

## COUNTRY OPERATIONS PLAN for 2003 ALBANIA

### Part I: Executive Committee Summary

#### a. Context and Beneficiary Population

##### **Political context:**

Albania faces numerous challenges in the economic and development fields. Key challenges defined by the UN country team include: poverty, gender inequalities, unequal distribution of income, tax avoidance, weak institutions, migration/emigration, trafficking in human beings, arms and drugs, unemployment and lack of infrastructure. The Government's main economic policies aim at addressing some of these challenges.

The rates of economic growth since collapse of 1997/98 are remarkable. Actual growth in 2000 was 7.8%; The Economist Intelligence Unit (EIU) estimates that in 2001, the economy grew at a rate of 7.3% and forecasts 6.0% for 2002 and 2003 respectively. Subject to political stability, the path of continued growth of Albania's Strategy for Economic and Social Development during 2002-2005 seems feasible. The local currency – the Lek – is relatively stable. Progress during the past two years has been sufficient to open the doors for negotiations on a Stabilisation and Association Agreement with the EU. In November 2001, the European Council invited the Commission to present draft negotiation directives for Albania.

Albania's voice in the region has been one of moderation, both *vis-a-vis* the developments in Kosovo and in the former Yugoslav Republic of Macedonia (fYROM). The latter conflict, in early 2001, led to an outflow of about 4,500 Macedonian Albanians into Albania, mainly due to the closure of the border crossing between fYROM and Kosovo. Their access to Albania posed no problem. Half of them continued their way into Kosovo via Northern Albania, while the other half remained in Albania, mostly with relatives. Those in need were assisted by the Albanian Red Cross. The matter was handled in close co-operation between the GoA and UNHCR keeping the international community constantly updated. Only very few individuals sought asylum in Albania. Most of the arrivals swiftly returned home as the situation calmed down.

Albania is increasingly a transit, rather than a source country, for thousands of migrants from the Near and Far East who are in search of safety and economic opportunities in Western Europe. No reliable estimates exist for the number of illegal emigrants per year or the number of women and children trafficked. In December 2001, Albania signed an agreement to combat trafficking and smuggling with eight other Balkan country members of the Southeast Europe Cooperation Process (SEEC). This agreement deals with the establishment of the Police Association of SEE countries, the repatriation of clandestine/illegal migrants, the exchange of information, and collaboration in criminal investigations. The reduction of trafficking and smuggling is a priority for the Government.

Albania presently hosts a few hundred Kosovar Albanians remaining from the 1999 crisis, and very few non-Kosovar refugees and asylum seekers. Since the Ministry of Public Order officially endorsed pre-screening in early 2001, the numbers of asylum claims during 2001 rose to 98 out of 298 persons interviewed for pre-screening purposes. With more resources put into place to manage and control the borders – particularly since September 11<sup>th</sup> - higher numbers are expected for 2002 and 2003: during the first three months of 2002 alone, 86 persons were pre-screened by the UNHCR-led teams and 12 of them requested asylum. Moreover, the eventual signature and

implementation of readmission and transit agreements with Western European Countries could alter to a great extent the operational environment of UNHCR in Albania.

UNHCR estimates during 2003, the following people will be in need of international protection and support:

- Urban refugees (Kosovars, Albanians from FYROM, Iraqi and Turkish nationals), consisting of a majority of extremely vulnerable persons (200)
- Asylum seekers of different nationalities, e.g. Iraqi and Turkish nationals, Chinese, Bangladeshi, who are mostly young single males (500)

### **Security situation**

The security situation, although slightly improved during the past year, remains volatile in all parts of the country. Violent acts are rarely targeted against foreigners. However, armed robbery and traffic accidents are serious hazards. The north of the country is still heavily mined. UNHCR's radio communication system covers about 80 per cent of the country and makes frequencies available to NGOs working on demining programmes in remote areas.

### **Protection issues**

A country on the crossroads for clandestine movers, Albania is a stepping stone for economic migrants, trafficked persons and asylum seekers before they continue their risky journey to Western Europe. Although most would not choose Albania as their country of asylum, circumstances may leave them no other choice. This reality has been synthesized by UNHCR in the 'Three Pronged Approach'. Its first operational phase – gaining access to stranded foreigners - has reached momentum through co-operation between the Ministry of Public Order and an inter-organisational pre-screening effort by UNHCR, the governmental Office for Refugees (OFR), OSCE, IOM and ICMC. Although the referral system has begun to operate, key areas such as access to the asylum procedure for clandestine movers apprehended at Rinas Airport or at the increasingly effectively guarded border crossing points will require closer monitoring. *Refoulement* cannot be excluded. There is no viable system in place to deal with economic migrants. This will have to be addressed to lessen the risk of abuse of the nascent asylum system. Although there is no major refugee caseload in Albania, opportunities exist to support the Government in building a proper asylum structure and to regularize the status and work of the OFR through a proper legal framework. The Inter-Ministerial Task Force for the Implementation of the Asylum System, announced in March 2000, was established in October 2001. The UNHCR-led Secretariat co-ordinated and facilitated the drafting process of laws, mainly relating to the integration of Kosovar refugees. The National Commission for Refugees – the Appeals body in the RSD – was established but is yet to be fully operational. Given the current socioeconomic situation in Albania, the local integration of refugees without Albanian background is very problematic at present. UNHCR will continue to explore resettlement opportunities for such cases. A site for a Reception Centre for Asylum Seekers has been identified and rehabilitated by UNHCR for this purpose. A comprehensive training programme including Police officials, border Police, Customs and municipal officials, the judiciary, journalists, law students, is under way.

### **UNHCR's role**

In its 11 years of presence in Albania, the scope of UNHCR's work has ranged from low-key monitor to lead agency in an unprecedented refugee emergency. As almost all Kosovars have repatriated, UNHCR's role will be to support the Government in developing Albania's asylum system. Assistance will be provided to asylum seekers and refugees in partnership with

governmental and non-governmental actors, thereby working with the Government in implementing the Programme of Action of the recently adopted Agenda for Protection<sup>1</sup>. The refugee crisis of 1999 opened windows of opportunity for longer-term investment in capacity building of local authorities and organisations. UNHCR shall continue to foster early warning systems established by the Government, and collaborate with the Governmental Emergency Management Cell (Ministry of Local Power) and local and international NGOs in maintaining emergency preparedness. Under the Stability Pact ‘Migration and Asylum Initiative’ (MAI), UNHCR supports Albania’s efforts to find suitable partners. UNHCR will continue its role towards assisting the Government on asylum matters in the EU Process of Stabilization and Association. At the same time it will continue participating as appropriate in the framework of the EU High Level Working Group (HLWG) on Asylum and Migration. In Tirana, UNHCR will continue co-chairing the Friends of Albania Asylum/Migration Group and will participate in the US/EU-led International Consortium on Police matters. This consortium inter alia, deals with smuggling and trafficking in persons and general migration matters.

UNHCR’s programme in 2003 is structured along two Themes:

- (1) Development of the Asylum System** - addresses capacity building for a viable governmental asylum system including emergency preparedness; and
- (2) Urban Refugees** - addresses the protection and assistance needs of both asylum seeker (500) and recognised refugees (200) in Albania.

UNHCR’s main objectives in Albania are to strengthen the Asylum System by building capacities to identify, receive and protect refugees. Albania’s Stabilization and Association Process with the EU offers an excellent framework to achieve these objectives. UNHCR in Albania will also focus on the second goal of the Agenda for Protection, namely the protection of refugees in the broader migration movements. By ensuring International Protection for those in need will contribute to managing the flow of clandestine migrants and asylum seekers transiting through Albania.

### **Policy issues**

In a context where issues of asylum are intrinsically entangled with issues of migration and trafficking, UNHCR Tirana is called upon to act as a catalyst in further understanding the asylum/migration nexus through the implementation of the ‘Three-pronged approach’. This requires the office to maintain the capacity to liaise with other UN agencies and international organisations to find solutions for the three population groups. A prerequisite for establishing a functioning asylum system in Albania is a well functioning of Office for Refugees (OFR). During the crisis period 1998/1999, the OFR developed into a semi-autonomous body, which was entirely dependent on UNHCR’s ongoing support. Triggered by the need to put governmental control systems in place to improve its quality, a review of the situation took place in 2002. Legislation to re-integrate the OFR fully into Government structures is under way, in close co-operation with UNHCR. Much of OFR’s capacity will have to be built anew.

### **Linkages to other UNHCR operations within a defined “situation”**

- **Contingency planning for FYROM:** Close co-operation with BO Skopje proved very useful and will continue to be so.

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<sup>1</sup> The Agenda for Protection is the product of the Global Consultation on International Protection that took place in 2001/2002. See A/AC.96/965/Add.1 of 26 June, 2002

- **Kosovo:** The very small remaining Kosovar population consists of extremely vulnerable individuals for whom durable solutions are difficult to find. Collaboration with UNHCR Kosovo will be for those who wish to repatriate.
- **Neighbouring Countries (Asylum Systems):** Information exchange and aligning strategies related to asylum policies with BOs Rome, Athens, and Ankara. The latter, upon BO Tirana's request, has offered to include Albanian Government officials in their RSD training programme.
- **Stabilisation and Association Process:** For alignment of strategies, continuing collaboration with BO Brussels on policy issues and project proposals and the EU High Level Working Group Plan of Action for Albania.
- **Others:** exchange of information also with LO Strasbourg, particularly on matters involving the Council of Europe. Regarding the Stability Pact for South Eastern Europe (WTIII), Information sharing with the Support Unit of the Migration and Asylum Initiative (MAI) in Vienna.

### **Capacity and presence of implementing partners**

International NGOs are visibly reducing their presence in Albania, with (too) few involved in development activities. UNHCR's partner dealing with individual cases is undergoing an evaluation. The Governmental partner requires fundamental restructuring (see above). On the positive side, two local NGOs dealing with legal and human rights issues are capable and highly professional. Another local NGO was created as a result of UNHCR's capacity building efforts. Contingency plans are being worked out with a restricted number of NGOs and local partners who have received training and equipment from UNHCR such as the Civil Protection Base within the Ministry of Defence. This has proven very effective.

### **Presence of other UN agencies and international organisations:**

- Common planning and reporting on development issues (CCA/UNDAF) with UN sister agencies (UNICEF, UNDP, UNFPA, WHO, WFP, UNMIK, WB) and IOM.
- Cooperation, formalized through a Memorandum of Understanding, with IOM, OSCE, ICMC and the Governmental Office for Refugees in pre-screening of foreigners detained for illegal entry and in a referral system for asylum seekers and trafficked persons wishing to return home.
- Collaboration with the European Commission Delegation in co-chairing the working group on asylum and migration of the donor forum "Friends of Albania"
- Coordinating *contingency planning* with all UN organisations, IOM, the Red Cross movement and key NGOs.

**(a) Main Programme Goals and Principal Objectives**

Name of Theme: <b>Development of the Asylum System</b>	
Main Goal: <b>Recognised refugees and asylum seekers benefit from national legislation conforming to international standards</b>	
<b>Principal Objectives</b>	<b>Related Outputs</b>
<ul style="list-style-type: none"> <li>• The Law on Asylum is complemented with necessary secondary legislation</li> <li>• State authorities implement asylum legislation</li> <li>• Civil society supports refugee protection regime</li> <li>• GoA fulfils its role within international initiatives regarding asylum and migration</li> <li>• Better identification of and proper responses to the needs of asylum-seekers, including access to protection</li> </ul>	<ul style="list-style-type: none"> <li>• Technical assistance in drafting of national legislation provided</li> <li>• Civil servant's skills enhanced through training</li> <li>• Media and general public well informed of UNHCR and partner achievements</li> <li>• GoA receives political and material support in dealing with asylum and migration matters</li> </ul>
Main Goal: <b>Protect and assist recognised refugees and asylum seekers, while durable solutions are explored.</b>	
<b>Principal Objectives</b>	<b>Related Outputs</b>
<ul style="list-style-type: none"> <li>• Persons in need of international protection have access to the asylum procedure</li> <li>• Asylum claims are properly assessed</li> <li>• Asylum seekers and recognised refugees are assisted in case of their need.</li> <li>• All recognised refugees, including those vulnerable, find a durable solution</li> <li>• Emergency preparedness is maintained.</li> </ul>	<ul style="list-style-type: none"> <li>• Borders are monitored</li> <li>• Border and public order police are trained</li> <li>• Police is aware of pre-screening mechanism and resources</li> <li>• RSD conducted speedily and to legal standards</li> <li>• Safety ensured, material and social assistance provided</li> <li>• Plan for durable solution established in collaboration with individual ICs</li> <li>• Civil servants trained in the application of refugee legislation</li> <li>• Updated contingency plan available</li> </ul>