



Judicial Limitations and Legislative Gaps in the Recognition of Intentional Parenthood in Albania: A Comparative Perspective with Italy

Julejda Aliaj Gërxi¹

Arbër Gjeta²

Aurela Anastasi³

Enkelejda Koka⁴

Dora Mirtella⁵

¹Prof. Asoc. Dr., Faculty of Political and Legal Sciences, University of Aleksandër Moisiu, Durrës, Albania

²Prof. Asoc. Dr., Head of Department of Law, University of Elbasan Aleksandër Xhuvani, Elbasan, Albania

³Prof. Dr., Faculty of Law, University of Tirana, Tirana, Albania

⁴Prof. Asoc. Dr., Faculty of Law, University of Tirana, Tirana, Albania

⁵Prof. Assoc., School of Law University of Macerata, Italy

Received: 20 February 2026 | Accepted: 10 June 2026 | Published: 23 July 2026

© 2026 xxx

DOI: 10.56345/ijrdv13n222

Abstract

This article examines the judicial limitations and legislative gaps affecting the recognition of intentional parenthood in Albania, using Italy as a comparative reference point. Adopting a doctrinal and comparative methodology, the study analyses relevant legislation, constitutional principles, and selected judicial decisions concerning assisted reproduction and the legal status of intended or non-gestational parents. The findings show that the Albanian approach remains marked by legislative silence and judicial restraint, with courts relying on formal interpretations that provide limited protection for children whose family relationships do not fit traditional legal categories. In contrast, Italian jurisprudence has progressively developed a more substantive constitutional approach, placing particular emphasis on the best interests of the child, equality, and the continuity of family life. The article argues that the Albanian legal framework does not provide sufficient clarity or protection in cases involving intentional parenthood, thereby creating uncertainty for both children and intended parents. It advocates a child-centred and functional approach to legal interpretation, supported by stronger reliance on international human rights and children's rights standards. The article's original contribution lies in providing the first comprehensive comparative examination of intentional parenthood in Albanian and Italian law through a focused analysis of judicial approaches to the best interests of the child. By comparing the child-centred constitutional reasoning developed by the Italian Constitutional Court with the more traditional approach adopted by the Albanian Supreme Court, the article demonstrates how different interpretative methods shape the recognition of intended parents and the protection afforded to children in modern family relationships. It further analyses the legal and practical consequences of these judicial approaches, showing how constitutional interpretation can either mitigate or reinforce the effects of legislative silence. By doing so, the article contributes to current debates on the modernization of family law and the constitutional protection of children in evolving family contexts.

Keywords: Intentional parenthood; Best interests of the child; Right to family life; Assisted reproduction; Child rights; Comparative family law

1. Introduction

The legal recognition of parenthood has traditionally relied on biological and formal criteria, rooted in gestation, genetic links, and marital presumptions. Yet developments in assisted reproduction and changing family practices have exposed the limits of this model (Boele-Woelki, K. 2015), raising constitutional questions about whether parenthood can be grounded in intention, care, and social reality rather than exclusively in biology (Cahn, 2013; Ferrando, 2017). In this context, intentional parenthood understood as the assumption of parental responsibility through prior intent and subsequent caregiving emerges as a concept that directly engages fundamental principles such as the best interests of the child, the right to family life, and legal certainty (Tobin, 2019; Kola, 2019).

In Albania, this issue remains largely unresolved. Although constitutional guarantees protect family life, equality, and children's rights, the legislative framework continues to reflect a traditional, biologically centred model. Existing provisions do not adequately regulate the status of intended or non-gestational parents, creating a normative gap (Hoxha, 2021; Leka, 2022). Faced with this silence, domestic courts have adopted a predominantly formalist approach, declining to extend parental recognition beyond explicitly regulated categories (namely maternity and paternity) (Dervishi, 2020). While consistent with a strict view of the separation of powers, this approach leaves certain children without immediate and stable legal recognition of their family relationships.

A comparative perspective highlights an alternative trajectory: in Italy, the Constitutional Court has responded to similar tensions by developing a more substantive, constitutionally grounded interpretation of parenthood, emphasizing the best interests of the child, the continuity of affective relationships, and the coherence of the legal order, while treating legislative gaps as matters subject to constitutional scrutiny rather than as absolute limits on legal recognition (Ferrando, 2017; Nardocci, 2024). This divergence reflects two distinct models of adjudication: in Albania, a text-bound approach centred on judicial restraint and deference to legislative choices; in Italy, a more dynamic model in which constitutional principles actively guide the adaptation of legal categories to evolving social realities (Scalera, 2018).

Against this background, the article underlines the two different approaches of these countries, although they share similar legislations (Venditti, Veshi, and Koka, 2020). In concrete, while the Albanian judges underline the absence of legislative rules, the Italian Constitutional Court interpreted family law considering constitutional principles, international human rights obligations, and the best interests of the child.

Through a comparative analysis of Albanian and Italian case law, the article demonstrates how child-centred constitutional reasoning differs. The Italian case-law, as well as the European Court of Human Rights, highlights a gradual shift in the understanding of parenthood from biological status to functional responsibility, where legal recognition increasingly reflects the realities of care, commitment, and parental responsibility rather than exclusively biological ties. can facilitate this transition while ensuring effective protection for children raised in non-traditional family relationships. By contrast, the Albanian perspective underscores the primacy of the legislative function, drawing attention to the existence of a normative gap and the consequent need for legislative intervention.

2. Judicial Limits in the Recognition of Intentional Parenthood in Albania: The Albanian Supreme Court's Approach

The decision of the Albanian Supreme Court in case No. 00-2024-4149 (July 2024) provides a revealing illustration of the structural limits of judicial reasoning in the absence of explicit legislative regulation on intentional parenthood. The case concerned a request for the registration of two parents in respect of twin children, where only one parent had a legally recognized biological link, while the other sought recognition based on intention and established family life under the same legal category. The Court rejected the claim, explicitly finding that no unlawful action or omission could be attributed to the civil registrar, and consequently that no legally protected right had been violated. In doing so, it reaffirmed a

central tenet of Albanian constitutional adjudication: judicial protection is contingent upon the existence of a right clearly grounded in positive law (Dervishi, 2020). The registrar had acted in full compliance with Law No. 10129/2009 “On Civil Status”, which does not permit the registration of more than one parent within the same legal category, and therefore could not be found in breach of any legal obligation. This reasoning reflects a formalist conception of adjudication, in which courts operate strictly within the normative boundaries defined by legislation and refrain from extending legal recognition in areas where the legislature has remained silent.

This position is not merely a matter of judicial restraint but is structurally embedded in the constitutional and statutory framework governing family relations. Article 53 of the Constitution guarantees the right to marry and to have a family, while explicitly providing that the conditions and procedures for the formation and dissolution of marriage are regulated by law. This dual structure simultaneously affirms the constitutional importance of family life and limits its concrete realization to legislative determination (Kola, 2019). As a result, the Court’s refusal to recognize a parental relationship not expressly provided for in legislation can be understood as a direct consequence of this constitutional allocation of normative authority. However, this reading becomes more problematic when considered in conjunction with Article 54 of the Constitution, which requires the state to afford special protection to children and guarantees equality irrespective of birth status. These provisions establish not merely formal guarantees but substantive constitutional obligations, suggesting that the ‘protection of children’ should not be confined to pre-defined legislative categories (Hoxha, 2021).

The statutory framework reinforces this tension. The Family Code, particularly Article 7, defines marriage within a dual-parent structure, while Article 163 conceptualizes cohabitation in similarly restrictive terms. More significantly, Article 142 limits joint adoption to legally recognized spouses, thereby excluding the possibility of broader parental configurations. These provisions collectively construct a closed system of parental recognition in which legal parenthood arises exclusively through biological descent or formally regulated adoption (Leka, 2022). This structure is further entrenched by Law No. 10129/2009 “On Civil Status”, where Articles 6, 9, and 10 establish that civil status registration is based on identifiable and singular parental categories, namely maternity and paternity, which are treated as mutually exclusive and exhaustively defined legal facts. In this context, the Court’s conclusion that no legal basis existed for recognizing an additional parent is not an isolated interpretative choice but rather a logical extension of a legislative framework that does not accommodate intentional parenthood.

3. Formalism, Constitutional Interpretation, and the Best Interests of the Child

Nevertheless, the Court’s reasoning raises important analytical concerns regarding the treatment of legislative silence. While the absence of regulation particularly in the Law on Reproductive Health (No. 8876/2002), which does not address non-biological parenthood may indeed create a normative gap, the Court categorically rejected the possibility of addressing this gap through constitutional interpretation. It held that incidental constitutional review could not be used to create rights *ex nihilo* or to compensate for legislative omissions, emphasizing that such review is strictly conditional upon the identification of a specific applicable norm, serious doubts as to its constitutionality, and the necessity of constitutional adjudication for resolving the dispute. This approach reflects a rigid understanding of the separation of powers, whereby the judiciary confines itself to the application of existing law, even where such law fails to fully operationalize constitutional guarantees (Pacukaj, 2017).

This formalism is particularly evident in the Court’s treatment of the best interests of the child. Although Article 54 of the Constitution and Law No. 18/2017 “On the Rights and Protection of the Child” establish the child’s well-being as a central normative concern, the Court adopted a narrow interpretation, concluding that the children’s rights were fully protected through the legal recognition of the biological parent. This reasoning reduces the best interest’s principle to a question of formal legal sufficiency, disregarding its substantive dimension as a guiding standard that requires consideration of the child’s actual social and emotional environment (Tobin, 2019). In doing so, the

Court effectively transforms a constitutional principle into a minimal threshold, rather than employing it as an interpretative tool capable of informing the development of legal categories. A similar limitation can be observed in the Court's reliance on the technical framework of civil status registration. By treating the inability to register more than one parent within the same legal category under Law No. 10129/2009 as a definitive legal barrier, the Court avoided examining whether such restrictions are themselves compatible with constitutional guarantees of family life and child protection. This approach prioritizes administrative coherence over constitutional scrutiny, thereby reinforcing the rigidity of the existing system.

In the Supreme Court reasoning in its engagement with international law, a traditional approach seems to be applied. However, it shall be mentioned that the Albanian Supreme Court also formally recognized the importance of the European Convention on Human Rights and the Convention on the Rights of the Child as interpretative tools. As it is well-known, Article 8 of the European Convention on Human Rights guarantees the right to respect for private and family life and has been interpreted by the European Court of Human Rights as covering a wide spectrum of family relationships (Kola, 2019), while Articles 3, 7, and 8 of the Convention on the Rights of the Child impose positive obligations on states to ensure the best interests of the child, the right to identity, and the continuity of family relations (Tobin, 2019).

According to the European Court of Human Rights, under Article 8 ECHR, States are afforded a margin of appreciation in regulating sensitive areas such as parentage and family status, but that discretion is not unlimited (Alston, P., & Goodman, R. 2019, Letourneau, M. 2020). The Strasbourg Court consistently requires that any regulatory framework strike a fair balance between competing interests and give decisive weight to the best interests of the child, particularly where legal recognition affects identity, stability, and existing family ties. For instance, recently, in *C. v. Italy* (31 August 2023), the Court reaffirmed this child-centred orientation (Krajewski, M. 2018).

Nevertheless, although the Albanian Supreme Court recognizes the significance of international law, it primarily focussed its analysis to domestic statutory limits. Ultimately, the Supreme Court framed the issue as one requiring legislative intervention, emphasizing that recognition of additional forms of parenthood would necessitate coordinated amendments across the Family Code, Civil Code, and civil status legislation. While this conclusion reflects a coherent understanding of institutional competence, it also highlights the structural limitations of a system in which legislative inertia directly affects the realization of constitutional rights (Pacukaj, 2017). The Court's insistence that no legally protected right existed effectively closes the door to judicial development in this area, even where constitutional provisions particularly Articles 53 and 54 could support a more dynamic interpretation.

From an analytical perspective, the decision exemplifies a broader tension between formal legality and substantive constitutional protection. By strictly adhering to the absence of explicit statutory authorization, the Court privileges legal certainty and institutional restraint over the effective realization of constitutional principles. However, this approach risks rendering constitutional guarantees, particularly those relating to children, contingent upon legislative action and therefore potentially ineffective in practice (Beqiri, 2021). A more integrated interpretative approach one that reads constitutional provisions, statutory law, and international obligations as part of a coherent normative framework could allow courts to engage more substantively with cases of intentional parenthood without exceeding their institutional role. In its current form, the Albanian approach reflects a closed and formalist model of parental recognition, underscoring the need for both judicial evolution and targeted legislative reform to ensure that the legal system provides effective protection in contemporary family contexts.

4. From Biological Exclusivity to Intentional Parenthood: The Italian Constitutional Court's Approach

A sharp doctrinal contrast emerges when the reasoning of the Albanian Supreme Court is placed alongside that of the Italian Constitutional Court (May 2025), particularly in the treatment of legislative silence and the constitutional status of the child's best interests. While both courts formally

acknowledge the limits imposed by the separation of powers, they diverge fundamentally in how constitutional norms are operationalized in the face of restrictive or incomplete legislation. The Albanian Supreme Court adopts a formalist position, conditioning judicial intervention on the existence of a clearly established statutory right, whereas the Italian Constitutional Court advances a substantive constitutional approach, treating the best interests of the child, equality, and dignity as directly operative constitutional standards capable of invalidating statutory exclusions (Ferrando, 2017; Nardocci, 2024). The divergence, therefore, lies not in institutional doctrine but in the normative weight attributed to constitutional principles, with the Italian Court positioning constitutional rights as limits on legislative inertia rather than as values dependent on legislative implementation (Scalera, 2018).

The Italian proceedings originated from a referral by the Court of Lucca, which challenged the constitutional legitimacy of Articles 8 and 9 of Law No. 40/2004 on Medically Assisted Procreation, in conjunction with Article 250 of the Italian Civil Code, on the basis that these provisions categorically excluded recognition of both parents in cases of assisted reproduction involving a shared procreative project. The statutory framework did not merely omit recognition but actively prohibited it, requiring the removal of any such parental designation from the birth register. This legislative design directly affected the child's legal identity and continuity of family relations, thereby transforming a question of legislative policy into a matter of constitutional rights.

The constitutional challenge was grounded in a systematic reading of Articles 2, 3, 30, and 31 of the Italian Constitution, as well as Article 117(1), which incorporates international obligations into the domestic legal order. Articles 2 and 3 guarantee inviolable rights and equality, while Article 30 defines parenthood in terms of duties of maintenance, education, and upbringing, thereby shifting the focus from biological status to functional responsibility (Bin & Pitruzzella, 2021; Baratta, 2020). Article 31 reinforces the obligation of the state to protect children and family life, embedding the child's welfare as a constitutional priority. Read together, these provisions construct a child-centred constitutional framework in which the legal recognition of parenthood must be assessed not only in formal terms but considering its consequences for the child's dignity, identity, and development (Tobin, 2019). This framework is further strengthened by Article 117(1), which requires compliance with international instruments such as Article 8 of the European Convention on Human Rights and Articles 3, 7, and 8 of the Convention on the Rights of the Child, thereby reinforcing the best interests of the child as a binding interpretative standard (Kola, 2019; Tobin, 2019).

This constitutional architecture is mirrored in the Italian Civil Code, where Article 315 establishes the equality of all children, Article 316 redefines parental authority as parental responsibility, and Article 74 recognizes family relationships without hierarchical distinctions. These provisions collectively support a functional understanding of parenthood grounded in care, responsibility, and the protection of the child's interests (Cahn, 2013). It is within this normative context that the Constitutional Court rejected the argument that the child's interests could be adequately protected through special-case adoption under Article 44(1)(d) of Law No. 184/1983, emphasizing that adoption does not provide an equivalent level of protection due to its delayed and uncertain nature (Ferrando, 2017).

Building on its prior jurisprudence, particularly Judgment No. 127/2020, the Court articulated a doctrinal shift toward intentional parenthood, holding that where a child is brought into existence through a shared and deliberate procreative project, parental responsibility arises not only from biology but also from intention (Krapp, P. 2022, D'Amico, M. 2020). This interpretation aligns with Article 30 of the Constitution and Article 316 of the Civil Code, which frame parenthood as a set of obligations directed toward the child's well-being on co-responsibility (Ferrando, 2017). In this sense, intentional parenthood is not an exception but a continuation of the legal system's internal logic.

5. Unresolved Implications of Intentional Parenthood: Legal Consequences and Doctrinal Gaps

However, while the Court's reasoning successfully elevates the best interests of the child into a substantive constitutional standard, it remains analytically incomplete in its treatment of the legal

consequences that flow from such recognition. In particular, the judgment does not fully engage with the implications of imposing parental status and therefore parental obligations on the intentional partner in situations of family breakdown. By recognizing intentional parenthood at birth, the Court effectively establishes a permanent legal bond that entails duties of maintenance, care, and responsibility, including in cases where the relationship between the adults subsequently dissolves. Yet the Court does not explicitly address whether such obligations are justified solely by prior consent to the procreative project, nor does it examine the extent to which this consent can serve as a sufficient legal basis for long-term parental liability (Shalev, 2009).

This omission becomes particularly significant when considering the broader patrimonial consequences of parental recognition. The establishment of a legal parent-child relationship automatically triggers rights of inheritance and succession, as well as reciprocal obligations of support. While these consequences are consistent with the principle of equal treatment of children under Article 315 of the Civil Code, the Court does not explicitly justify why a child should benefit from inheritance rights *vis-à-vis* an intentional parent whose legal status is not grounded in biological connection but in prior intent (Dewar, 2016). This gap becomes even more pronounced in cases where the parental relationship originated in a period of cohabitation between the adults and subsequently dissolved, raising the question of whether intent alone should prevail as a sufficient legal basis for enduring patrimonial consequences once the relational context that gave rise to that intent has ceased to exist. From a functional perspective, such recognition can be defended on the basis that the child's interests require stability, continuity, and equal treatment irrespective of the origin of the parental bond. However, from a doctrinal standpoint, the absence of a clear articulation of this reasoning leaves unresolved questions about the legal foundation and limits of extending inheritance rights based on intention alone.

Moreover, the failure to address these consequences risks creating asymmetry in the Court's reasoning. While the judgment strongly emphasizes the child's interests as a basis for recognizing parenthood, it does not sufficiently examine the correlative obligations imposed on the intentional parent, particularly in circumstances where the underlying relationship has ceased to exist. This raises broader questions about the nature of intentional parenthood: whether it should be understood as a voluntary assumption of enduring legal responsibility, analogous to adoption, or whether it requires a more nuanced framework that accounts for the specific conditions under which parental intent is formed (Shalev, 2009).

Despite these analytical gaps, the Court's decision remains a decisive step in the constitutionalization of the child's best interests. By declaring Article 8 of Law No. 40/2004 unconstitutional insofar as it excluded recognition of the intentional parent, the Court affirmed that statutory provisions cannot undermine the child's dignity, equality, and right to parental care without compelling justification. In doing so, it transformed the best interests principle from a general interpretative guideline into a substantive constitutional standard capable of invalidating legislation (Tobin, 2019).

When contrasted with the Albanian Supreme Court's approach, the Italian decision highlights two distinct models of constitutional adjudication. The Albanian model prioritizes formal legality and institutional restraint, requiring explicit legislative authorization before extending legal recognition. The Italian model, by contrast, treats constitutional principles as directly operative and capable of guiding judicial intervention even in the absence of legislative clarity (Scalera, 2018). However, the Italian approach also demonstrates that the expansion of parental recognition through constitutional adjudication requires careful consideration of its broader legal consequences. The recognition of intentional parenthood not only enhances the protection of children but also generates enduring legal obligations and patrimonial effects that must be coherently justified within the legal system (Dewar, 2016). This underscores the need for a more comprehensive doctrinal framework that integrates both the rights of the child and the responsibilities of the parent, ensuring that the constitutionalization of family law remains both principled and internally consistent.

6. Conclusion

The comparison between Albania and Italy reveals that the legal challenges posed by intentional parenthood are not primarily the result of technological developments in assisted reproduction, but of the growing mismatch between traditional legal categories and contemporary family realities. In both jurisdictions, the law has been confronted with situations in which social and parental relationships do not correspond to conventional models of biological parenthood. The decisive question is therefore not whether such relationships exist, but whether legal systems can recognise and protect them in a manner consistent with children's rights.

The analysis demonstrates that judicial interpretation plays a critical role when legislation does not provide clear answers. The contrast between the approach of the Albanian Supreme Court and that of the Italian Constitutional Court illustrates two different understandings of the judicial function. Whereas the Albanian decision prioritised legal certainty through strict adherence to existing statutory categories, the Italian jurisprudence placed greater weight on the constitutional implications of non-recognition, particularly for the child. The significance of this divergence extends beyond intentional parenthood itself, reflecting broader questions concerning the relationship between statutory law, constitutional principles, and the protection of fundamental rights.

From a comparative perspective, the most significant development emerging from European jurisprudence seems to be the gradual movement from biological status to functional responsibility as a basis for legal parenthood. Within this framework, according to the most recent case-law of the European Court of Human Rights, the legal relevance of parenthood increasingly derives from the assumption of responsibility for a child's upbringing, care, and well-being. However, this evolution does not eliminate the importance of biological ties.

The article contributes to this debate by demonstrating how different judicial approaches to the best interests of the child produce markedly different outcomes. In concrete terms, while both Courts ground their reasoning in the principle of the child's best interests, the Albanian Supreme Court emphasizes the absence of applicable legal provisions, whereas the Italian Constitutional Court stresses that children are not deprived of adequate legal protection in situations where family realities evolve more rapidly than the legislative framework.

7. Acknowledgment

The authors declare that artificial intelligence tools were used during the preparation of this manuscript. Specifically, AI- assisted tools were used for language editing, grammar correction, and improvement of clarity. The intellectual content analysis, interpretation of results, and final approval of the manuscript remain the sole responsibility of the authors.

References

- Aliaj (Gërxi), J. (2018). Absolute invalidity of legal actions and trial of relevant lawsuits pursuant to the Albanian civil procedural legislation and jurisprudence. *European Journal of Interdisciplinary Studies*, 4(3), 68–71.
- Alston, P., & Goodman, R. (2019). *International human rights*. Oxford University Press.
- Anastasi, A. (2025). Gender equality and property rights in family relations: Reforming the Albanian legislation. *Academicus International Scientific Journal*, 16(31). <https://doi.org/10.2139/ssrn.5166136>
- Barić, S. (2015). The principle of equality in Italy: The constitutional law concept in the service of "full development of the human person". *Zbornik Pravnog fakulteta u Zagrebu*, 65(1), 87–113.
- Baratta, R. (2020). *La famiglia nel diritto costituzionale italiano: Profili evolutivi tra tradizione e innovazione*. Giappichelli.
- Beqiri, F. (2021). Legal modernization and European integration: Challenges for Albanian private law. *Interdisciplinary Journal of Research and Development*, 8(1), 101–108.
- Bin, R., & Pitruzzella, G. (2021). *Diritto costituzionale* (23rd ed.). Giappichelli.
- Boele-Woelki, K. (2015). "Parentage in the era of reproductive technologies." *International Journal of Law, Policy and the Family*, 29(3), 321–338.
- Cahn, N. (2013). The new kinship. *Georgetown Law Journal*, 100(2), 367–422.

- Cicero, C. (2016). The Italian reform of the law on filiation and constitutional legality. *The Italian Law Journal*, 2(2).
- Çili, S. (2016). Analysis on legal activity of Albanian adoption committee and the authorities to guarantee the protection of children in the field of adoption. *European Journal of Law and Political Sciences*, 3.
- D'Amico, M. (2020). "La genitorialità tra biologia e progetto." *Politica del diritto*, 51(2), 201–230.
- Dervishi, A. (2020). The principle of the best interest of the child in Albanian jurisprudence. *Interdisciplinary Journal of Research and Development*, 7(1), 60–66.
- Ferrando, G. (2017). Parenthood in Italian law: A changing paradigm. *Italian Law Journal*, 3(1), 45–68.
- Garayová, L. (2025). The best interests of the child principle. *Central European Academy Law Review*, 2(1).
- Giacomini, M., & Pellegrino, M. (2022). Recognition of a status acquired abroad: Italy. *Cuadernos de Derecho Transnacional*, 14(1), 1044–1061.
- Grigolo, M. (2003). Sexualities and the ECHR: Introducing the universal sexual legal subject. *European Journal of International Law*, 14(5), 1023–1044.
- Himçi, B., & Saraçi, A. (2025). Surrogacy as a legal institution in Albania. *Multidisciplinary Science Journal*, 8(1). <https://doi.org/10.31893/multiscience.2026109>
- Hoxha, E. (2021). The protection of children's rights in Albanian family law. *Interdisciplinary Journal of Research and Development*, 8(2), 45–52.
- Kadi, Xh. (2015). Best interest of the child in adoption cases. *European Scientific Journal*, 11(34).
- Kalemaj, E., & Marku, K. (2024). Marriage dissolution and its effects on children. *Interdisciplinary Journal of Research and Development*, 11(3). <https://doi.org/10.56345/ijrdv11n304>
- Kola, I. (2019). The right to family life under the European Convention on Human Rights and its impact on Albanian law. *Interdisciplinary Journal of Research and Development*, 6(2), 73–80.
- Krajewski, M. (2018). "The margin of appreciation in family law cases before the ECtHR." *Human Rights Law Review*, 18(3), 457–482.
- Krapp, P. (2022). "Family life beyond biology: ECtHR developments under Article 8." *European Constitutional Law Review*, 18(4), 612–639.
- Kume, A. (2013). Public administration reform in Albania and European integration. *Academicus International Scientific Journal*, 7, 55–64.
- Leka, M. (2022). Legal challenges of assisted reproductive technologies in Albania. *Interdisciplinary Journal of Research and Development*, 9(1), 88–95.
- Lirëza, L., & Kume, A. (2023). The dimensions of the best interest of the child in Albania. *Interdisciplinary Journal of Research and Development*, 10(1).
- Letourneau, M. (2020). "Article 8 ECHR and the evolving concept of family life." *European Human Rights Law Review*, 4, 345–366.
- Mandia, L. (2022). Reforming the adoption legislation in Albania and the best interests of the child. *The International Survey of Family Law*.
- Nardocci, C. (2024). Intended or new parenthood? The child's best interest. *ERA Forum*, 25, 109–126.
- Pacukaj, S. (2017). Fostering the development of civil society in Albania. *European Journal of Sustainable Development*.
- Pacukaj, S. (2020). Political and social conditions of Albania during the 1920s. *Interdisciplinary Journal of Research and Development*.
- Scalera, F. (2018). Legal systems and European integration. *European Journal of Comparative Law*.
- Subashi, A., & Bregu, E. (2021). Child protection measures in Albania. *Academic Journal of Interdisciplinary Studies*, 10(6). <https://doi.org/10.36941/ajis-2021-0162>
- Venditti, C., D. Veshi, and E. Koka. (2020). The Transformation of Right to Property in the Post-Communist Period in Albania. The Impact of the Italian Civil Code in the Ways of Acquisition of Ownership in the Albanian Civil Code of 1994. *Osservatorio del diritto civile e commerciale* 9(1), 329–352.
- Trimming, K., & Beaumont, P. (2016). International surrogacy arrangements. *Journal of Private International Law*, 12(3), 425–457.
- Tryfonidou, A. (2020). Parenting rights of same-sex couples under European law. *Marriage, Families and Spirituality*, 25(2), 176–194.
- Willems, G. (2024). Same-sex couples and rainbow families under European law. Cambridge University Press.