



**PERMANENT MISSION OF THE REPUBLIC OF ALBANIA**  
*to the UNOV, OSCE and other International Organisations in Vienna*

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**ALBANIA: COUNTRY REPORT ON TRAFFICKING IN HUMAN BEINGS**

**Executive Summary**

Fight against trafficking in human beings has been a priority for the Albanian authorities during the period 2001-2002, and it is now even higher on their agenda. In this period, Albania has made great strides in improving its record of trafficking in human beings. After signing the relevant UN Convention and its additional protocols in Palermo in December 2000, Albania adopted new legislation on the matter in January 2001. A working group was set up in June 2001 for drafting the National Strategy of the Fight Against Trafficking in Human Beings. A few weeks later a National Anti-trafficking Co-ordinator was appointed and in October 2001 the International Anti-trafficking Centre of Vlora was inaugurated. At the same time, specialised anti-trafficking structures were set up in the Ministry of Public Order. In early December, the Albanian Government adopted the National Strategy of the Fight Against Human Trafficking, which includes also a National Plan of Action. In January 2002, it was set up the State Committee for the Fight Against Human Trafficking which serves as a co-ordinating body. Subsequently, a number of activities were carried out in implementation of the National Strategy, in particular related to raising awareness. A series of anti-trafficking operations were undertaken and the number of arrested and charged perpetrators increased significantly. Co-operation with international organisations and NGOs was further enhanced.

In late spring 2002, as a result of significant progress in this regard, the relevant report of the United States Department of State placed Albania in Tier 2, whereas in the previous report Albania was on Tier 3. At the same time, high Italian officials recognised a significant decrease in the total number of illegal migrants entering Italy from Albania.

After these encouraging signals from abroad, Albania continued its progress in the fight and prevention of trafficking in human beings. In July 2002 the Albanian Parliament ratified the UN Convention Against Transnational Crime and its additional protocols. In August 2002 started the overall anti-trafficking operation named "Labour". This operation is considered to be a very important step ahead in the fight against organised crime and trafficking and involves instances of regional co-operation as well.

### ***Research/media coverage***

Since early nineties, illegal migration in the form of smuggling of migrants, women's trafficking for prostitution and children's trafficking for criminal exploitation appeared and have gradually developed in Albania. Albania is both a country of origin and for transit of trafficked victims.

During the period 2001-2002, trafficking in human beings from Albania and through it, exploiting this country as a transit place has decreased considerably. This reduction was obtained as a result of a number of measures adopted by the Albanian Government for fighting and preventing this phenomenon as well as a result of increasing co-operation with neighbouring and other countries and international organisations.

Taking into consideration the important steps taken by the Albanian authorities in this period, the latest Trafficking in Persons Report of the United States Department of State (issued on June 5, 2002) placed Albania in Tier 2, whereas in the previous report (July 2001) Albania was on Tier 3. At the same time (spring 2002), high officials from the main recipient country – Italy – recognised a significant decrease in the total number of illegal migrants entering Italy (this decrease includes trafficked women and children) and an increase in the arrests and prosecutions of the criminal groups and individuals dealing with such activities.

It is estimated and recognised that the overall number of irregular migrants (including trafficked women and children) coming from Albania has decreased by 60 % in 2001 compared to the previous year, whereas for 2002 this drop has been even more remarkable. On the other hand, arrests of perpetrators has significantly increased. For instance, during 2001 were arrested and charged 299 offenders (involved in trafficking of male-migrants and in trafficking of women and children); for the first half of 2002 the number of arrested and charged offenders related to the same activities was 347. Moreover, the sentences for the perpetrators are now becoming harsher as a result of a new law introduced in early 2001 (ref. section legal framework).

Up to now the statistics in Albania concerning trafficking of persons (as defined in the UN relevant protocol of December 2000) have not been reliable. First, very often both media and relevant reports when referring to the trafficking include also smuggling of migrants, which greatly swells artificially the relevant figures of trafficked persons. Second, data made public so far have been mostly taken from international organisations and NGOs operating in Albania, but frequently there are inaccuracies in them because these data are based on opinion polls and not on reliable studies.

At present, the State Police has just completed an overall study on the situation of the human trafficking, considering Albania as a source of this trafficking and the data are taken from every administrative unit, beginning from the village, commune and municipalities throughout the Albanian territory, in addition to the information taken from the police, other governmental structures, international organisations and NGOs.

Media regularly report the issue and also plays an important role in awareness-raising on the matter. At present, it is playing a positive role in covering the current situation and the serious efforts made by state and non-state institutions in preventing and combating the trafficking in human beings. The coverage by media has played an important role in increasing the denunciations and information related to the traffickers.

### ***Awareness-raising***

During 2001 and 2002, several programs for public awareness have been prepared and carried out in Albania regarding the risk of trafficking and its consequences in the society. Such programs have been prepared made and are being implemented by the Ministry of Education and Science in the educational system in Albania, the Ministry of Labour and Social Affairs, the State Committee for the Fight Against Human Trafficking set up close to the Prime Minister, the State Committee for Equal Opportunities, international organisations which have offices in Tirana such as IOM (a 18 month campaign), UNICEF, UNHCR, ILO-IPEC, International NGOs such as “Save the Children” etc., the U.S. Embassy, the Embassy of the United Kingdom, the Embassy of the Netherlands, etc., as well as local NGOs dealing with the problem of human trafficking.

These programs aim at raising awareness of the public on the danger and consequences of the trafficking, on the ways and possibilities that traffickers use to recruit the victims, the inhumane and enslaving treatment towards the trafficked victims, the way how the most affected strata - women and children - can be protected from trafficking, the education of the society and the chances created for the legal emigration and employment to other countries.

These awareness-raising programs are targeting all the strata of the society but more concrete are those for young people and children with regard to the possibilities to prevent trafficking, considering them as groups mostly affected by trafficking. Also programs of education in the school system have been prepared for these age groups, especially those between 14-18 years of age. These programs are implemented in the context of the whole didactic program of the primary and secondary schools. The Ministry of Education and Science will develop in co-operation with IOM a special program for the secondary and high schools, aiming at teachers’ training, public awareness, lectures, etc.

A number of TV programs on trafficking in human beings has already taken place in Albania, in which have participated high rank officials from the Ministry of Public Order and representatives of local NGOs. In the framework of the National Strategy of the Fight Against Human Trafficking, a serial of 12 programs on public awareness is going to be broadcast shortly by the Public Television (TVSH).

### ***Legal Framework / legislative review and reform efforts***

The Albanian legislation on trafficking has been recently adopted and the law No. 8733 dated 24 January 2001 specifies that “trafficking of human beings, trafficking of females for prostitution, trafficking of children with the purpose of material profit or any other

profit is punished by 5 to 20 years of imprisonment or by life imprisonment”. Article 110/a refers to human trafficking, article 114/b treats the trafficking of women for prostitution aims, and article 128/b deals with children's trafficking. This law increased the punishment for trafficking and also introduced a new definition of trafficking in line with the Palermo Protocol’s definition.

Starting from June 2001 onward, all the trafficked people, women and children, are considered as victims of the trafficking and are not punished under Albanian legislation even if they have committed another penal act linked with their trafficking, such as exercising of prostitution, illegal border crossing, etc. Since then, a number of female prostitutes and trafficked children has been helped to escape trafficking and none of them has been criminally prosecuted. These people, especially women of this group, have been protected and sent to re-education and rehabilitation centres in Vlora, Fier, Tirana, like those set up by IOM, ICMC and the NGO "Vatra", and efforts have been made also to re-integrate them in the society and in the family, while for the foreigners involved in these matters, their return to the countries of origin is made possible.

Albania has signed (December 2000) and ratified (July 2002) the United Nations Convention Against Transnational Organised Crime and its additional protocols, namely “Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children” and “Protocol against the Smuggling of Migrants by Land, Sea and Air”. Albania is also a party to many other relevant international legal instruments.

Regarding the legislative review, an important law namely "On the protection of Witnesses" is in the process of preparation.

### ***Government co-ordination***

In January 2002, the Albanian Government set up the State Committee for the Fight Against Human Trafficking close to the Prime Minister, as a co-ordinating body between the state institutions and non-state institutions, which reports to the Prime Minister on the implementation of the national strategy and the action plan, and monitors the development and realisation of the set duties. This committee has had periodical meetings to analyse the work made to fight and prevent human trafficking. The State Committee comprises also a technical group represented by specialists of institutions represented in the State Committee, which collects and prepares the materials needed for the meetings of the Committee. This committee is headed by the Minister of State, who is also the Albanian National Anti-trafficking Co-ordinator.

By order from the Prime Minister, the State Committee is assigned as a point of contact with the responsibility of co-ordinating the questions of the fight against trafficking and serves as a liaison for international contacts.

### ***National Plan of Action***

By decision No. 674, dated 07 December 2001, the Albanian Government adopted the National Strategy of the Fight Against Human Trafficking; within this strategy is also the National Plan of Action which includes concrete actions against trafficking and names

responsible institutions. The strategy was drafted in a 5-month period (June –November 2001) by an inter-ministerial working group, which was assisted by the OSCE Presence in Albania, Council of Europe, US Embassy, NGOs, etc.

Apart from the National Plan of Action, the strategy includes also analysis (trafficking, regional aspects, SWOT analysis and analysis of Albanian legislation), objectives of the strategy, the calculation and financial sources of financing, implementation and monitoring, etc.

Implementation of the National Strategy is foreseen to be carried out in three main phases spread over a 3-year period (2001-2004).

The first phase: (end of 2001 - June 2002) has the following objectives: completion of the study on the situation of trafficking and the ways of its realisation, creation of the state committee for the fight against human trafficking, drafting of the program "On the protection of women and children from trafficking", preparation of the program "On raising people's awareness in combating trafficking of human beings, the danger of trafficking and its consequences", realisation of TV programs for this purpose in view of the prevention of the trafficking and the situation of the victim, the realisation of the program on the possibilities of legal migration, creation of special anti-trafficking police units, realisation of programs on professional education of police and prosecution staff in order to increase the devotion of the police members in fighting this trafficking, and the establishment of the international anti-trafficking centre in Vlora. Most of the objectives of the first stage have been already met.

The following objectives are set for the second phase (July 2002 - June 2003): collection of reports, statistics and research information in this field from conferences, government agencies, international organisations and NGOs dealing with the fight against human trafficking, drafting of the law "On the Protection of Witnesses", the drafting of the law "On some additions and amendments to the penal procedure code, with the aim of starting the penal prosecution on the basis of complaint from family members or caretakers of the trafficking victims", holding of conferences, seminars with a broad participation with the aim of disseminating information and realising co-operation for this purpose, the preparation of school programs "On the danger of trafficking as well as to promote a zero tolerance towards violence for women and girls", preparation of programs with proper information for youths to prevent SST, HIV / AIDS, in schools and community, the preparation of the program "Involvement in economy of the young girls and their employment, creation of acceptance and rehabilitation centres, the signing agreements of re-admission with neighbouring countries and the countries of origin for the trafficked victims, the implementation of training programs for the promotion of co-operation between police and international organisations and NGOs, training courses for officials in regard to law implementation, etc.

During the third phase (July 2003 - September 2004), the following objectives have been foreseen: realisation of economic programs for the economic empowering of women,

realisation of programs to prevent violence in families and its social-economic consequences for women and children.

Responsible for the control and implementation of this strategy is the Minister of State, who reports to the State Committee and to the Prime Minister. In addition, on a yearly basis the Prime Minister reports to the Albanian Parliament.

The implementation of this strategy demands funding of around 15 million USD, of which 6 million will be financed by the state budget and 9 million USD from foreign donors.

### ***Co-operation with non-governmental and international organisations***

The Albanian Government considers as indispensable the co-operation and co-ordination with international organisations and NGOs in the fight against human trafficking and it is fully engaged in its realisation. It has appreciated the assistance from these organisations for awareness-raising on trafficking issues, support to the victims, training for police and judiciary, etc.

Albanian authorities have created the conditions for IO and NGO to successfully carry out their activities and also directly co-operate with them in a number of anti-trafficking issues. For instance, the Albanian Ministry of Public Order has signed co-operation agreements with IOM and UNHCR, which provide obligatory exchange of information, protection with police forces, referring cases of trafficking, assistance for the trafficked victims, etc. Furthermore, 35 contracts of co-operation have been concluded between NGOs and the Police Departments in the Regions and with police commissariats in the districts. A number of anti-trafficking projects have been already carried out such as OSCE/ODIHR's project "Training of Trainers on women's rights and anti-trafficking education", setting up of ICMC/IOM's shelter for reintegration of trafficked persons, etc.

An important aspect is the assistance to the victims of trafficking. Albania is one of the first countries in the region to have worked out a National Referral Mechanism which enhances the protection and assistance to the trafficked persons by ensuring co-operation between different actors in identifying, receiving and assisting the trafficked persons. During 2001, international organisations such as UNHCR, IOM, ICMC have offered assistance to about 386 victims (foreign citizens) of which 97 foreign women who have received medical, psychological assistance, accommodation and treatment and subsequently their return to the country of origin is made possible. Additionally, during the same period, the NGOs have treated 465 Albanian women aiming at their reintegration into the families and society. This work is going on: during 2002 assistance is provided to 129 foreign citizens and 211 Albanian women. Recently, a special treatment has been offered to minors, with a total of nearly 36 receiving the necessary assistance.

### ***Training of relevant state authorities***

Law enforcement officials such as police, prosecutors and judges have received specialised training. Since June 2001, French experts, ICITAP and the U.S. Embassy

have started training courses for police structures aiming at perfecting the work related to organised crime, in particular to the trafficking of human beings.

A special training was arranged in co-operation with IOM for all anti-trafficking police structures during January-February 2002, in the Police Academy, as well as training courses in the Police Departments of Regions and in criminal police Commissariats, the border police and public order police inspectors. So far about 660 police forces have been trained and the training is going on. The training courses cover not only police techniques but also issues related to the peculiarities of the treatment of the trafficked victims, ways of co-operation with international organisations and NGOs, etc.

IOM has started a special program for raising the awareness of the state authorities on the needs of the trafficked people and the victims of violence, which is being extended throughout the country, by sending people to the relevant structures, distributing literature and leaflets on the rights of trafficked persons and victims, etc.

### ***Aid and development programs abroad***

Albania is considered as a recipient country; however Albanian authorities are fully aware that the problem of illegal trafficking is not a simple domestic issue but a regional one. Therefore Albania appreciates and supports initiatives of other countries for the fight against trafficking and participates in many regional initiatives. For example, Albania is a participant in the South East European Initiative (SECI), Adriatic and Ionian Initiative, etc. Albania also actively participates in the relevant activities/projects of the Stability Pact for South Eastern Europe, more specifically in those organised in the framework of the Stability Pact Task Force on Trafficking in Human Beings (SPTF). On 5 December 2002, with the initiative of SPTF and under the auspices of the Albanian Minister of State Mr. Klosi, the Third Regional Ministerial Forum is due to take place in Tirana. A joint declaration on the legalisation of the status of trafficked persons is foreseen to be signed on this occasion.

The fight against illegal trafficking has been and is a priority of the work of the Albanian Government. In its program, the Albanian Government has emphasised that illegal trafficking, which is increasingly assuming an international character, can not be combated without an overall fight and close police co-operation between the countries of the region and even further. Accordingly, the Albanian Government has decided to send police co-ordinators to Greece, Italy, Turkey, Kosovo, etc. It has set up the international anti-trafficking centre in the city of Vlora (Albania) with the participation of experts from Germany, Italy, Greece and Albania, with the aim of reaching a close police co-ordination against trafficking and conducting joint police operations. Albania has also participated in many international activities regarding the fight against trafficking and has supported all initiatives taken to this end. Furthermore, when discussing and concluding bilateral co-operation agreements, Albania aims at giving a special emphasis to the fight against illegal trafficking as an aspect of the international organised crime. This applies in the agreements signed with Italy, Greece, Montenegro, etc.

### ***Bilateral and multilateral agreements and activities***

The Albanian Government has signed bilateral agreements on the fight against illegal trafficking with the Italian Government and joint sea patrol teams between the Albanian police and the Italian interforce have been set up to fight human trafficking. Their effectiveness has been considerably high in preventing this trafficking.

The Albanian Government has multilateral agreements with Germany, Italy, Greece for the setting-up and functioning of the International Anti-Trafficking Centre in Vlora, with the participation of experts from these countries for an organised fight against illegal trafficking in our countries.

At present, Albania is also successfully co-operating with neighbouring countries in the framework of the overall anti-trafficking operation named "Labour". This operation, initiated by the new Albanian government in August has targeted speedboats, fuelling stations and houses harbouring illegal migrants and trafficked victims. A second phase of this operation is focusing on the assets of the traffickers. This operation is considered to be a very important step ahead in the fight against organised crime and trafficking.

Concerning protection of witnesses during the process of investigation and trial, as mentioned before, the relevant law is in the process of preparation. Until its adoption, the Albanian government has provided a provisional solution with two options to this problem. More specifically, the first option consists in the setting up in the Police Departments in the Regions of some premises for the temporary protection of the witnesses since the moment of their denunciation of the perpetrators up to the moment when the Court ensures evidence or up to the moment when the charge is made public in the Court (such premises are established in the Police Departments of the region of Fier, Korce, Tirana, etc.). The other option is through providing temporary protection to the witnesses in shelters set up by international organisations or NGOs in Albania.