



## Research Article

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### A comprehensive review of the diversion of children in conflict with law from judicial proceedings in Albania: Assessing alternatives to traditional justice

**Ph.D. Elton Peppo**

*Lecturer at the Criminal Law Department  
Faculty of Law, University of Tirana  
Albania*

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#### Abstract

Diversion refers to the measures used for children in conflict with law without resorting to criminal prosecution or trial. Therefore, a child or a youth committing a criminal offense may be subjected to specific measures or programs other than the criminal prosecution and trial. Of course, different jurisdictions provide different legal requirements and conditions to be complied with when deciding to apply a diversion measure instead of prosecuting the child or the youth in conflict with law.

In general, children in conflict with law who are under the age of 18 do usually benefit from the diversion measures when all the required conditions are fulfilled in accordance with the national Juvenile Justice Code. From the point of international law, the imposition of diversion measures for children in conflict with law may be considered as a legal obligation deriving from the United Nation Convention on the Rights of the Child and the Beijing Rules.

In Albania, the diversion measures tend to divert children away from the formal proceedings and give priority to the restorative justice or other rehabilitation programs. This paper aims to provide a general overview of the diversion measures and their importance for the well-being of the children involved in criminal activities.

The scope of the paper is focused on the diversion measures provided by the new Albanian Criminal Justice for Children Code with the aim to repair the harm caused by the offence and rehabilitate the children in conflict with law. In conclusion, the paper highlights the benefits of the diversion measures compared to punitive measures and traditional justice by providing such alternatives as the best way to promote the well-being of children in conflict with law and their inclusion in society.

**Keywords:** Diversion, children in conflict with law, juvenile justice, Criminal Justice for Children Code, alternative measures.

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