

STRATEGIC ISSUES FOR THE PROTECTION OF THE ECONOMIC RIGHTS OF CHILDREN AND PARENTS IN CASES OF DIVORCE

Center for Legal Civic Initiatives is implementing the project *“Strategic issues for the protection of the economic rights of children and parents in cases of divorce”*, supported by the United Nations Development Program (UNDP), which aims to strengthen women through litigation, monitoring, advocating and media.

The main goal of the project is to strengthen the economic rights of children and parents responsible for their upbringing and education, based on court decisions regarding *“divorce and alimony payment”*.

The specific objectives of the project are:

1. To increase the access of women to the justice system for scheduling the alimony payment and its further modifications.
2. To improve the system for enforcing final court decisions, with regards to the payment of alimony.
3. To encourage public debate for guaranteeing the economic rights of women and children in cases of divorce or marital divisions.
4. To inform women about their legal rights and relevant institutions.

Under the framework of this project, a new pro bono team was created, with students of the Faculty of Law, University of Tirana, who were trained by the project experts in order to monitor the decisions of the District Court of Tirana, as well as their enforcement, by the bailiff. This monitoring is based on a file prepared by the project experts, who have overseen the entire process carried out by the students.

During May - July 2015, 655 decisions of the District Court of Tirana regarding divorce, 33 decisions on assignment of alimony and 37 decisions on changing the measure of alimony for children were monitored.

Some of the problems that were found during monitoring are: insufficient alimony measures set by the court for children, a gender disproportion is created between parents regarding the amount of alimony, as in the highest percentage of cases, divorced mothers are appointed by the court for raising and educating children. An analysis of factors on which the court is based on for determining the amount of alimony, shows that gender issues for economic empowerment should be better recognized by the judges; by recognizing the situation of the execution of final court decisions, it results that a number of judicial decisions remain unexecuted etc.

Results and recommendations that have emerged from monitoring the decisions of the District Court of Tirana, as well as enforcement acts for final court decisions by the Bailiff's Office of Tirana, will be shared with all relevant institutions and will be made public in the media and on the website of the Center for Legal and Civic Initiatives www.qag-al.org