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## Research Article

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### Gender Equality in Albania in the limelight of EU Law

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#### Abstract

Gender equality has evolved significantly over time, shaped by social movements, legal reforms, and cultural change. Historically, gender roles limited women's access to education, employment, and political participation. Over centuries, activists and reformers challenged these restrictions, leading to major milestones such as women's suffrage, expanded labor rights, and legal protections against discrimination. Despite progress, gender inequality continues to exist globally, particularly in areas such as wage equity, leadership representation, and access to education. This paper examines the historical evolution of gender equality, key movements that advanced it, and ongoing challenges in achieving full equality. Gender equality is a fundamental principle of the European Union (EU) and a core requirement for countries seeking EU membership. Albania, as an EU candidate country, has undertaken significant legal and institutional reforms to align its national framework with EU gender equality standards. This paper examines the concept of gender equality under EU law and analyzes Albania's progress in harmonizing its legislation and policies with EU requirements. While Albania has made notable advancements, particularly in legal alignment and political representation, challenges remain in implementation, enforcement, and social attitudes.

**Keywords:** gender equality, Albania, European Union law, EU accession, human rights.

#### 1. Introduction

Gender equality is a fundamental human right and a core principle of social justice that emphasizes equal opportunities, responsibilities, and rights for individuals of all genders. Despite significant progress over the past century, gender inequality remains a persistent global issue affecting education, employment, political representation, health, and personal safety. Gender equality does not imply that all individuals are identical; rather, it recognizes diversity while ensuring that gender does not

determine access to rights, resources, or opportunities (United Nations, 2023). Achieving gender equality is essential not only for the well-being of individuals but also for the sustainable development of societies worldwide.

Historically, gender roles have been shaped by cultural, social, and economic systems that favored men while limiting women and gender-diverse individuals. These imbalances have resulted in systemic discrimination, such as unequal pay, restricted access to education, and underrepresentation in leadership positions. According to the World Economic Forum (2023), no country has yet achieved full gender parity, highlighting the global scale of the issue. Gender inequality intersects with other forms of discrimination, including race, class, and disability, further deepening social and economic disparities.

Promoting gender equality contributes to economic growth, improved health outcomes, and stronger democratic institutions. Research shows that societies with higher levels of gender equality experience increased productivity and reduced poverty rates (World Bank, 2022). Additionally, gender equality supports human rights by empowering individuals to make decisions about their own lives free from discrimination or violence. International frameworks such as the United Nations' Sustainable Development Goal 5 emphasize the urgency of eliminating gender-based discrimination and ensuring equal participation in all aspects of life.

In today's interconnected world, advancing gender equality requires collective efforts from governments, educational institutions, communities, and individuals. Education, policy reform, and cultural change play critical roles in challenging harmful stereotypes and dismantling structural barriers. By addressing gender inequality, societies move closer to achieving fairness, inclusivity, and long-term sustainability. Therefore, gender equality is not solely a women's issue but a global concern that impacts everyone, making it a vital topic for continued discussion and action. In this sense, gender equality is a foundational value of the European Union, enshrined in its treaties and secondary legislation. For candidate countries such as Albania, compliance with EU gender equality standards is essential within the broader EU accession process. Albania has committed to aligning its domestic legislation with the EU *acquis Communautaire*, including laws addressing discrimination, equal employment opportunities, and gender-based violence. This paper explores gender equality in Albania through the lens of EU law, focusing on legal alignment, institutional progress, and ongoing challenges.

## **2. History and Gender Roles**

In ancient civilizations, gender roles were often rigid and legally enforced. In societies such as ancient Greece and Rome, women were largely excluded from political participation and formal education. Their roles were typically confined to domestic responsibilities, while men dominated public life (Scott, 1999). Similar patterns existed in many other cultures, where inheritance laws, marriage practices, and social

norms reinforced male authority. During the Middle Ages, women continued to face significant limitations, although some gained influence through religion or nobility. However, these were exceptions rather than the rule. Overall, early historical periods laid the foundation for systemic gender inequality that persisted for centuries. The modern push for gender equality began to gain momentum in the late eighteenth and nineteenth centuries. Enlightenment ideas about natural rights and equality inspired early feminist thinkers such as Mary Wollstonecraft, who argued that women deserved the same educational opportunities as men.

The nineteenth century saw the emergence of organized women's rights movements, particularly in Europe and the United States. One of the most significant achievements of this period was the fight for women's suffrage. After decades of activism, women gained the right to vote in many countries, including the United States in 1920 with the passage of the Nineteenth Amendment (Flexner & Fitzpatrick, 1996).

The twentieth century marked a period of rapid advancement for gender equality. Women's participation in the workforce increased significantly, especially during World War I and World War II, when women filled roles traditionally held by men. These shifts challenged long-standing beliefs about gender and work.

The second-wave feminist movement of the 1960s and 1970s expanded the focus beyond voting rights to issues such as workplace discrimination, reproductive rights, and legal equality. Laws such as the Equal Pay Act of 1963 and Title IX of the Education Amendments of 1972 in the United States aimed to reduce gender-based discrimination and expand opportunities for women (U.S. Equal Employment Opportunity Commission, 2000).

Today, gender equality is widely recognized as a fundamental human right. Many countries have laws promoting equal pay, access to education, and protection from discrimination. Women have made significant gains in higher education and professional fields, and representation in politics has increased.

However, challenges remain. Gender pay gaps persist in many industries, and women are underrepresented in leadership positions worldwide. In some regions, cultural norms and limited access to education continue to restrict opportunities for girls and women. Additionally, discussions of gender equality now increasingly include nonbinary and transgender individuals, expanding the understanding of gender beyond traditional categories.

### **3. Gender Equality under EU Law**

Gender equality constitutes one of the foundational values of the European Union (EU) and has been embedded in the EU legal order since its earliest stages. Initially framed as an economic principle aimed at ensuring fair competition within the internal market, gender equality has evolved into a comprehensive fundamental right encompassing social, political, and human rights dimensions. The EU's commitment to equality between women and men is expressly affirmed in Article 2 of the Treaty

on European Union (TEU), which lists equality as a core value of the Union, and further operationalized in Article 3(3) TEU, which obliges the EU to promote equality between women and men across all its activities (European Union, 2012). This normative commitment reflects a broader understanding that gender equality is essential not only for economic efficiency but also for social justice, democratic legitimacy, and the protection of fundamental rights.

The legal foundations of gender equality under EU law are primarily rooted in the Treaty on the Functioning of the European Union (TFEU). Article 157 TFEU establishes the principle of equal pay for equal work or work of equal value, marking one of the earliest and most concrete expressions of gender equality in EU law. What began as a narrowly defined labor market provision has, through legislative development and judicial interpretation, expanded into a far-reaching legal framework addressing discrimination in employment, social security, access to goods and services, and working conditions (Barnard, 2022). This evolution demonstrates the dynamic nature of EU law and the capacity of its institutions to adapt legal principles to changing social realities.

Secondary EU legislation has played a crucial role in giving practical effect to treaty principles. A series of directives—most notably Directive 2006/54/EC on equal opportunities and equal treatment in matters of employment and occupation—have harmonized national laws and established minimum standards of protection across Member States. These instruments prohibit both direct and indirect discrimination, address harassment and sexual harassment, and strengthen enforcement mechanisms by shifting the burden of proof and enhancing access to remedies (Fredman, 2018). Through these measures, the EU has sought to move beyond formal equality toward a more substantive conception of equality that acknowledges structural and systemic disadvantages faced by women.

The Court of Justice of the European Union (CJEU) has been instrumental in shaping the meaning and scope of gender equality under EU law. Through landmark judgments, the Court has interpreted treaty provisions expansively, recognized gender equality as a fundamental right, and ensured the effectiveness of EU equality norms within national legal systems. The jurisprudence of the CJEU has not only reinforced the binding nature of equality principles but has also influenced national courts and legislatures, contributing to the gradual convergence of gender equality standards across the EU (Craig & de Búrca, 2020).

Despite significant progress, gender equality under EU law remains an evolving and contested field. Persistent gender pay gaps, underrepresentation of women in decision-making positions, and intersectional forms of discrimination continue to challenge the effectiveness of existing legal frameworks. Consequently, gender equality under EU law must be understood as an ongoing project—one that requires continuous legislative innovation, robust judicial enforcement, and sustained political commitment at both EU and national levels.

#### **4. Legal Framework for Gender Equality in Albania**

Albania has historically had gender equality provisions in its Constitution, which guarantees equality and prohibits discrimination on the basis of gender. Albania has adopted a comprehensive legal framework in line with EU standards. The Constitution of Albania guarantees equality before the law and prohibits discrimination based on gender. The Law No. 9970 “On Gender Equality in Society” (2008) represents a key step toward harmonization with EU law, promoting equal participation of women and men in political, economic, and social life.

Furthermore, the Law on Protection from Discrimination (2010) aligns closely with EU anti-discrimination directives by providing legal mechanisms and institutional oversight, including the establishment of the Commissioner for Protection from Discrimination.

The new Law on Gender Equality in Society (2025) aims to update the 2008 legal framework, harmonize domestic legislation with European Union (EU) standards, and strengthen protections against gender-based discrimination. It has been praised by international bodies and civil society, yet has also faced significant domestic opposition grounded in cultural and traditional values. In November 2025, the Albanian Parliament adopted a comprehensive Gender Equality Law designed to modernize the national legal framework on gender equality and align it with EU *acquis* criteria—an essential step in Albania’s EU accession path (RTSH, 2025; UN in Albania, 2025). The law updates provisions that lacked effectiveness and broadens protective mechanisms for gender equality in public and private spheres. The law updates and strengthens the 2008 gender equality framework, seeking to guarantee equal rights and opportunities for women and men across labor, health, education, and social protection sectors. It incorporates measures to eliminate gender discrimination and promote substantive equality, reflecting international human rights norms and EU standards (RTSH, 2025; UN in Albania, 2025). The reform also emphasizes inclusive participation in decision-making and recognizes unpaid care work as a socio-economic contribution. The law retains the constitutional definition of gender as male and female, clarifying that it does not introduce new legal gender categories or redefine the institution of family, addressing concerns raised during the legislative debate (RTSH, 2025; Albanian Times, 2025).

The institutional framework for gender equality in Albania is anchored in a combination of constitutional provisions, specific gender equality legislation, national strategies, and dedicated governmental bodies. The Constitution of the Republic of Albania guarantees equality and non-discrimination, providing the legal foundation for gender equality policies. Building on this foundation, the adoption of the Law on Gender Equality in Society marked a key milestone by defining state responsibilities, establishing institutional mechanisms, and introducing gender mainstreaming as a guiding principle for public policymaking. Complementary legislation, including laws addressing domestic violence and discrimination, further reinforces the protection of women’s rights and gender equality. At the institutional level, responsibility for

gender equality is distributed across several actors, including central government ministries, specialized structures within the executive branch, local government units, and independent oversight institutions. At the same time, gender focal points within line ministries and municipalities are tasked with integrating a gender perspective into sectoral policies and local governance. This multi-level approach reflects an understanding that gender equality requires coordinated action across all levels of government.

International organizations have welcomed the 2025 adopted law. The United Nations in Albania (UN Alb) highlighted its alignment with international gender equality commitments and its role in implementing recommendations from the Committee on the Elimination of Discrimination against Women (UN CEDAW) (UN in Albania, 2025). UN Women described the law as a significant step toward securing equal opportunities for all citizens and strengthening protections against gender-based discrimination (UN Women, 2025). Additionally, Albania's Ombudsman supported the law's adoption as essential for complying with European and international standards while calling for broad social consensus to ensure effective implementation (Ombudsman, 2025).

Civil society organizations and human rights advocates largely supported the law, considering it a historic advancement. They emphasized its potential to promote substantive equality in the workplace, enhance gender-responsive budgeting, and promote equal representation in politics and public life (Citizens.al, 2025; Citizens.al, 2025). Supporters also stressed that misinformation campaigns had distorted public understanding regarding the law's intent and scope.

Despite official endorsements, the law encountered significant opposition. Critics, particularly from conservative and religious quarters, argued that certain provisions could undermine traditional values and family structures. Opposition parties, such as the Democratic Party, framed the law as "left-wing ideology" and argued it was contrary to Albania's cultural norms (Gazeta Tema, 2025; Balkan Insight, 2025). The Interfaith Council of Albania raised concerns about unclear definitions and potential legal uncertainties, warning against moral relativism (Euronews Albania, 2025). Public protests and debates revealed deep societal divisions on gender issues (VoxNews.al, 2025).

## **5. Gender Equality in Albania and EU**

The EU doesn't have a single gender-equality law; instead, gender equality in the EU is part of a comprehensive legal and institutional framework. Gender equality is a fundamental value in the EU Treaties — e.g., Article 8 of the Treaty on the Functioning of the EU requires the EU to eliminate inequalities and promote equality between women and men, and Article 157 requires equal pay for equal work (European Institute for Gender Equality, 2023). The Charter of Fundamental Rights of the EU also enshrines gender equality and non-discrimination.

Albania has established legal instruments promoting gender equality, with a



substantial share (88.9%) of frameworks in place that enforce and monitor gender equality and address violence against women (UN Women Data Hub, 2025). Women hold 35.7% of parliamentary seats, reflecting legislative efforts to enhance political inclusion (UN Women Data Hub, 2025). Recent legal reforms in Albania introduce gender quotas and recognize unpaid work within national budgetary planning, aligning with broader EU policy priorities and accession goals. However, these reforms have triggered contention in public debate, illustrating ongoing cultural resistance to gender norms (Reddit discussion on gender equality law, 2025). The European Commission has repeatedly emphasized the need for Albania to strengthen implementation mechanisms, improve data collection, and ensure adequate funding for gender equality policies.

The EU has a comprehensive legal framework for gender equality, underpinned by the European Institute for Gender Equality's (EIGE) Gender Equality Index and EU strategies such as the Gender Equality Strategy 2020–2025. Policies focus on combating gender-based violence, improving labour market equality, and monitoring pay gaps (Eurostat, 2025). The EU's legal and policy environment emphasizes equal pay, labour market participation, and reconciliation of work and family life as central objectives, although implementation varies across member states.

Albania developed its own Gender Equality Index with EIGE support, scoring 60.4 points on a 0–100 scale, about 7 points below the EU-28 average (67.4) according to the 2020 index (EIGE & Albania Institute of Statistics, 2020). Albania showed relative strength in power domains, outperforming the EU average (60.9 vs. 51.9) due to higher female representation in political and economic bodies (EIGE & Albania Institute of Statistics, 2020). Yet gaps are most pronounced in money, knowledge, and time, features that indicate structural inequalities in income, education segregation, and unpaid care work.

Global assessments corroborate progress in Albania, with the World Economic Forum placing Albania as 23rd globally in the 2024 Gender Gap Report, though the country saw deterioration in educational and political empowerment indicators from previous years (Monitor Magazine, 2024). Albania nonetheless remains ahead of many regional peers.

The EU's Gender Equality Index reflects gradual progress: the EU average stood at 63.4 out of 100 in recent reporting, but full gender equality appears distant, with projected timelines extending decades into the future if current trends persist (EIGE, 2025). EU member states vary significantly, with Nordic countries typically scoring highest and several Eastern and Southern members lagging behind. The index measures disparities across work, money, knowledge, time, power, and health domains, offering a broad comparative perspective on gender equality in the EU.

Available data suggest gender inequalities in labour participation and economic outcomes in Albania. Female labour force participation is lower than males, and women perform disproportionately more unpaid work than men, contributing to economic disparities (Politiko Albania, 2025). Historical data indicate a gender pay gap exists, though at times reported lower than EU averages; however, these figures

are outdated and may understate persistent inequalities in earnings and employment quality.

In the EU, women's average gross hourly earnings were 12.0% below men's in 2023, illustrating a persistent gender pay gap despite long-term reductions (Eurostat, 2025). The gender employment gap—reflecting differences in employment rates between women and men—remains notable, with women less likely to be employed (EU27: approx. 70.8% women vs. 80.8% men) (European Commission, 2025). Structural factors including occupational segregation, part-time work prevalence, and unequal distribution of unpaid care labour contribute significantly to these imbalances.

Albania's gender equality challenges extend to educational outcomes, unpaid care, and time use. Reports reveal that women spend substantially more time on unpaid household and care work than men, intensifying time poverty and limiting women's economic engagement (Albanian Daily News, 2020; Politiko Albania, 2025). Educational attainment is high but with segregation by field of study, with women concentrated in traditionally female sectors (EIGE & Albania Institute of Statistics, 2020). Within the EU, gender gaps in education have narrowed markedly, with women often achieving higher tertiary attainment rates than men. However, occupational segregation in fields such as science, technology, engineering, and mathematics persists. The EU also faces challenges related to unequal shares of unpaid domestic and care work, a key driver of labour market inequalities. Eurostat's gender statistics highlight these enduring divisions and the need for policy interventions to address them.

## **6. Conclusion**

This comparative analysis of gender equality in Albania and the European Union highlights both meaningful progress and persistent disparities across legal, political, economic, and social dimensions. While Albania has made notable strides in aligning its gender equality framework with EU standards, particularly through legislative reforms, institutional mechanisms, and policy commitments, the practical implementation and outcomes of these measures continue to lag behind the EU average. The findings suggest that Albania's gender equality trajectory is largely shaped by its EU integration process, which has acted as a catalyst for reform, yet structural and cultural barriers remain significant.

At the legal and institutional level, Albania has adopted comprehensive gender equality laws that are broadly consistent with EU directives, including provisions addressing non-discrimination, gender-based violence, and political representation. However, when compared to the European Union, gaps emerge in enforcement capacity, monitoring mechanisms, and resource allocation. EU member states generally demonstrate stronger institutional accountability and more consistent application of gender equality policies, supported by long-standing governance structures and supranational oversight. In contrast, Albania faces challenges related to administrative capacity, coordination among institutions, and uneven



implementation at the local level, which limits the effectiveness of its legal framework. In the socio-economic sphere, the comparison reveals substantial disparities in labor market participation, wage equality, and access to decision-making positions. Although Albania has improved women's educational attainment and formal political representation, these gains have not fully translated into economic empowerment or leadership opportunities. The EU, while not free from gender inequality, shows comparatively higher female employment rates, narrower gender pay gaps, and greater representation of women in senior political and corporate roles. These differences underscore the influence of broader economic development, social welfare systems, and cultural norms in shaping gender equality outcomes. Overall, the analysis demonstrates that Albania's progress toward gender equality is real but incomplete. The country's convergence with EU standards remains uneven, reflecting the broader challenges of institutional reform and social transformation in a transitional context. Continued alignment with EU gender equality policies, combined with stronger enforcement mechanisms, increased public awareness, and targeted socio-economic interventions, will be essential for narrowing the gap. In conclusion, while Albania is moving in the direction of the European Union's gender equality model, sustained commitment and structural change are necessary to achieve comparable and lasting outcomes.

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