage. Defects of will constitute a specific cause that can lead to the annulment of the marriage, particularly defects such as threat or fraud.²³ In practice, it has happened that a woman, under conditions of fraud and threat, has been forced to marry.²⁴ In cases of marriages tainted by will deficiencies, we find ourselves in conditions that can lead to the annulment of the marriage, which can only be challenged by the parties with a court decision.²⁵ Forced marriages are forms of violence exercised against the partner, which can manifest both at the moment of entering into marriage and during the existence of the marriage in the form of threats and violence to prevent divorce. According to the interpretation of the ECHR (European Court of Human Rights), a forced marriage would constitute a violation of Article 12 of the ECHR, which ensures the right of a coerced spouse to marry and form a family according to their own free will.²⁶

In the practices of different countries, certain situations that compromise will have been considered, including cases where a promise is made by a person who is dying. In one case, a Muslim boy agreed to fulfill his father's last wish to marry a Muslim woman who was illegally residing in Scotland. After the father's death, he sought annulment of the marriage due to lack of will, an argument that was accepted by the Scottish court.²⁷

Chosen Surname in Family and Its Transmission to Children

In accordance with Article 51 of the Constitution, we observe equal treatment between spouses regarding the choice of surname after marriage. Issues of this nature concerning the family surname have been subject to examination by the European Court of Human Rights (ECHR) in the context of respecting fundamental rights and freedoms. Specifically, the ECHR has regarded these cases as violations of Articles 14 and 8 of the European Convention on Human Rights (ECHR). In a case against Turkey, where legislation mandated the husband's surname as the obligatory surname after marriage, a violation was found by the ECHR. The court expressed that the need to impose the husband's surname as a form of family unity arises from tradition, and this tradition does not constitute a decisive reason to justify the infringement of rights under the ECHR.²⁸ The formulation of Article 51, in relation to the civil status law,²⁹ allows for the retention of only one surname, thereby avoiding the standard aimed at by the ECHR to allow partners to choose a common surname.³⁰

In analyzing Article 52, we note a more evident treatment of inequality between spouses concerning children. It automatically assigns the father's surname in cases where there is no agreement on the surname of the child. Meanwhile, the ECHR case law has found violations of Article 14 of the ECHR by Spanish legislation in situations where the father's surname is placed first, followed by the mother's surname.³¹

In such a situation, Albania would find itself in violation of Article 52 of the code of Family if a claim of this nature were successfully submitted to the ECHR by Albanian mothers.

²² Decision of Civil Panel of High Court No.21001-00864-00-2008 i Regj. no.00-2012-448 (68); no. .68/14.2.2012.

²³ Mandro, A. (2009). "Family law". Tiranw: Publisher "EMAL"pg.186

²⁴ Decision no.35-2017-206, date 03.02.2017 Court of Kurbin.

²⁵ Decision no.433, date 14.10.2015 of Civil Panel of High Court.

²⁶ Application No. 12411/86, M. v. THE FEDERAL REPUBLIC OF GERMANY.

²⁷ See: Mahmud v. Mahmud, [1994] S.L.T. 599; P v. R, [2003] 1 F.L.R. 661.; S.(A.) v. S.(A.) (1988), 15 R.F.L. (3d) 443 (Ont. U.F.C.).

²⁸ *Ünal Tekeli v. Turkey* (application no. 29865/96). UNCER GÜNEŞ v. TURKEY (Application no. 26268/08).

²⁹ Law No. 10 129, date 11.5.2009 On Civil status

³⁰ Losonci Rose and Rose v. Switzerland (application no. 664/06).

³¹ León Madrid v. Spain (application no. 30306/13) shiko dhe cwshtjen Cusan and Fazzo v. Italy (application no. 77/07).

DOMESTIC VIOLENCE

Albanian society in the early 2000s was facing an increased number of cases of domestic violence. Unfortunately, these cases were often not reported by the victims themselves, due to feelings of shame, fear, economic dependence on the spouse, etc. However, there were many instances where even when cases were reported, the perpetrators did not receive appropriate punishment for various reasons. These reasons ranged from corrupt actions towards justice officials to the fact that a considerable number of victims of domestic violence withdrew complaints against their abusers. Above all, this was due to the lack of necessary legal provisions.

It appears that lawmakers did not pay adequate attention to this ever-increasing phenomenon. In the Criminal Code, "*Domestic Violence*" was foreseen as a criminal act in Article 130/a. Until 2012, "*Domestic Violence*" was treated as "*minor injury*" or "*serious injury*" in relation to the extent of physical harm inflicted on the victim. Another innovation brought by Law 23/2012 was classified as a criminal act also the "*threats of murder or serious injury against family members*". This form of violence had been overlooked by lawmakers, despite the new spirit and legal benefits (for victims of domestic violence) introduced by Law No. 9 669, dated 28.12.2006, "*On Measures Against Violence in Family Relations*."

At the beginning of the implementation of the law, the court would issue "*Protection Orders*" for the victim, ordering that the victim continue to live in the marital home. The victim often found herself under negative pressure from family members or social connections (of the abusive husband/wife), who lived near the victim's home, which caused the victim to withdraw her criminal complaint against the abusive perpetrator. The rehabilitation of these individuals was not achieved, as evidenced by their recidivism thus, the measures were not effective.

To address the issues described above, the legislator intervened in Law no. 9 669, by adding point "k" to article 10 of this law. As a result, the court was given the authority to order the perpetrator of domestic violence to participate in psychosocial rehabilitation programs and/or parenting skills programs organized by public or private entities, which is considered a supportive measure.³² Based on these legal provisions, the court has the right, when issuing a "*protection order*," to direct social services or various organizations to provide financial, psychosocial, and health support to victims of domestic violence. In some cases, it has been found that victims of violence have been accommodated in the facilities of these organizations, but unfortunately, this has resulted in temporary and ineffective solutions. The facilities of these organizations lack the necessary infrastructural conditions, and victims are not guaranteed their rights in full since they have insufficient accommodation capacities. The ideal solution would be the establishment of a unit specifically dedicated to this vulnerable category. Furthermore, the state, through this unit, should guarantee victims of "domestic violence" adequate infrastructural, educational, and financial conditions necessary to support the right to private and family life as sanctioned in Article 8 of the Convention for the Protection of Human Rights.³³

Through amendments made to Article 130/a of the Penal Code, with Law No. 35/2020, dated April 16, 2020, it has been stipulated that acts of violence in the family also include cases where the acts of violence are consumed by a person in a relationship or former intimate relationship with the victim. The identified decisions consist of addressing physical violence. "*Psychological violence*," due to its very nature, poses greater challenges in terms of proving for both the victim and the prosecutorial body. In such cases, the consequences caused by "*psychological violence*" are longer-lasting and more difficult to recover from. However, on the other hand, there is a superficial treatment of these cases by the relevant authorities. Notably, the decision No. 1018/24, dated October 5, 2023, from the Tirana Court, which, based on a request from the prosecutorial authority, decided to terminate the criminal proceedings registered for the criminal act of "*Domestic Violence*," as set forth in Article 130/a of the Penal Code. In this specific case, the victim had been threatened from time to time by her husband, who sent messages like "*I will kill you*," "*I will take the children*," etc. The victim submitted these messages to the prosecutorial body. Based on the reference to these messages, decision No. 6071, dated November 18, 2022, from the Tirana Court (Civil Chamber), confirmed the Protection Order against the victim. This court, in its analysis, classified the messages sent by the perpetrator to the victim as determinants for identifying her severe psycho-emotional state. Meanwhile, the prosecutorial body did not consider the continuous threatening/offensive messages from the abuser towards the victim. The prosecutorial body and, later, the court during the preliminary hearing, relied solely on the psycho-emotional expert report of the victim, in which it was specified that the victim was emotionally disturbed but not to a large extent.

³² Commentary of the Law on measures against violence in family relationships

³³ TERSHANA K. SHQIPERISE, application no. 48756/14; Kurti vs Austria application 62903/15

Additionally, it was identified that even though the “abuser” was penalized or a Protection Order was issued, the legislator did not foresee continuity in protecting victims of domestic violence. This issue was improved with Law No. 47/2018, which added point 3/1 to Article 23 of Law No. 9 669. The content of this point states that “During the duration of the court decision for the Protection Order, the office of social services of the local self-government unit monitors compliance with the protection order by the parties and prepares a report every 60 days, notifying the State Police in each case.”

In conclusion, we can say that the phenomenon of “Domestic Violence” will always exist. This phenomenon cannot be completely eradicated but can be minimized through the appropriate legal initiatives, coordination, and effective collaboration of various institutions (social services, police, prosecution, courts, school psychologists, etc.).

Table 1. Data on the state of domestic violence for the year 2023 at the Court of Tirana/Protection Order

STATIS+A1:H2OTICAL DATA ON DOMESTIC VIOLENCE (Annual 2023)							
RESIDENCE	City	Suburb	village				
	175	102	38				
Age	0-15	16-18	19-25	26-35	36-45	46-55	55+
	3	10	28	115	96	34	29
Gender	Female	Male					
	265	50					
Civil Status	Single	Married	Divorced	Cohabitation	Widow		
	42	182	30	11	4		
No. of Children	none	1	2	3	4+		
	23	66	115	25	6		
Education	NO EDUCATION	ELEMENTARY (1-4)	9 YEAR GRADES	HIGH SCHOOL	UNIVERSITY		
	1	8	84	100	23		
employment	I papunë	I punësuar në sektorin publik	I punësuar në sektorin privat	I vetëpunësuar	Studente	Nxënëse	Pensionist
	28	0	60	7	8	11	24
Request for Protection Order	Accepted	Rejected	Ceased				
	122	53	37				
Family relation with the violator	Spouses	Sister	Brother	Child	Parents	Others	
	154	1	6	18	20	116	

Source: Statistics of the Tirana Judicial District Court, General Jurisdiction³⁴

CONCLUSIONS AND RECOMMENDATIONS

In analyzing the above points, we conclude that Albania has made good progress in implementing international legal acts and domestic legislation regarding the position of girls and women in relation to men in family relations. Despite this development, we believe that further interventions should be undertaken primarily in the Family Code, concerning issues related to child marriages, the surnames of spouses, and their relationship with children. On the other hand, it is not enough to only draft a formal regulatory framework; it is essential to ensure proper implementation and monitoring of these acts by all relevant actors.

It is necessary for the relevant authorities to receive continuous training to ensure they recognize and implement the standards reached in international acts in this regard. Courts should clarify and harmonize their practices regarding the examination of cases involving child marriages, paying special attention to the fact that legitimization of the request should belong only to the minor.

We recommend to increase the attention to the implementation of measures against domestic violence and propose that non-compliance with protection orders be considered a crime and not a minor offense, as it indicates a high level of danger posed by the perpetrator.

³⁴ <http://www.gjykatatirana.gov.al/kendiinformativ/evidencat-statistikore-specifike/> accessed on mw 18.11.2024.

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2. Mandro, A.; Semini, M.; Anastasi, A. (2021). "Commentary on the Law on Measures Against Violence in Family Relationships", Tirana.

Legal Acts:

1. Constitution of the Republic of Albania
2. Family Code
3. Civil Code
4. Penal Code
5. Juvenile Penal Code
6. Law no. 10 129, dated 11.5.2009 "On Civil Status"
7. Law no. 221 dated 04.02.2010 "On Protection Against Discrimination"
8. Law no. 9970/ 28.07.2008 "On Gender Equality in Society"
9. Law no. 9669, dated 18.12.2006, "On Measures Against Violence in Family Relationships"

International Instruments:

1. European Convention on Human Rights
2. Convention on Consent to Marriage, Minimum Age, and Registration of Marriages
3. Convention on the Recognition of Marriages
4. Universal Declaration of Human Rights
5. Charter of the United Nations
6. International Covenant on Civil and Political Rights
7. Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
8. Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention)
9. Pecin Declaration and Platform for Action.

National Judicial Practice:

1. Decision No. 52907-00592-00-2008 of KPGJL
2. Decision no. 00-2015-3505, dated 14.10.2015 of the Supreme Court
3. Decision No. 21001-00864-00-2008 of KCGJL
4. Decision No. 00-2012-448 of Decision (68);
5. Decision no. 68/14.2.2012 of the Civil College
6. Decision no. 433, dated 14.10.2015 of the Civil College of the Supreme Court
7. Decision no. 88/18.01.2011 Court of Shkodra
8. Decision no. 1288/30.5.2013 Court of Korça
9. Decision no. 2443/26.10.2011 Court of Korca
10. Decision No. 1018/24, dated 05.10.2023, of the First Instance Court of General Jurisdiction Tirana
11. Decision No. 6071, dated 18.11.2022, of the First Instance Court of the Judicial District of Tirana
12. Decision no. 35-2017-206, dated 03.02.2017 of the Court of the Judicial District of Kurbin

Judicial Practice of the ECHR:

1. Ünal Tekeli v. Turkey (application no. 29865/96)
2. Khan v. United Kingdom (application no. 35394/97)
3. Case of Z.H. and R.H. v. Switzerland (application no. 60119/12)
4. M. v. Federal Republic of Germany (application no. 12411/86)
5. Uner Güneş v. Turkey (application no. 26268/08)
6. Losonci Rose and Rose v. Switzerland (application no. 664/06)
7. León Madrid v. Spain (application no. 30306/13)
8. Cusan and Fazzo v. Italy (application no. 77/07)
9. Tvrshana K. v. Albania, Application no. 48756/14
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2. P v. R, [2003] 1 F.L.R. 661.;
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Link

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3. <http://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-76850%22%5D%7D>
4. <https://assets.hcch.net/docs/8e321c1a-9151-4608-a8a1-6dbec0f92cfd.pdf>
5. <https://www.instat.gov.al/>
6. <http://www.gjykatatirana.gov.al/kendiinformativ/evidencat-statistikore-specifike/>