



Home Office

# Country Policy and Information Note

## Albania: People trafficking

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# Preface

## Purpose

This note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims (as set out in [the basis of claim](#) section). It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into two main sections: (1) analysis of COI; and (2) COI. These are explained in more detail below.

## Analysis

This section analyses the evidence relevant to this note – i.e. the COI section; refugee/human rights laws and policies; and applicable caselaw – by describing this and its inter-relationships, and provides an assessment on whether, **in general**:

- A person is reasonably likely to face a real risk of persecution or serious harm
- A person is able to obtain protection from the state (or quasi state bodies)
- A person is reasonably able to relocate within a country or territory
- Claims are likely to justify granting asylum, humanitarian protection or other form of leave, and
- If a claim is refused, it is likely or unlikely to be certifiable as ‘clearly unfounded’ under section 94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case’s specific facts.

## Country of origin information

The country information in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation’s (ACCORD), [Researching Country Origin Information – Training Manual, 2013](#). Namely, taking into account the COI’s relevance, reliability, accuracy, balance, currency, transparency and traceability.

The structure and content of the country information section follows a [terms of reference](#) which sets out the general and specific topics relevant to this note.

All information included in the note was published or made publicly available on or before the ‘cut-off’ date in the country information section. Any event taking place or report/article published after this date is not included.

All information is publicly accessible or can be made publicly available, and is from generally reliable sources. Sources and the information they provide are carefully considered before inclusion.

Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information, and
- whether the COI is consistent with and/or corroborated by other sources.

Multiple sourcing is used to ensure that the information is accurate, balanced and corroborated, so that a comprehensive and up-to-date picture at the time of publication is provided of the issues relevant to this note.

Information is compared and contrasted, whenever possible, to provide a range of views and opinions. The inclusion of a source, however, is not an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a brief footnote; full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

## Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email [the Country Policy and Information Team](#).

## Independent Advisory Group on Country Information

The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

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# Analysis

Updated: 10 May 2018

## 1. Introduction

### 1.1 Basis of claim

- 1.1.1 Fear of persecution or serious harm by traffickers or other non-state actors because the person is a (potential) female victim of trafficking ((P)VoT) for sexual exploitation.

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### 1.2 Points to note

- 1.2.1 Only trained specialists in the UK's designated competent authorities can decide whether or not there are reasonable grounds to accept the person as a victim of trafficking for the purpose of the Council of Europe Convention on Action against Trafficking in Human Beings. However, both Home Office decision makers and the court are able to take factual matters into account when making their findings in an asylum claim. If it has not already been done, decision makers dealing with the asylum claim must make an appropriate referral to the National Referral Mechanism (NRM). The case will then be routed to a 'competent authority' (see [Victims of human trafficking: competent authority guidance](#)).
- 1.2.2 The conclusive grounds decision will be included in any outstanding asylum decision made after that decision as a finding of fact on whether the person was a victim of human trafficking or modern slavery or not, unless information comes to light at a later date that would alter the finding on human trafficking or modern slavery.
- 1.2.3 The outcome of the reasonable or conclusive grounds decision is not indicative of the outcome of any asylum claim. A positive or negative reasonable or conclusive grounds decision on modern slavery does not automatically result in asylum being granted or refused. This is because the criteria used to grant asylum are not the same as the criteria used to assess whether a person is a victim of modern slavery.
- 1.2.4 When a Competent Authority has issued a positive conclusive grounds decision in a case where the person has also claimed asylum, this should be afforded appropriate weight when considering future risk of persecution. Further, where there has been a negative finding by a Competent Authority, considerable weight can be placed on this. In these scenarios, because the Competent Authority's findings are subject to a higher standard of proof and are findings as to past treatment, it remains open to asylum decision makers to make different findings for the purpose of the asylum claim and future risk.
- 1.2.5 Information for Home Office staff who are trained specialists to help them decide whether a person referred under the National Referral Mechanism (NRM) is a victim of trafficking is available in [Victims of modern slavery - competent authority guidance](#).

- 1.2.6 Where a claim falls to be refused, it must be considered for certification under section 94 of the Nationality, Immigration and Asylum Act 2002 as Albania is listed as a designated state.

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## 2. Consideration of issues

### 2.1 Credibility

- 2.1.1 For information on assessing credibility, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).
- 2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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### 2.2 Particular social group

- 2.2.1 Albanian women who have been trafficked form a particular social group (PSG) within the meaning of the 1951 UN Refugee Convention because they share a common characteristic that cannot be changed and have a distinct identity which is perceived as being different by the surrounding society.
- 2.2.2 Although Albanian women who have been trafficked form a PSG, this does not mean that establishing such membership will be sufficient to be recognised as a refugee. The question to be addressed in each case is whether the particular person will face a real risk of persecution on account of their membership of such a group.
- 2.2.3 For further guidance on particular social groups, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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### 2.3 Assessment of risk

- 2.3.1 In the country guidance case of [TD and AD \(Trafficked women\) CG \[2016\] UKUT 00092 \(IAC\)](#) (heard 30 April, 6 May and 3 June 2015 and promulgated 9 February 2016) the Upper Tribunal held that 'it is not possible to create a typical profile of a trafficked woman from Albania; trafficked women come from all areas of the country and from varied social backgrounds' (paragraph 119(a)).
- 2.3.2 The Upper Tribunal found that whereas
- '... some women are lured to leave Albania with false promises of relationships or work, ... others may seek out traffickers in order to facilitate their departure from Albania and their work in prostitution abroad. Although such women cannot be said to have left Albania against their will, where they have fallen under the control of traffickers for the purpose of exploitation there is likely to be a considerable degree of violence within the relationships

and a lack of freedom, meaning that such women are victims of trafficking' (paragraph 119(c)).

2.3.3 The Tribunal stated:

'Re-trafficking is a reality. Whether it is a risk for an individual claimant will turn in part on the factors that led to the initial trafficking and on her personal circumstances, including her background and age and her willingness and ability to seek help from the authorities. For a proportion of victims of trafficking, their circumstances may mean that they are especially vulnerable to re-trafficking, or being forced into other exploitative situations' (paragraph 119(g)).

2.3.4 Trafficking in human beings is illegal in Albania, but it remains a problem. Between January and September 2017, 77 victims of trafficking were brought to the attention of the authorities; however, different sources told the Home Office fact-finding team (HO FFT) that not all cases were identified, and not all cases were recorded correctly. Data were not separated between labour trafficking exploitation and sexual trafficking exploitation (see [Prevalence: Introduction](#) and [Prosecution: General](#)).

2.3.5 The HO FFT was told that kidnapping is a rare form of recruitment; women are more likely to become trafficked after having been tricked into marriage or duped with promises of jobs or even a good education. Women are from all backgrounds, but typically aged 18 to 25, although there are younger victims. People from the Roma and Egyptian communities are particularly vulnerable to trafficking for forced labour. Some may work as prostitutes in Albania, and have some knowledge that they will work in the sex industry abroad, but believe they will receive more money (see [Prevalence: Tactics used and risk factors](#)).

2.3.6 Although reports relied on by the UT in [TD and AD](#) indicated that 18% of women referred to shelters had been subject to re-trafficking, Different and Equal, and NGO working with victims of trafficking, told the HO FFT in 2017 that the figure is now 4 to 5%. Retrafficking has become a less common occurrence, with a very small percentage of women willingly leaving the security of shelters or re-integration assistance and being re-trafficked. Some women are willingly re-trafficked because they know nothing else or see it as an alternative to domestic abuse and are not aware of other options for migrating. The risk of re-trafficking must be considered according to the facts of each individual case and their individual vulnerability to re-trafficking (see [Reintegration: Re-trafficking](#)).

2.3.7 In light of the above, and acknowledging the suggested reduction in the likelihood of re-trafficking, the evidence does not suggest there are 'very strong grounds supported by cogent evidence' to justify 'not taking into account and following' those findings in TD and AD (see para 47 of the Court of Appeal's determination in [SG \(Iraq\) v Secretary of State for the Home Department \[2012\] EWCA Civ 940 \(13 July 2012\)](#)).

2.3.8 For further guidance on assessing risk, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#). See also the [Report of the Home Office fact-finding mission to Albania](#).

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## 2.4 Protection

- 2.4.1 The Upper Tribunal in [TD and AD](#) held that the Albanian government had ‘made significant efforts to improve its response to trafficking in recent years. This includes widening the scope of legislation, publishing the Standard Operating Procedures, implementing an effective National Referral Mechanism, appointing a new Anti-Trafficking Co-ordinator, and providing training to law enforcement officials.’ The Upper Tribunal concluded that although there is in general a Horvath-standard sufficiency of protection, this will not be effective in every case. Decision makers must therefore consider the individual circumstances of each case before deciding whether there is sufficiency of protection for each victim of trafficking (paragraph 119(d) of determination).
- 2.4.2 The Upper Tribunal found that whether a person is at risk of persecution and whether they will be able to access sufficiency of protection from the authorities will depend upon their ‘individual circumstances, including but not limited to the following’:
- The social status and economic standing of her family
  - The level of education of the victim of trafficking or her family
  - The victim of trafficking’s state of health, particularly her mental health
  - The presence of an illegitimate child
  - The area of origin
  - Age
  - What support network will be available (paragraph 119(h) of determination).
- 2.4.3 The Tribunal added that there is a reception and reintegration programme for victims of trafficking in Albania. ‘Returning victims of trafficking are able to stay in a shelter on arrival, and in “heavy cases” may be able to stay there for up to 2 years. During this initial period after return victims of trafficking are supported and protected. Unless the individual has particular vulnerabilities such as physical or mental health issues, this option cannot generally be said to be unreasonable; whether it is must be determined on a case by case basis’ (paragraph 119(e) of determination).
- 2.4.4 The Upper Tribunal further noted that once asked to leave the shelter, a victim of trafficking may live on her own. The challenges she will face will be significant, and will include, but won’t be limited to, stigma, isolation, financial hardship and uncertainty, a sense of physical insecurity and the subjective fear of being found either by their families or their former traffickers. The Tribunal stated that some women would have the capacity to deal with these challenges without undue hardship, but some victims of trafficking, with difficulties such as mental illness or psychological scarring, for example, cannot reasonably be expected to live alone in such circumstances. Therefore each person’s circumstances must be carefully assessed (paragraph 119(f) of determination).

- 2.4.5 Trafficking for sexual and labour exploitation is prohibited under the law and the penalties for these offences are eight to 15 years' imprisonment. There were 22 convictions in 2016 (see [Law: General](#)).
- 2.4.6 The Government made considerable efforts to combat trafficking during 2016-2017; it prosecuted and convicted more traffickers, developed a national action plan and dedicated resources across the Government to addressing the issue (see [Action to combat trafficking](#)).
- 2.4.7 The police have standard procedures to respond to VoTs. For the most part, they appear to respect the procedures for interviewing VoT, know how the National Referral Mechanism (NRM) works and are aware that they need to refer victims to social services. However, sometimes mis-identification of crimes may occur, and with an over-reliance on arrest targets, and a lack of indicators in place to measure police response to VoT, this means that some VoT may be missed (see [Police](#)).
- 2.4.8 By law, the police have a duty to ensure the confidentiality of data related to trafficking victims. The database is secure, data is entered by a designated person, and only the Responsible Authority has access to it. Sources spoken to by the HO FFT were in agreement that unauthorised access would be difficult and is unlikely. Police provide protection at state-run shelters and NGO shelters use private security companies (see [Systems to deal with trafficking: Personal data and confidentiality](#)).
- 2.4.9 There has been considerable investment in the training of the judiciary which can be corrupt and inefficient, making it difficult for trafficking victims to trust in, and seek redress from, the justice system. Justice reform is ongoing. NGOs reported instances of women being convicted for offences of prostitution committed as victims of trafficking. The witness protection programme is not used effectively and trafficking victims can feel intimidated during court proceedings (see [The judiciary](#) and [Witness protection](#)).
- 2.4.10 The sources met by the HO FFT indicated that the combined capacity of the various shelters is sufficient to meet the needs of adults, that shelters are regularly inspected by the Albanian Ombudsman and that the standard is considered to be very good (see [Protection: Capacity of shelters](#) and [Standard of shelters](#)).
- 2.4.11 Victims of trafficking are provided with free healthcare; this includes mental healthcare outside shelters. In addition, shelters usually have a psychiatrist. The HO FFT were told by one interlocutor that there are few opportunities for long-term mental health support but by another that a greater level of psycho-social support is offered to those leaving shelters and that this is provided for as long as it is needed (see [Healthcare](#)).
- 2.4.12 The support provided by shelters generally consists of three phases, the first crisis intervention phase lasting three to six months, the next phase of transition to independent living lasting for at least a year, and support for full independence lasting up to three years. Support provided includes assistance with education, vocational training, access to employment and social housing. The HO FFT was told that reintegration is not always successful, but this is not an issue unique to Albania (see [Phases of assistance](#), [Reintegration: General](#), [Social housing](#)).

- 2.4.13 By law, every person leaving a shelter must receive social welfare until they find work. A single mother can send her child to nursery free of charge. By law, a child returning from abroad must be accepted into a school (see [Other economic help](#), [Education and young people](#)).
- 2.4.14 Further progress has been made in providing assistance for women leaving shelters since the hearing of [TD and AD](#), as described above. Women are monitored for two years after leaving a shelter, healthcare has been provided free of charge to victims of trafficking since the end of 2014, and with re-education, vocational training, rent subsidies and economic help, the risk of re-trafficking is being reduced. The government and NGOs are working to raise awareness of trafficking, particularly with young people, with a view to prevention and increased reporting and to reduce the stigma which has been traditionally attached to those who have been trafficked. The HO FFT was told that prejudice has decreased a lot and it is possible for women to live alone, working and paying rent, in Tirana, where there is little stigma attached to particularly a young woman living alone (see [Reintegration](#) and [Healthcare](#)).
- 2.4.15 For further information about some of the possible individual circumstances of a VoT listed above, see:
- [Social housing](#) – for information about social housing for trafficking victims who may have been rejected by their families or who are reluctant to return to their home area.
  - [Other economic help](#) – for information about assistance with food and nursery costs and benefit payments for women and their children.
  - [Women living alone](#) – for information about the possibilities of a woman living alone in different parts of the country, and employment opportunities.
  - [Education and young people](#) – for information about education for both trafficking victims and their children.
  - [Healthcare](#) – including mental health care.
  - [Tactics used and risk factors](#) – includes information about the age of those at risk of trafficking.
  - [Monitoring](#) – for information about ongoing support.
- 2.4.16 The government has made significant efforts to improve its response to trafficking in recent years, and is, in general, both willing and able to protect victims or potential victims of trafficking. However, this protection may not be sufficient in every case, and each case must therefore be considered on an individual basis, with the onus on the person to demonstrate that protection would not be available.
- 2.4.17 For further guidance on assessing the availability or otherwise of state protection, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#). See Country Policy and Information Note on [Background information, including actors of protection and internal relocation](#) for further information on these subjects. See also the [Report of the Home Office fact-finding mission to Albania](#).

## 2.5 Internal relocation

- 2.5.1 In the country guidance case of [TD and AD](#), the Upper Tribunal noted that 'much of Albanian society is governed by a strict code of honour, which not only means that trafficked women would have very considerable difficulty in reintegrating into their home areas on return but also will affect their ability to relocate internally. Those who have children outside marriage are particularly vulnerable. In extreme cases the close relatives of the trafficked woman may refuse to have the trafficked woman's child return with her and could force her to abandon the child' (paragraph 119(b) of determination).
- 2.5.2 However, the evidence gathered by the HO FFT indicates that the situation has improved since the hearing of [TD and AD](#). The team was told that although there can be a stigma concerning victims of trafficking, this is decreasing and is now a manageable issue. The team was also told that women can live alone in Tirana and can relocate there; it is harder for a woman to live alone in rural areas, although some women do manage it successfully (see [Stigma attached to victims of trafficking](#), [Women living alone](#)).
- 2.5.3 The onus is on the person to demonstrate why they believe they would be unable to relocate to a specific town/city to mitigate any risk. Tirana, for example, is a city of some 400,000 inhabitants and there are services available there which are specifically tailored to ensure the safety and re-integration of victims of trafficking. However, each case must be considered on its individual facts.
- 2.5.4 For further guidance on internal relocation, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#). See Country Policy and Information Note on [Background information, including actors of protection and internal relocation](#) for further information on these subjects. See also the [Report of the Home Office fact-finding mission to Albania](#).

## 2.6 Certification

- 2.6.1 Where a claim falls to be refused, it must be considered for certification under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 2.6.2 An application is likely to be certifiable, as sufficiency of protection is available in general, but this may not be the case for everyone. Each case must be considered on its facts.
- 2.6.3 For further guidance on certification, see the [Appeals Instruction on Certification of Protection and Human Rights claims under Section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

# Country information

Updated: 30 January 2018

## 3. Prevalence

### 3.1 Introduction

3.1.1 The United States Department of State's Trafficking in Persons Report 2017, which covers the period April 2016 to March 2017 (USSD TiP Report 2017), stated: 'Albania is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Albanian women and children are subjected to sex trafficking and forced labor within the country, especially during tourist season.'<sup>1</sup>

3.1.2 The same source noted:

'The government and NGOs identified 95 trafficking victims and potential trafficking victims, compared to 109 in 2015. Of these, 55 were adults and 44 were children (61 adults and 48 children in 2015), 11 were male and 84 were female (22 male victims and 87 female victims in 2015), and eight were foreigners (four foreign victims in 2015). Sixty-two were identified as potential victims and 33 officially identified as victims, a status provided after a joint interview held by representatives from both law enforcement and state social services. The law guaranteed equal services for both potential victims and officially recognized victims.'<sup>2</sup>

3.1.3 Home Office officials who conducted a fact-finding mission to Albania from 31 October to 7 November 2017 (HO FFT 2017) noted that from 1 January 2017 to 25 Sept 2017 77 victims were brought to the attention of the authorities (22 were victims of trafficking and 55 were potential victims of trafficking); 38 were adults and 39 were children; and 70 were Albanian and 7 were from other countries.<sup>3</sup>

3.1.4 The HO FFT were told that, although it appears VoT (victims of trafficking) figures have decreased over recent years, sources expressed concern about the focus being on the number of cases identified rather than those who aren't, and that numbers were not being recorded adequately. The HO FFT were told of a case where the police had caught a team of traffickers with a group of girls and none of the girls were referred for assistance – the police claimed they were referring women only on a voluntary basis.<sup>4</sup>

3.1.5 Several sources told the HO FFT that people may falsely claim to have been trafficked in the hope of being granted asylum when they have actually just migrated to Europe to get work.<sup>5</sup>

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<sup>1</sup> US SD TiP 2017', 27 June 2017, [URL](#)

<sup>2</sup> US SD TiP 2017, 27 June 2017, [URL](#)

<sup>3</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 2.1.2, [URL](#)

<sup>4</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 2.1.4, [URL](#)

<sup>5</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 2.2.1, [URL](#)

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## 3.2 Children

- 3.2.1 The US Department of Labor's 2016 Report on the worst forms of child labor (US DoL Report 2016) noted that 'Children are trafficked internally in Albania and abroad to neighboring and European Union countries for commercial sexual exploitation and forced labor, including forced begging. Internal child trafficking and forced begging has increased in recent years, particularly during the tourist season. Street children, especially those from Egyptian and Roma communities, are at the greatest risk of becoming victims of human trafficking.'<sup>6</sup>

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## 3.3 Forced labour

- 3.3.1 A report by the Group of experts on action against trafficking in human beings concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings, for which an evaluation visit was made in June 2015, published in 2016 (GRETA report 2016), stated:
- 'According to the Labour Inspectorate, the sectors most at risk of human trafficking and forced labour in Albania are agriculture, food processing, textiles, mining, construction, restaurants, hotels, entertainment, transport, domestic work as well as the informal economy. The Roma and Egyptian communities are groups which are particularly vulnerable to trafficking for the purpose of labour exploitation as they are often employed in the informal economy...
- 'The National Anti-Trafficking Co-ordinator has signed an agreement with the national police and the Labour Inspectorate on "Co-operation procedures on identifying cases of forced labour and trafficking and trafficking for labour exploitation", aimed at increasing prevention measures, proactive identification and protection of people trafficked for forced labour.
- 'The Albanian authorities have indicated having made efforts to have all workers in the informal economy entered into the social insurance scheme. During the tourist season from June to August 2015, the Labour Inspectorate conducted 667 inspections in hotels, bars and restaurants and identified 420 employees without social security. On the basis of the previously mentioned agreement, common inspections are conducted to identify potential victims exploited for forced labour.'<sup>7</sup>

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## 3.4 Tactics used and risk factors

- 3.4.1 The USSD TiP report 2017 noted:
- 'Traffickers use false promises such as marriage or employment offers to force victims into sex trafficking. Traffickers increasingly use social media to recruit victims... Albanian victims are subjected to sex trafficking in countries

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<sup>6</sup> United States Department of Labor, '2016 Findings on the Worst Forms of Child Labor,' 30 September 2017, [URL](#)

<sup>7</sup> GRETA report 2016, adopted on 11 March 2016, published 2016, [URL](#)

across Europe, particularly Kosovo, Greece, Italy, and the United Kingdom. NGOs report an increase in the number of Albanian children subjected to forced labor in Kosovo and the United Kingdom.<sup>8</sup>

- 3.4.2 Several sources told the HO FFT that kidnapping was rare now as awareness has risen and trafficked women are more commonly duped into marriage or conned into jobs. Traffickers always have ready recruits because parents are keen for their children to go abroad and they are sending them younger and younger.

Different networks sell the trafficked woman on and on and the first person they encounter isn't usually the one who will use violence.<sup>9</sup>

- 3.4.3 Anila Trimi, from the Office of the National Coordinator for Combating Trafficking in Persons at the Ministry of Interior, told the FFT that people are mainly recruited through marriage, and increasingly through the use of social media. She said they are also starting to see girls recruiting girls on behalf of the trafficker: one girl shows another pictures of a 'beautiful life.'

She explained that typical women are 18-25 year olds, but there are also younger victims. Other than that, there is no typical profile; she had seen cases from different types of background. She went on to say that there are also cases where there is some degree of agreement or prior knowledge – at least at the start. For example, some women know they will work in the sex industry. They are already working as prostitutes in Albania, but they think they will have more of the money or more control over what they do. Some are also promised better jobs and she had seen a few cases of young women being promised better education.<sup>10</sup>

- 3.4.4 In January 2018 the Guardian newspaper reported on the death of Silvana Beqiraj, an Albanian who died in Montpellier, France. The article stated:

'A murder investigation was opened in France soon after it was discovered that Silvana had been involved in prostitution in Montpellier, but the family still have no idea what happened to her. [...] According to a local journalist, Laureta Rroshi, Silvana had given [...] money to a trafficking gang to organise her transport and set her up in prostitution in France. Silvana subsequently changed her mind and asked for the money back.

'It is impossible to tell exactly why Silvana agreed to go to France. But what is known about the trafficking of women from rural Albania is that they are promised a better life, then end up being debt-bonded as a result of the extortionate costs for the journey and subsequent accommodation imposed by traffickers. Their families back home receive threats if they do not comply. [...]

'In Albania, reprisals towards trafficking victims are as harsh as they are commonplace. Anti-trafficking organisations and police officers tell grim tales of the torture inflicted on girls and women who try to escape. One 20-year old victim who ran away on discovering she was pregnant to one of the men

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<sup>8</sup> US SD TiP 2017, 27 June 2017, [URL](#)

<sup>9</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraphs 2.11.3 – 2.11.4, [URL](#)

<sup>10</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraphs 2.11.6 to 2.11.8, [URL](#)

who bought her was found and taken to a building site. In full view of the other women, who had been taken to the site to watch, she was severely beaten before being bricked into a concrete wall while still alive. Other women stay with the traffickers because the criminals know where their families live, and have been told they will die if they dare to escape or go to the police for help.

‘Four years after Silvana’s body was discovered, police are no further forward with the case. “It was a terrible reminder of how dangerous prostitution is for Albanian women,” says a Europol police officer currently on secondment in Albania from western Europe. “The gangs transporting females for this purpose are some of the most brutal we have encountered. Even the Russians are scared of them.”<sup>11</sup>

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## 4. Law

### 4.1 General

- 4.1.1 The US SD TiP Report 2017 noted, ‘Articles 110(a) and 128(b) of the criminal code prohibit sex and labor trafficking and prescribe penalties of eight to 15 years imprisonment; these are sufficiently stringent and exceed those prescribed for other serious crimes, such as rape.’<sup>12</sup>

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### 4.2 Children

- 4.2.1 The US DoL Report 2016 noted that Child Trafficking is prohibited under Article 128/b of the Criminal Code. The Commercial Sexual Exploitation of Children is prohibited under Articles 114, 114/a, 115, 117, and 128/b of the Criminal Code; Article 26 of the Law for the Protection of the Rights of the Child. Using Children in Illicit Activities is not prohibited.<sup>13</sup>

- 4.2.2 A report by the United Nations Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families published in December 2016 (United Nations report 2016) noted:

‘...the ... law “On State Police”, July 2014, provides additional legal guarantee for better protection and support for victims of trafficking, especially children.

‘This law, among the duties of the state police, provides in Article 17 (g) the identification, protection and referral for assistance to appropriate authorities of victims of trafficking. While Article 123 provides the measures to be taken by the state police for the protection of minors. Officials of the state police are obliged to assist and refer, when deemed necessary, for children abandoned or removed from their homes.’<sup>14</sup>

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<sup>11</sup> The Guardian, ‘Were sex traffickers to blame for the unsolved death of Silvana Beqiraj?’ 18 January 2018, [URL](#)

<sup>12</sup> US SD TiP 2017, 27 June 2017, [URL](#)

<sup>13</sup> US SD TiP 2017, 27 June 2017, [URL](#)

<sup>14</sup> United Nations, Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, 19 December 2016, [URL](#)



## 5. Police

### 5.1 Effectiveness of the police

- 5.1.1 Various sources expressed concern to the HO FFT about the police's response to VoT. There are no indicators in place to measure police response to victims of human trafficking and the focus for police targets is on arrests made rather than identifying and referring VoT.

Caritas Albania (an NGO working in anti-trafficking) commented that although 'the police are not the best' they know how the NRM (National Referral Mechanism) works and that they have to refer victims to social services.

Although police respect the procedures for interviewing VoT (eg presence of social worker and psychologist), Caritas said that interviews are often done in public spaces in police stations. Caritas has renovated some friendly interview rooms for VoT in police stations such as in Vlore and Lezhe and provided a room with beds in Kukes, Muriqan and Durres.

Mis-identification of crimes affects convictions, there is often an over focus on one specific offence and trafficking is sometimes not properly identified. Caritas said that the police who work on trafficking cases know the SOPs well, but others only know the basics – for example that they have to refer cases and may not recognise practical indicators of PVoT (potential victims of trafficking).

Sources the HO FFT spoke to had not experienced, or were aware of, police collusion with traffickers.<sup>15</sup>

- 5.1.2 The USSD TiP Report 2017 noted that 'NGOs reported police often associated trafficking with movement and were unlikely to identify victims recruited and exploited in the same region of the country. Observers reported cases of border guards and immigration officials not carrying out standard screening procedures.'<sup>16</sup>
- 5.1.3 The US DoL Report 2016 stated: 'Standard operating procedures exist to identify and refer victims of trafficking, although border police rarely used them during the reporting period. In addition, gaps existed in the screening of minors, including migrants travelling to and from neighboring countries. Criminal law enforcement's national capacity to handle migrant flows is limited due to lack of resources.'<sup>17</sup>
- 5.1.4 For details of police training, see [Training for officials](#).
- 5.1.5 For further information on the Police, see Country Policy and Information Note on [Background information, including actors of protection and internal relocation](#).

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<sup>15</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraphs 2.4.1 to 2.4.5, [URL](#)

<sup>16</sup> US SD TiP 2017, 27 June 2017, [URL](#)

<sup>17</sup> United States Department of Labor, '2016 Findings on the Worst Forms of Child Labor,' 30 September 2017, [URL](#)

## 6. Prosecution

### 6.1 General

6.1.1 The HO FFT were told that there had been 22 convictions for trafficking in 2016.<sup>18</sup>

6.1.2 The USSD TiP Report 2017 noted:

‘The government maintained anti-trafficking law enforcement efforts... The state police investigated 69 cases with 69 suspected traffickers in 2016, compared to 80 cases with 90 suspects in 2015.

‘The government did not disaggregate law enforcement data to demonstrate efforts against sex trafficking and forced labor, but did track whether the victims were adults or children. Twenty-one of these suspects in 2016 were investigated for child trafficking and 48 for adult trafficking. The Serious Crimes Prosecutor’s Office prosecuted 18 suspected traffickers, compared to 15 in 2015. Nine of these suspects were prosecuted for child trafficking, compared to two suspects in 2015. Courts convicted 24 traffickers, compared to 11 in 2015. Eleven of these traffickers were convicted for child trafficking, and 13 for adult trafficking. All convicted traffickers received prison sentences, which ranged from two to 25 years.

‘Authorities continued to prosecute some traffickers for the lesser crime of exploitation of prostitution. Authorities reported the confusion between overlapping elements of exploitation of prostitution and trafficking and at times applied the lesser charge because it required less specialization and time or due to the false belief that trafficking crimes required a transnational element. Traffickers charged with exploitation of prostitution could receive lighter penalties than those charged with sex trafficking.

‘In 2016, the government trained 75 judges and 20 police officers on investigation and prosecution of traffickers and victim protection. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

‘Transnational law enforcement efforts increased. The government cooperated in two joint investigations with Italian and Spanish law enforcement. In 2016, eight Albanians were arrested in the Netherlands, Germany, Greece, and Italy for suspected involvement in trafficking; three of these suspects were extradited to Albania. Albania extradited eight suspected foreign traffickers to Italy, Macedonia, and Moldova.<sup>19</sup>

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### 6.2 The judiciary

6.2.1 The HO FFT were told that UN agencies have invested considerably in the training of the judiciary which is arguably the weakest part of the system.

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<sup>18</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, [URL](#)

<sup>19</sup> US SD TiP 2017, 27 June 2017, [URL](#)

Traffickers have been able to escape justice due to its corruption or inefficiency. This makes it difficult for the victims to trust in, and seek redress from, the justice system. There is hope that the on-going justice reform and the vetting process of the judges and prosecutors will improve the judicial system.<sup>20</sup>

- 6.2.2 Several sources told the HO FFT that the Serious Crimes Court will no longer deal with trafficking cases; they are being decentralised and trafficking cases will now be tried at district courts and there are concerns about the professionalism and suitability of these courts. The Mol clarified this, saying that if a single person is accused of trafficking this will be tried at a local level, but if it is more structured – a group - this will remain with the Serious Crimes Court.<sup>21</sup>

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### 6.3 Witness protection

- 6.3.1 The US TiP Report 2017 stated that ‘Observers reported threats were made to victims and their families during court proceedings. Courts allowed testimony via video conferences and victims who testified against traffickers had access to the witness protection program, but no trafficking victims participated in the program.’<sup>22</sup>

- 6.3.2 Caritas told the HO FFT that as there is no protection programme available for VoT whilst a trial is proceeding victims can be too scared to make a denunciation of a trafficker. Diocesan Caritases operating in the north of Albania have centres where the VoT can stay with nuns until their case is concluded.<sup>23</sup> The HO FFT was also told by several sources that the witness protection scheme was not used effectively and there was just one person using it at the time of the fact-finding mission (October/November 2017).<sup>24</sup>

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### 6.4 Convictions for prostitution

- 6.4.1 The US TiP Report 2017 noted that ‘NGOs reported law enforcement jailed victims for unlawful acts committed as a direct result of being subjected to human trafficking. For example, a female trafficking victim was convicted of prostitution and sentenced to 16 months imprisonment, of which she served nine months. Another victim was sentenced to 18 months probation but won her case on appeal.’<sup>25</sup>

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<sup>20</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 2.6.1, [URL](#)

<sup>21</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 2.6.2, [URL](#)

<sup>22</sup> US SD TiP 2017, 27 June 2017, [URL](#)

<sup>23</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 2.6.3, [URL](#)

<sup>24</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 2.14.1, [URL](#)

<sup>25</sup> US SD TiP 2017, 27 June 2017, [URL](#)

## 7. Action to combat trafficking

### 7.1 Introduction

#### 7.1.1 The US Department of State's Trafficking in Persons Report 2017 (USSD TiP 2017), which covered the period 1 April 2016 to 31 March 2017, stated:

'The Government of Albania does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Albania remained on Tier 2 [i.e. it does not fully meet the minimum standards of the Trafficking Victims Protection Act but the government is making significant efforts to come into compliance with those standards].

'The government demonstrated increasing efforts by prosecuting and convicting more traffickers and using for the first time its "special fund" towards victim protection from assets seized from traffickers. The government increased funding to the Office of the National Anti-Trafficking Coordinator (ONAC) and regularly convened stakeholders of the national referral mechanism and national anti-trafficking committee.

'However, the government did not meet minimum standards in several key areas. Police continued to illustrate a limited understanding of human trafficking and failed in some cases to identify trafficking victims among individuals involved in forced prostitution or domestic servitude. The government investigated two victims and punished one victim for unlawful acts committed as a result of being subjected to trafficking, although the law exempts victims from punishment for crimes committed as a result of their exploitation.'<sup>26</sup>

#### 7.1.2 See [Police](#) and [Convictions for prostitution](#) for further information on these subjects.

#### 7.1.3 The USSD TiP Report 2017 contained the following recommendations for Albania:

'Implement the law that exempts victims from penalties for unlawful acts committed as a direct result of being subjected to trafficking, particularly sex trafficking victims exploited in prostitution; train police, labor inspectors, and other frontline officials on proactive identification of victims; continue to vigorously investigate, prosecute, and convict traffickers under article 110(a) and 128 (b); establish sustainable funding mechanisms for mobile units operated by law enforcement and civil society groups to identify victims; increase protection for victims from threats and intimidation during court proceedings by facilitating participation in the witness protection program and expanding training for prosecutors dealing with victim witnesses; increase funding to NGO-run shelters for trafficking victims and provide funding on a regular basis; improve the capacity of border and migration police to screen irregular migrants for trafficking indicators; and increase efforts to screen street children for signs of trafficking.'<sup>27</sup>

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<sup>26</sup> US SD TiP 2017, 27 June 2017, [URL](#)

<sup>27</sup> US SD TiP 2017, 27 June 2017, [URL](#)

## 7.2 Training for officials

- 7.2.1 The USSD TiP Report 2017 noted that ‘The government, in cooperation with an international organization, trained 388 officials in 12 regions on victim identification, referral, and assistance.’<sup>28</sup>
- 7.2.2 The US DoL Report 2016 stated:  
‘In 2016, police, prosecutors, judges, social workers, and civil society group members attended workshops and training focused on TIP identification, services for trafficking victims, and managing children’s cases, including children engaged in the worst forms of child labor. While the number of investigations and prosecutions of child TIP cases increased in 2016, NGOs noted that, due to police turnover, frequent training for police officers is needed to improve identification of child trafficking victims.’<sup>29</sup>
- 7.2.3 The Ministry of Interior told the HO FFT that they have started common training with prosecutors and police. This is a new way of investigating and special skills are required. Experiences from the Serious Crimes Courts are being shared. The police are being trained and are pushed to do more.<sup>30</sup>
- 7.2.4 Caritas told the HO FFT that it has provided training on protection of victims of trafficking for police officers. A training module has been developed with the collaboration of the National Coordinator against Trafficking and is used as a school curriculum in the Police Academy.<sup>31</sup>
- 7.2.5 UN agencies also told the HO FFT that they have invested considerably in the training of the police.<sup>32</sup>

## 7.3 Government action

- 7.3.1 The US DoL Report 2016 noted the Action Plan for the Social Economic Reintegration of Women and Girl Victims (2016–2020), which ‘Increases resources available to victims and attempts to reintegrate girl trafficking victims by providing education and social services to combat future forced labor and trafficking. Part of the Strategy for Combating Trafficking in Persons Action Plan.’<sup>33</sup> The UN report of December 2016 stated that the Action Plan ‘... helps in socioeconomic development of women and girls VT/PVT in the field of economic empowerment, eg property rights, employment and vocational training, housing, education and social care.’<sup>34</sup>

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<sup>28</sup> US SD TiP 2017, 27 June 2017, [URL](#)

<sup>29</sup> United States Department of Labor, ‘2016 Findings on the Worst Forms of Child Labor,’ 30 September 2017, [URL](#)

<sup>30</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 2.5.1, [URL](#)

<sup>31</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 2.5.2, [URL](#)

<sup>32</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 2.5.3, [URL](#)

<sup>33</sup> United States Department of Labor, ‘2016 Findings on the Worst Forms of Child Labor,’ 30 September 2017, [URL](#)

<sup>34</sup> United Nations, Committee on the Protection of the Rights of All Migrant Workers and Members of

- 7.3.2 The HO FFT was told by the International Organisation for Migration (IOM) that Albania has the strategy and a current action plan to combat trafficking in persons. As the current one ends in 2017, the Ministry of Interior and the Office of the National Anti-Trafficking Coordinator has initiated the process to prepare the new one and IOM has been approached to support with the preparation of the new country action plan up to 2020 which is in parallel with the Strategy on Organised Crime. This process is aiming to be concluded for Q1, 2018.<sup>35</sup>
- 7.3.3 The UN report further noted assistance for minors, stating, 'In January 2016, it was created the Office of Victims Assistance focusing on the victims who are minors or persons with disabilities, victims of domestic violence, victims of violence or sexual exploitation, trafficking etc.'<sup>36</sup>
- 7.3.4 The HO FFT was told by Caritas that there are 12 Regional Anti Trafficking Committees in Albania, coordinating on counter trafficking actions headed by the Prefect. They receive information on cases of VoT by the technical round table. All the local institutions such as Education Directorate, Border and Migration Police, Local Police, Health Directorate, Social Services etc are part of the RATC.<sup>37</sup>
- 7.3.5 The HO FFT was told by several sources that there is a system in place to create an alert for people returning to the country without the children they had previously left with; although airports are reasonably well covered in this respect, land borders are less so.<sup>38</sup>
- 7.3.6 The IOM also told the team that with the financial support of the Netherlands and Belgium an awareness raising campaign, 'Choose opportunities, not irregular migration,' started in October 2017 and will be implemented in 12 regions of Albania until March 2018. It is not just about information, but also about providing resources to enable people to build a life in the rural areas – health, education etc. However IOM commented that there is not really an underlying strategy and legal framework to effectively enable this.<sup>39</sup>
- 7.3.7 The HO FFT were told by the Department of Social Services at the Ministry of Tirana that they have a dedicated person who works with the NGO Different and Equal on preventing trafficking by going to schools and talking about the subject.<sup>40</sup>

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Their Families, 19 December 2016, [URL](#)

<sup>35</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 2.8.2, [URL](#)

<sup>36</sup> United Nations, Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, 19 December 2016, [URL](#)

<sup>37</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 2.13.1, [URL](#)

<sup>38</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 2.12.1, [URL](#)

<sup>39</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 2.12.2, [URL](#)

<sup>40</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 2.12.3, [URL](#)

- 7.3.8 The USSD TiP report 2017 noted that ‘the government deactivated mobile identification units because international donors no longer provided support and the government lacked the funds to continue the units.’<sup>41</sup>

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## 8. Systems to deal with trafficking

### 8.1 Standard Operating Procedures (adults)

#### 8.1.1 The GRETA 2016 report stated:

‘The SOPs describe two phases of identification: initial and formal identification. Initial identification of “potential victims” may be carried out by the police, border police, social services, labour inspectorate, regional education directorates, regional health directorates, municipal protection child units and civil society organisations. These actors are required to contact the group responsible for the formal identification of victims of THB [trafficking in human beings], which comprises a police officer from the Anti-Trafficking Section and a social worker from the regional office of the social services.

‘The group performing formal identification interviews the person referred to them as a potential victim, if necessary with the aid of an interpreter. The person has to consent to being formally identified as a victim of THB and must sign a confidentiality clause. Following formal identification, victims are informed of their right to assistance and, if necessary, are accommodated in a shelter.’<sup>42</sup>

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### 8.2 Standard operating procedures (children)

#### 8.2.1 The Ministry of Interior told the HO FFT that in cases of children, the interview is conducted by a Child Protection Officer and the police.<sup>43</sup>

#### 8.2.2 The GRETA report 2016 stated that ‘The SOPs provide for a differentiated procedure for identifying children, taking account of their specific situation. Tailored identification criteria have been established, taking into account the possible involvement of the children’s families in the trafficking and exploitation. The format of interviews carried out for the purpose of formal identification and arrangements for referral to reception facilities are also adjusted accordingly.’<sup>44</sup>

#### 8.2.3 The GRETA report 2016 stated:

‘Generally speaking, in cases where children are identified as victims of THB [trafficking in human beings], the child protection units seek first and foremost to find their families. The SOPs provide for procedures to remove children from exploitative situations within the family context and provide them with assistance tailored to their needs. The appointment of legal guardians requires cumbersome court proceedings, and the preferred

<sup>41</sup> US SD TiP 2017, 27 June 2017, [URL](#)

<sup>42</sup> GRETA report 2016, adopted on 11 March 2016, published 2016, [URL](#)

<sup>43</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 2.3.1, [URL](#)

<sup>44</sup> GRETA report 2016, adopted on 11 March 2016, published 2016, [URL](#)

approach is to take the child back to their family and support the family. In cases where parents appear to be involved in exploiting their children, the children are ultimately placed in orphanages as a more permanent solution.

'...children placed in institutions constitute a vulnerable group. The Albanian authorities have referred to several recent texts (Council of Ministers Decision No. 573 of 24 June 2015, on "Standards for the work of the Child Protection Units"; Joint Guideline No. 10 of 25 February 2015 on "Methods, forms of cooperation and intervention procedures to help children at risk for institutions and structures responsible for child protection"; Guideline No. 6 of 21 May 2014 on "The resettlement of children in public and private residential social care institutions"), which aim at improving care services for children under the responsibility of child protection units, particularly those placed in institutions.'<sup>45</sup>

#### 8.2.4 The US DoL Report 2016 stated:

'Child Protection Units (CPUs) are generally staffed by only one individual, and a majority of CPU staff are not able to focus on child protection issues full-time. During the reporting period, CPUs handled new cases, however, due in part to decentralization reforms, Child Rights Units (CRUs) have not been functional.[...]

'While labor inspectors were trained on trafficking in persons (TIP), including child trafficking and proactive identification of TIP victims, inspectors were not trained on hazardous work conditions for children. The total number of labor inspectors decreased from 115 in 2015 to 113 in 2016 due to reduced vacancies. Funding increased to a 10-year high in 2016, although the Labor Inspectorate reported that the budget was insufficient for effective labor law enforcement. If a child is trafficked for labor exploitation, the agency identifying the child refers the child to the police and state social services and then to an anti-trafficking shelter.'<sup>46</sup>

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### 8.3 National Referral Mechanism (NRM)

#### 8.3.1 The UN report published in December 2016 noted:

'National Task Force against Trafficking of Human Beings (TF) was established for the first time on 11.11.2013, according to the National Referral Mechanism (NRM) reviewed and is responsible for monitoring the effective implementation of NRM. It is managed by the National Anti-traffic Coordinator and it is composed by representatives of high level institutions, Parties to this agreement.

'The structure of the reference at the central level known as the Responsible Authority, consisting of representatives of the police, social services, health, education and consular authorities is also extended to a better coordination regarding referral for primary assistance, protection and rehabilitation of the victims of trafficking all over the country. The Responsible authority acts as

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<sup>45</sup> GRETA report 2016, adopted on 11 March 2016, published 2016, [URL](#)

<sup>46</sup> United States Department of Labor, '2016 Findings on the Worst Forms of Child Labor,' 30 September 2017, [URL](#)



an NRM for the victims of trafficking, both nationally and locally. The purpose of the NRM is to identify and protect any victim of trafficking inside or outside the country.’<sup>47</sup>

- 8.3.2 The HO FFT was told that the NRM is an organisation of 13 agencies who come together to identify, refer and protect VoT and the IOM gave a detailed assessment of the NRM:

‘Since 2005, Albania has the National Referral Mechanism for identification, referral and assistance of victims and potential victims of trafficking and the IOM is a member of the NRM. Currently, in Albania, the framework is a good one. The Responsible Authority follows all the cases identified outside of Albania, at the border and in the territory in accordance with the Standard Operating Procedures approved in July 2001 with decision of Council of Ministers. The penal code and others relating to TiP internal and external and are in line with the international conventions. The identification, referral and assistance of unaccompanied children could maybe be improved a bit. It’s the implementation that needs improving. Albania created the SOPs, for clear procedures for VoT and PVoT [potential victims of trafficking] – in Albania, outside Albania and at the border. Clear steps for people to follow. In 2012, revision of NRM process – to get more involved in the identification of VoT.

‘All cases are referred as PVoT [potential victims of trafficking] and a group composed of anti-trafficking police and social worker conducts the formal interview for determining the status of victim of trafficking. They are then entitled to access all the packages that are available in Albania.’<sup>48</sup>

- 8.3.3 The IOM also commented, positively, that there is more focus on referrals from Albanian embassies abroad and they have also heard of two referrals from a school psychologist. This is the result of the work of all the stakeholders under the coordination of the ONAC and as a result of national information awareness raising campaigns conducted during the October anti trafficking month.<sup>49</sup>

- 8.3.4 The Director of Social Services in Kukes explained to the HO FFT that when they get cases they refer them to the NRM: ‘There is a place online where we refer cases. But we are stuck in this phase at the moment where we make the referral, but we don’t get a reply. When it comes to the re-organisation of the Ministries, we are in a limbo. We don’t know who to refer to for now until it is settled. We are sceptical, because we didn’t get enough help from the MoSW; now that it is moving to the MoH, we are concerned.’<sup>50</sup> [In 2017, responsibility for Social Services was moved from the Ministry of Social Work, which has now been dis-established, to the Ministry of Health.]

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<sup>47</sup> United Nations, Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, 19 December 2016, [URL](#)

<sup>48</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraphs 2.8.1 and 2.8.2, [URL](#)

<sup>49</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 2.8.3, [URL](#)

<sup>50</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 2.8.4, [URL](#)

## 8.4 Personal data and confidentiality

### 8.4.1 The GRETA report 2016 stated:

'Article 127 of Law No. 108/2014 on the National Police states that police officers have a duty to safeguard the confidentiality of all personal data collected, kept and processed by the police to which they have access.

'The SIVET database set up to gather information on victims of THB from different sources (such as the police, NGOs, social services) is secure and all the information is entered into the database by a designated person from the Office of the National Anti-trafficking Co-ordinator ... Only the Responsible Authority has access to the personal data of victims so that their situation and reintegration can be monitored.'<sup>51</sup>

### 8.4.2 The NRCVDV [National Reception Centre for Victims of Domestic Violence] told the HO FFT that they can update data on victims. But because of the confidential nature of the data, it can only be accessed by Social Services and by an order of the court.<sup>52</sup>

### 8.4.3 Anila Trimi at the Office of the National Coordinator for Combating Trafficking in Persons at the Ministry of Interior explained to the HO FFT that they also have a database with data about identification to reintegration. It can also identify trends, for example, where people are moving around. It contains the data from the forms that accompanies the standard operating procedures that are sent. It is the responsibility of the Office of the National Coordinator who are the only people with access.

She went on to say that personal details are included on the database, but this is done only with the consent of the victim and to the best of her knowledge no women had refused consent to date.

She said she was also not aware of unauthorised access; 'The name and address of the shelter is not included; only the name of the city. And where people go back to the community, that is what it says.'<sup>53</sup>

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## 9. Government and NGO assistance

### 9.1 Shelters: introduction

#### 9.1.1 The GRETA report 2016 stated:

'The number and location of shelters for victims of THB [trafficking in human beings] in Albania remain the same as at the time of the first evaluation: two are for women, in Tirana (run by the NGO Different and Equal) and Vlora (run by the NGO Vatra), and a third one accommodates child victims in Elbasan (run by the NGO Another Vision). In addition, there is the National Reception Centre for Victims of Trafficking in Tirana, under the Ministry of Social Affairs and Youth. Each shelter has a multidisciplinary supervision

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<sup>51</sup> GRETA report 2016, adopted on 11 March 2016, published 2016, [URL](#)

<sup>52</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 2.8.5, [URL](#)

<sup>53</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 2.8.6 to 2.8.8, [URL](#)

team, which includes social workers, a psychologist, a doctor, a teacher and a legal specialist.

‘The three shelters and the reception centre form the National Coalition of Shelters for Victims of THB, which meets each month to co-ordinate their activities and agrees on a number of priorities each year. The coalition is a participant in the Responsible Authority of the NRM...

‘The shelters are intended chiefly for women, sometimes accompanied by their children, but girls aged over 16 are also accommodated.’<sup>54</sup>

- 9.1.2 The US SD TiP Report 2017 noted that ‘The government maintained victim protection efforts.’ The report further stated:

‘Three specialized NGO-run shelters and one state-run shelter provided assistance to trafficking victims, including food, counseling, legal assistance, medical care, educational services, employment services, assistance to victims’ children, financial support, long-term accommodation, social activities, vocational training, and post-reintegration follow-up...

‘NGO-run shelters allowed adult victims to leave the shelter voluntarily, but the state-run shelter required victims to seek approval from the director of the shelter. The government provided free vocational training, textbooks for child victims, and health cards that provided free access to health care. Only one NGO-run shelter provided specialized services for child victims under the age of 16.’<sup>55</sup>

- 9.1.3 The HO FFT noted that shelters operate in close cooperation with each other to prevent over reach. The Municipality of Tirana said they have a good relationship with the shelters, referring cases to each other. The Albanian Social Services confirmed this, stating that an initiative created ten years ago by the Ministry of Interior effected cooperation between the state and the NGO run shelters.<sup>56</sup>

- 9.1.4 The National Coalition of Anti-Trafficking Shelters in Albania published a [factsheet](#)<sup>57</sup> about the work of the shelters.

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## 9.2 Capacity of shelters

- 9.2.1 The HO FFT was told by several official sources that the combined capacity of the various shelters is sufficient to address the need from adults and there is no national capacity problem.<sup>58</sup>

- 9.2.2 The HO FFT further noted that the capacity of the NRCVHT (National Reception Centre for Victims of Human Trafficking) is 80 people. Since

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<sup>54</sup> GRETA report 2016, adopted on 11 March 2016, published 2016, [URL](#)

<sup>55</sup> US SD TiP 2017, 27 June 2017, [URL](#)

<sup>56</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 4.1.3, [URL](#)

<sup>57</sup> National Coalition of Anti-Trafficking Shelters in Albania, Factsheet, undated, [URL](#)

<sup>58</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 4.1.3, [URL](#)

2003, when the centre opened, it has treated 620 people. The average is about 20-30 people per year.

The Director of the NRCVHT said that it has never had a situation where it has had to refuse a person. They have more capacity than requests at the moment.

The Albanian Ombudsman said that the NRCVHT has only 9 residents as at November 2017 so there is capacity for supporting other regions that don't have a safe house – e.g. northern regions – or returnees.<sup>59</sup>

- 9.2.3 The USSD TiP report 2017 stated that 'NGO-run shelters supported 75 trafficking victims and potential victims and the state-run shelter supported 30, of which 10 were from 2015.'<sup>60</sup>
- 9.2.4 Different and Equal, told the HO FFT that they estimated they had supported 70 VoT throughout 2016.<sup>61</sup>
- 9.2.5 The GRETA report 2016 stated that 'The shelters in Tirana and Vlora have respectively 15 and 20 places, and the National Reception Centre for Victims of Trafficking currently has 15 places. A building previously used to accommodate irregular migrants was in the process of being refurbished at the time of the visit and it would provide a further 90 places.'<sup>62</sup>

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### 9.3 Funding and assistance for shelters

#### 9.3.1 The USSD TiP report 2017 stated:

'The government provided 21.7 million leks (\$169,231) to the state-run shelter, a decrease from 23,970,000 leks (\$186,900) in 2015. The government provided 15.3 million leks (\$119,093) to NGO-run shelters to support 24 staff salaries, an increase from 10 million leks (\$77,972) to support 12 staff salaries in 2015. For the first time, the government added 4.7 million leks (\$36,647) to the budget from seized criminal assets to fund reintegration and support services. Food support for NGO-run shelters decreased to 1.8 million leks (\$14,035) from 3 million leks (\$23,392) in 2015. NGO-run shelters continued to operate under financial constraints and relied on outside sources for operating costs. Financial mechanisms used to fund these shelters annually remained complicated and open to manipulation by local governments. Government funding for the three NGO-run shelters was delayed by two months and one shelter never received funding for food.'<sup>63</sup>

#### 9.3.2 The GRETA report 2016 stated that 'The funding of the three shelters managed by NGOs hinges essentially on international donors.'<sup>64</sup>

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<sup>59</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 4.7.1 to 4.7.4, [URL](#)

<sup>60</sup> US SD TiP 2017, 27 June 2017, [URL](#)

<sup>61</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 4.12.5, [URL](#)

<sup>62</sup> GRETA report 2016, adopted on 11 March 2016, published 2016, [URL](#)

<sup>63</sup> US SD TiP 2017, 27 June 2017, [URL](#)

<sup>64</sup> GRETA report 2016, adopted on 11 March 2016, published 2016, [URL](#)

- 9.3.3 The HO FFT was told by several official sources that the government now funded the salaries of staff in NGO shelters and there had been efforts to use the funds from confiscated, seized assets. The government also funds food and support for vocational training and health care.

The Albanian Red Cross told the HO FFT that they support both VoT and VDV in shelters with such things as food, blankets, clothes and toys for children.<sup>65</sup>

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## 9.4 Standard of shelters

- 9.4.1 The Albanian Ombudsman told the HO FFT that they have an inspection strategy, that they regularly inspected the national centres and they inspected the Centre in Vlore for the first time in October 2017.<sup>66</sup>
- 9.4.2 Different and Equal told the HO FFT that shelters are licensed and regulated by the Inspectorate of Social Services so they must adhere to the official standards regarding the level and quality of care and the standard of security they provide for clients. The Human Rights Officer from the US Embassy in Tirana thought the shelters were very good, particularly those run by the NGOs, who are among the best civil society organisations in Albania. He commented that once the girls are there they are generally happy and well taken care of.<sup>67</sup>

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## 9.5 Phases of assistance

- 9.5.1 The GRETA report 2016 noted:

‘The assistance provided to victims of THB [trafficking in human beings] comprises three phases: (i) emergency accommodation in a shelter (for three to six months, but if necessary longer, depending on the victim’s situation), medical care, counselling, a reintegration project, legal advice, therapeutic activities and vocational training; (ii) accommodation outside the shelter in rented flats under the supervision of NGO staff, usually after finding a job, with the shelter sometimes acting as a mediator with the family and community to which the victim may return; (iii) monitoring and support for reintegration, in conjunction with the social services.’<sup>68</sup>

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## 9.6 Procedures for entering government shelters

- 9.6.1 The Director of the NRCVHT told the HO FFT that for entry to this shelter, you don’t need a referral from the court. The police start the proceedings and they send the person to the shelter. It’s also a multi-disciplinary approach to evaluating the needs of the person. He said:

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<sup>65</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 4.1.6 to 4.1.7, [URL](#)

<sup>66</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 4.1.1, [URL](#)

<sup>67</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 4.1.4, [URL](#)

<sup>68</sup> GRETA report 2016, adopted on 11 March 2016, published 2016, [URL](#)

'It includes a doctor, a lawyer and a person from Social Services. They all make their own separate evaluation of the case, including the psychological evaluation. Due to the fact that there are different proceedings, each shelter has its own approach.

'The first impact when the person arrives at the centre is to understand their specific, immediate needs. Then we look further, including at mental health needs.

'Each of the shelters is fully-equipped with:

1. Psychologist
2. Lawyer
3. Social services
4. Education/teacher

'Every aspect is covered, and while they are there, they are monitored by all of the above.'<sup>69</sup>

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## 9.7 National Reception Centre for Victims of Human Trafficking (NRCVHT)

### 9.7.1 The GRETA report 2016 stated:

'The delegation ... visited the National Reception Centre for Victims of Trafficking. The shelter is located on the outskirts of Tirana and its security is ensured by the national police. Victims who have undergone formal identification and are assessed to be in a particularly dangerous situation are placed in this centre... In the first six months of 2015, 10 people were accommodated in the centre. In addition to risk assessment, counselling, medical assistance and legal advice, the centre provides vocational training in partnership with the Ministry of Social Affairs and Youth, either within the shelter or outside it if the victim's safety is not compromised.'<sup>70</sup>

### 9.7.2 The HO FFT was told by the director of the NRCVHT that length of stay depends on age; and where a minor is involved custody transfers to the centre. Usually victims stay for 3 to 6 months; but there have been cases where people have stayed for two years. The Ministry of Interior stated there is no time limit.<sup>71</sup>

### 9.7.3 The Director of the NRCVHT also stated:

'Another important factor when it comes to the NRCVHT is the proceedings that are going on with the trafficker. We evaluate the risk to the person. Depending on that, it affects the length of the stay. But when the person feels safe, or ready for reintegration, they leave. But the NRCVHT maintains

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<sup>69</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, page 81, [URL](#)

<sup>70</sup> GRETA report 2016, adopted on 11 March 2016, published 2016, [URL](#)

<sup>71</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 4.6.1, [URL](#)

contact with regional authorities, NGOs and others to ease integration and maintain support and contact.<sup>72</sup>

He further stated that the age limit for children remaining in the centre with their mother is 18.<sup>73</sup>

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## 9.8 Employment in government shelters

9.8.1 The Director of the NRCVHT told the HO FFT that for security reasons someone staying at the NRCVHT is not able to leave the centre to go to work.<sup>74</sup>

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## 9.9 NGO shelters

9.9.1 The GRETA report 2016 stated:

‘The delegation visited the shelter run by the NGO Different and Equal in Tirana, which occupies an entire building at a secret address. During the visit, it housed nine women, two of them with a child. In addition, 30 victims were accommodated in flats rented by the NGO. The women assisted by the NGO Different and Equal are mostly victims of trafficking for the purpose of sexual exploitation. In addition to therapeutic activities, victims are offered a range of vocational training possibilities and foreign language courses.’<sup>75</sup>

9.9.2 Different and Equal described its work to the HO FFT:

‘Different and Equal, an NGO operating in Albania since 2004, runs a shelter in Tirana which is open to women from all over Albania suffering from sexual abuse, DV or trafficking. It can house 15 women plus 4/5 accompanying children. It can also house pregnant women. They also support people outside of the shelter and can provide support to men by paying for apartments.

‘Different and Equal said they had been able to accommodate everyone who had been referred to them: they cooperated with other NGO and the state run shelter to ensure capacity.

‘Different and Equal described the shelter saying they decided support needs on an individual basis and build a bespoke reintegration plan. The shelter included:

- Case managers (their background is on social work mostly)
- A psychologist
- A doctor
- A lawyer

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<sup>72</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 4.6.2, [URL](#)

<sup>73</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 4.10.1, [URL](#)

<sup>74</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, [URL](#)

<sup>75</sup> GRETA report 2016, adopted on 11 March 2016, published 2016, [URL](#)

- A teacher

'Different and Equal estimated they had supported 200 (70 VoT) people, including children throughout 2016, with 40 cases still ongoing.'<sup>76</sup>

### 9.9.3 The GRETA report 2016 also referred to the shelter managed by the NGO, Vatra:

'The delegation also visited the shelter managed by the NGO Vatra, located in Vlora at a secret address. At the time of the visit, it accommodated nine female victims, seven of whom aged between 16 and 18. Another seven victims assisted by the NGO were accommodated outside the shelter and 25 others were in the reintegration phase. The vast majority of the victims had been sexually exploited abroad or in Albania. In addition to psycho-social support, victims are offered literacy classes, schooling and vocational training. The NGO Vatra supports victims in their integration into working life, by helping to fund their professional project.'<sup>77</sup>

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## 9.10 Children

### 9.10.1 The GRETA report 2016 stated:

'With regard to the accommodation of child victims of trafficking, as explained above, the shelters run by the NGOs Different and Equal and Vatra and the National Reception Centre for Victims of Trafficking can accommodate child victims of trafficking over 16 years of age. Younger children are assisted by the NGO Another Vision, which runs the only shelter specialising in the reception of child victims of THB, in Elbasan. The shelter can accommodate 34 children, divided between two residences. Assistance is provided in the shelter by a multidisciplinary team and children are enrolled in the local school as quickly as possible, even for short periods of time, and receive tailored support from teachers. Vocational training is organised for older children in conjunction with the authorities. The municipal child protection units are also involved in the reintegration process.'<sup>78</sup>

### 9.10.2 The HO FFT was told by the Ministry of Interior that the centre in Elbasan is just for children, and which can house 15-20, and when it is full they are referred to orphanages.<sup>79</sup>

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## 9.11 Foreign victims

### 9.11.1 The US SD TiP Report 2017 stated that 'The law provided foreign victims a three-month reflection period with temporary residency status and authorization to work for up to two years, although the government had yet to grant this status to a victim.'<sup>80</sup> The same report stated, 'Foreign victims had

<sup>76</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraphs 4.12.2 to 4.12.5, [URL](#)

<sup>77</sup> GRETA report 2016, adopted on 11 March 2016, published 2016, [URL](#)

<sup>78</sup> GRETA report 2016, adopted on 11 March 2016, published 2016, [URL](#)

<sup>79</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 4.1.3, [URL](#)

<sup>80</sup> US SD TiP 2017, 27 June 2017, [URL](#)



access to the same services as domestic victims, including legal assistance.’<sup>81</sup>

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## 9.12 Security at shelters

9.12.1 The HO FFT was told that the NRCVHT has high security provided by the Albanian state police at every stage – at the shelter and when moving to and from it.<sup>82</sup> The Director explained that victims are asked if they want to remain in the centre, or move to an NGO shelter where the security is less tight.<sup>83</sup>

9.12.2 The HO FFT was told that police provide armed security for the state shelters, whereas the NGO-run shelters employ a private security company which operates 24/7. Cases are risk assessed and, for high risk cases, victims will be accompanied by security guards to court, school etc.

To enhance security Different and Equal said that that they put the following in place:

- Victims only communicate with their families via the office phone in the staff room at the shelter so the location cannot be traced
- Family members, even trusted ones, are not allowed to know the location of the shelter

The victim’s civil registration is the NGO’s office address rather than the shelter address so that even a corrupt or unprofessional police officer with access to the civil registration system cannot compromise the victim’s location.<sup>84</sup>

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## 9.13 Hotline

9.13.1 The United Nations report 2016 noted that ‘In June 2014, in collaboration with World Vision and Vodafone, was launched the National Contact Line 116 006 and the application “Report! Save”. This service contact line is provided free for the public to report suspected cases of trafficking.’<sup>85</sup>

9.13.2 Several sources consulted by the HO FFT referred to the hotline.<sup>86</sup>

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<sup>81</sup> US SD TiP 2017, 27 June 2017, [URL](#)

<sup>82</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 4.8.1, [URL](#)

<sup>83</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 4.9.1, [URL](#)

<sup>84</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 4.13.1 to 4.13.2, [URL](#)

<sup>85</sup> United Nations, Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, 19 December 2016, [URL](#)

<sup>86</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, [URL](#)

## 9.14 Compensation for victims

9.14.1 The US SD TiP Report 2017 noted that ‘Victims could obtain restitution from the government or file civil suits against traffickers; three victims filed for compensation but their cases were still pending during the reporting period.’<sup>87</sup>

9.14.2 The HO FFT was told by several sources said that although compensation for victims is recognised in law, it doesn’t really happen in practice: if someone is awarded money from a trafficker often the government can’t find the perpetrator to seize the money. However, The Tirana Legal Aid Society noted that, ‘Legislation has gone through major changes, and in our opinion this expands the victims’ rights. This is a good thing. Contains elements that were missing before, like demanding compensation.’<sup>88</sup>

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## 10. Reintegration

### 10.1 General

10.1.1 The GRETA report 2016 stated:

‘When a victim leaves the National Reception Centre for Victims of Trafficking, the regional welfare services draw up an individual reintegration plan. GRETA was informed that victims of THB enjoy priority access to jobs and are offered state-remunerated internships. Similarly, the NGO-run shelters seek the co-operation of employment agencies and potential employers to facilitate access to the labour market for victims of THB, which nevertheless remains difficult. The database ... is updated to enable the different entities making up the Responsible Authority to track victims’ progress and contribute to their reintegration.

‘Civil society representatives pointed out that social services monitoring of the reintegration phase was inadequate, chiefly as a result of understaffing. Moreover, trafficked victims do not have priority access to social housing.’<sup>89</sup>

10.1.2 Different and Equal described their three-stage programme of support to the HO FFT:

- Crisis intervention, typically for the first 3-6 months
- Transition to independent living, typically for at least a year
- Full independence, up to 3 years

The support they provide included arranging education/vocational training, in cooperation with both government and private industry, supporting job searches – including arranging internships and subsidising salaries and (with donor support) assisting in the set-up of a small business.

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<sup>87</sup> US SD TiP 2017, 27 June 2017, [URL](#)

<sup>88</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraphs 2.7.1 to 2.7.2, [URL](#)

<sup>89</sup> GRETA report 2016, adopted on 11 March 2016, published 2016, [URL](#)

Different and Equal said that women who had been through the shelter/reintegration programme would come back to speak to those experiencing it now.<sup>90</sup>

- 10.1.3 At a meeting with the NRCVHT and Albanian Social Services, the HO FFT was told that they try to provide women leaving the shelters with social support and social housing from the state – both VDV and VoT receiving the same levels of support. They commented that state-run processes are sometimes more bureaucratic than that the NGOs can offer.

When asked by the HO FFT about re-integration, Anila Trimi, at the Office of the National Coordinator for Combating Trafficking in Persons at the Ministry of Interior, acknowledged that they are not 100% successful, saying that this is not unique to Albania, it being a small country with small communities. She also commented that there has to be a willingness from the person to cooperate:

‘We try to accommodate people. We try to assist them to find a job or with vocational training. Since 2015, we have increased support. Then we funded 16 employees to the shelters; in 2016, this went up to 30. We also supplied money for food.

‘If the person does not want to go into a shelter, they could live in the community. Some women did not want to, for various reasons.

‘Additional funding had been supplied through money confiscated from seized criminal assets. Aiming for this to continue. It is only a small amount, but it goes direct to the shelters. The money doesn’t have to come direct from crimes related to trafficking; it can be any illicit criminal behaviour.’<sup>91</sup>

- 10.1.4 The Albanian Red Cross (ARC) told the HO FFT that they work with former VoT to integrate them into the labour market. They also work to try to reconnect returned VoT with their families.<sup>92</sup>

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## 10.2 Social housing

- 10.2.1 Speaking to a variety of sources the HO FFT was told:

‘In some cases, as a result of social stigma, victims may be reluctant to return to their home community, or may be rejected by their families. If no family support is available to the victim when they leave the shelter, Different and Equal assist with/subsidise payment of rent for their new accommodation, typically for 6-12 months. The Municipality of Tirana also assists with this (this is the only municipality which does). This “Lease Bonus Programme” is paid for a year and if the woman’s situation is still the same after a year the Municipality carries on paying it, but they try to empower the woman to become independent. The Municipality of Tirana said that they

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<sup>90</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 5.1.3 to 5.1.4, [URL](#)

<sup>91</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, 5.1.8 to 5.1.9, [URL](#)

<sup>92</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 5.1.10, [URL](#)

don't have a minimum level of rent and they have a scoring formula to work out how much help a woman needs... The Ministry for Health and Social Welfare said that the ministry which deals with social housing deals with the payment of rent bonuses.<sup>93</sup>

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### 10.3 Other economic help

- 10.3.1 The Municipality of Tirana told the HO FFT that it offers support to daily centres which provide lunch for women and their children. A food package for use at home can be provided for women who do not want to be identified.<sup>94</sup>
- 10.3.2 The Ministry of Interior also told the HO FFT that the state can and does support women with children. For example, there is financial support to pay for kindergarten; they can also support paying for food/meals. Although acknowledged as not perfect, the basic needs are met. A single mother can send a child to nursery for free.<sup>95</sup>
- 10.3.3 The Director of Social Services in Kukes noted that the Municipality of Kukes is one of the poorest in Albania, with extreme poverty and crime. More than 50% – 10,000 out of 18,000 families – that make up the population in Kukes are supported by social welfare. The social welfare element is around 35 EUR per month.<sup>96</sup>
- 10.3.4 The Albanian Ombudsman commented to the HO FFT that 'One of the recommendations of the Ombudsman is that there is not a legally recognised living standard as a benchmark. Based on our knowledge, it has become understood it is more a political will.

'Most of the claims are by economic reasons. The women don't define themselves as suffering because of being a woman but as the head of a large family with husband outside of Albania, or as single mothers.'<sup>97</sup>

#### 10.3.5 The GRETA report 2016 stated:

'Under Law No. 2039 of 17 March 2011, every victim leaving a shelter must in principle receive ALL 3 000 (21.50 euros) a month until they are able to find work. In 2015, a total of ALL 1 008 080 (7 250 euros) was spent on welfare benefits paid to 28 victims of THB. However, the authorities acknowledge that this amount is not enough to enable victims to lead independent lives. Only victims who have been accommodated in the shelters receive such benefits and according to NGOs, victims are reluctant

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<sup>93</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 5.2.1, [URL](#)

<sup>94</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 5.3.1, [URL](#)

<sup>95</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 5.3.2, [URL](#)

<sup>96</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 5.3.3, [URL](#)

<sup>97</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 5.3.4, [URL](#)

to collect the benefits from the relevant local authorities departments because of the stigma attached to victims of THB.<sup>98</sup>

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## 10.4 Monitoring

10.4.1 The HO FFT was told that the government tries to build up women leaving the shelters to become independent, although that is sometimes difficult especially when there are children involved. However government focus is in this area and they are monitored for two years after they leave the shelters to check on the re-integration process with the social services operating as a watchdog on the services that are provided once the woman starts the process of re-integration.<sup>99</sup>

10.4.2 The Social Services Department at the Municipality of Tirana said that they monitor all the adult cases they manage every six to twelve months, and this currently continues for two years. They are going to move to monitoring for as long as people need them.<sup>100</sup>

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## 10.5 Education and young people

10.5.1 When the Ministry of Education spoke to the HO FFT they said that because they are part of the NRM, they have been involved in raising awareness – in conjunction with the Ministry of Interior – about trafficking, particularly with those who have returned.

In addition, there is a directive from the Ministry of Education which requires that all educational facilities have to accept people back into schools who have returned from the diaspora abroad – whether a VoT or just as a migrant.

The Ministry of Education said they also support returning migrants by providing special help with teachers or free books to help them get back into education. This might include women who left school or are older than schooling age – but it is also done alongside working: they can do both half-and-half.

The Ministry of Education told the HO FFT that it works with the shelters; ‘it’s a full-scale collaboration. The Ministry gets constant requests from the shelters from women who want to go to school. The same level of collaboration exists with the VoT shelters.’<sup>101</sup>

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<sup>98</sup> GRETA report 2016, adopted on 11 March 2016, published 2016, [URL](#)

<sup>99</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 5.5.1, [URL](#)

<sup>100</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 5.5.2, [URL](#)

<sup>101</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraphs 5.6.1 to 5.6.4, [URL](#)

## 10.6 Awareness raising

10.6.1 Several sources told the HO FFT that October [2017] was the month of action against VHT and that this awareness raising campaign (for which the government has specific funds) is a key factor in bringing forward victims of trafficking.<sup>102</sup>

10.6.2 Anila Trimi of the Office of the National Coordinator for Combating Trafficking in Persons at the Ministry of Interior told the HO FFT that they had just approved a module for pre-university education level training on how to prevent trafficking and how to report cases.

She said they also have a free app for Android phones where people can not only report cases, but also see information about cases and understand more about what support and information is available. Most of these activities are done in schools in cooperation with partners.<sup>103</sup>

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## 10.7 Stigma attached to victims of trafficking

10.7.1 Many sources told the HO FFT that Albania is a patriarchal society and victims of GBV are often blamed for what happened to them; communities are small and people don't want to become subject of gossip with an accompanying sense of dishonour by leaving their family.<sup>104</sup>

10.7.2 The French police attache said that when VoT have been housed in a shelter in France, they don't want to return to Albania – and the families don't want them to come back either. He said it was matter of honour, but it was not linked to Kanun.<sup>105</sup>

10.7.3 Different and Equal told the FFT that they are working to counter stigma particularly in cases of VoT. They have produced a photo novella showing how a young girl could easily become an unwitting VoT. They shared a hard copy with the Fact Finding Team. It can be found here: <http://differentandequal.org/en/fotonovela-kjo-ishte-historia/>. They have also shown it as film at various places across the country and they said it had a very positive impact, with one man approaching them to say he had rejected his daughter but having seen the film felt guilty. The Ministry of Interior also said that some families do welcome their daughters back.<sup>106</sup>

10.7.4 The Director of the NRCVHT said that prejudice against people who have been in shelters has decreased a lot due to a change in mentality and it is now a very manageable issue. There are no problems for people who want to reintegrate and work – the only thing that could hold people back are

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<sup>102</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 6.1.5, [URL](#)

<sup>103</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 6.1.6, [URL](#)

<sup>104</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 9.1.1, [URL](#)

<sup>105</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 9.1.2, [URL](#)

<sup>106</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 9.1.3, [URL](#)

medical issues. However for VHT leaving a shelter, because this situation is confidential, potential employers would not be told that the woman has been a victim.<sup>107</sup>

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## 10.8 Women living alone

10.8.1 Several sources told the HO FFT that women can live alone in Tirana and women can internally relocate to Tirana and that social media is allowing more women to realise that they can live alone in Tirana, working and paying rent. The Municipality of Tirana said they see about 67 people a day coming to Tirana from all over the country looking for a job. It is easier for young women to live alone than older women.

It was acknowledged, though, that in rural areas it was more difficult for women to live alone without family or social support, although there are some women who do live alone successfully.<sup>108</sup>

10.8.2 The Director of Curriculum in Kùkes said that if a woman wanted to become independent, there are ways to achieve it. For example, there are women who work on carpets or as seamstresses or in other similar small entrepreneurship which can be done at home. They also work in a family business or elsewhere.<sup>109</sup>

10.8.3 The Director of the Women's Counselling and Social Services Centre commented that Kùkes is in the poorest region in the country with unemployment officially at 36%, although in reality much higher, with half of families on social welfare of 50EUR per month per family.

She said that even if a woman had the economic means, it would be 'very scary' to live alone; she wouldn't be subject to physical violence, but the psychological pressure would be there.<sup>110</sup>

10.8.4 Several sources also told the HO FFT that although in some parts of Albania there may be a stigma to living alone, this is not true of Tirana.<sup>111</sup> The Ministry for Health and Social Welfare also said there is no prejudice in Albania against women from different areas.<sup>112</sup>

10.8.5 The Director of Social Services in Kùkes noted that in rural areas there is a stigma for women to get divorced and live alone. He said that sometimes there is reluctance to employ a divorced woman and the social stigma also

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<sup>107</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 9.1.4, [URL](#)

<sup>108</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 8.1.1, [URL](#)

<sup>109</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 8.1.3, [URL](#)

<sup>110</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 8.1.4, [URL](#)

<sup>111</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 8.3.2, [URL](#)

<sup>112</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 8.3.4, [URL](#)

accompanies the children in their school and neighbourhood. He said the cases of bullying in these cases have increased.<sup>113</sup>

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## 10.9 Re-trafficking

- 10.9.1 Different and Equal told the HO FFT that they had had a few cases, maybe 4-5% of women, who had ended up being re-trafficked. These were women who willingly left their programme. BIRN (the Balkan Investigative Reporting Network) said that sometimes people are willingly re-trafficked because they know nothing else and see no other way of getting out of the country.<sup>114</sup>

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## 11. Healthcare

### 11.1 General

- 11.1.1 The UN Committee on the Protection of the Rights of All Migrant Workers and Members of their Families published a report in December 2016 which noted:

‘With regard to the improvement of services for victims of trafficking and best protection in 2014, for the first time, victims of trafficking are provided with free health service.

‘Based on recent changes in the law on social insurance funds, the Fund covers the costs for medicines, medical examinations and treatments in private or public hospitals, contracted by the Fund, for all victims of trafficking.

‘Victims of trafficking are considered as a vulnerable group. A number of 200 victims is provided to take advantage of this service and it will continue to receive free medical care, even after leaving the economic aid scheme...’<sup>115</sup>

- 11.1.2 The GRETA report 2016 stated, ‘At the end of 2014, Law No. 141/2014 amended Law No. 10383/2001 on Compulsory Health Insurance, entitling victims of THB to free access to health care. Victims must be issued with a card entitling them to free access to medical care provided outside shelters. This will, inter alia, enable victims suffering from psychiatric problems who cannot be cared for by the shelters to receive care and, if necessary, be hospitalised.’<sup>116</sup>

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### 11.2 Psychiatrists and psychiatric hospitals

- 11.2.1 The HO FFT noted that there are four psychiatric hospitals in Albania: Tirana, Shkoder, Elbasan and Vlore. Apart from chronic cases stay is limited

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<sup>113</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 8.3.3, [URL](#)

<sup>114</sup> Home Office, ‘Report of a Home Office fact-finding mission to Albania,’ 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 2.10.1, [URL](#)

<sup>115</sup> United Nations, Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, 19 December 2016, [URL](#)

<sup>116</sup> GRETA report 2016, adopted on 11 March 2016, published 2016, [URL](#)



to three weeks. The two largest in Vlore (St Patrick's) has 180 beds and Elbasan has 310. Around 75% of people in St Patrick's have chronic illnesses and have been there for many years. The other two facilities are psychiatric wards of larger hospitals, Tirana has 90 beds (10 for children/adolescents) and Shkoder 35.<sup>117</sup>

- 11.2.2 The HO FFT was told that there is a ratio of 1.5 psychiatrists per 100,000 of the population.<sup>118</sup>

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### 11.3 Mental health in the community

- 11.3.1 The HO FFT were told that Albania's reform of mental health is trying to change the situation to a more community based approach. There are community support clinics which are aimed at rehabilitating and supporting the transition from hospitalisation to home.

Different and Equal commented that the community centres are always full. Some religious organisations also have spaces but these are also always full. There are very few chances for long term support for really serious cases.

There are nine mental health community day centres around the country which offer multi-disciplinary services with a psychologists, psychiatrists, a psychiatric nurse, social workers and occupational therapists.<sup>119</sup>

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### 11.4 Mental health referrals and access

- 11.4.1 The HO FFT was told that people who live in remote areas are usually referred to specialist teams by their GPs.

Primary health care is offered for free whether or not the person has insurance. If a person follows the referral system, they can access the secondary health services for free. Mentally ill people have been positively discriminated against so they get access and treated for the associated social issues.<sup>120</sup>

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### 11.5 Mental healthcare in shelters

- 11.5.1 The Directors of the NRCVHT told the HO FFT that as in line with Albanian legislation, every person who approaches the shelters is subject to a mental health assessment and a report is produced. Depending on the level of treatment required and severity, it can be dealt with in either the shelter or the person can be sent to a specific centre.

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<sup>117</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 7.1.1, [URL](#)

<sup>118</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 7.2.1, [URL](#)

<sup>119</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 7.3.1 to 7.3.3, [URL](#)

<sup>120</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraph 7.4.1 to 7.4.2, [URL](#)

The Director of the NRCVHT spoke of a specific example of a person who has mental health issues, and they have been undergoing treatment in the centre for two years now.

Normally, the shelters are equipped with a psychiatrist. The law provides that every person in a shelter has the right to the same level of treatment as any other citizen.

The Head of Mental Health and Addictology at the Ministry of Health said psycho-social support is offered to people who come out of shelters, they will get more support than others and there is no time limit on how long they are monitored in the community – it depends on the diagnosis.<sup>121</sup>

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<sup>121</sup> Home Office, 'Report of a Home Office fact-finding mission to Albania,' 31 October to 7 November 2017 (HO FFM report 2017), February 2018, paragraphs 7.5.1 to 7.5.4, [URL](#)

# Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of what the CPIN seeks to cover. They form the basis for the [country information section](#). The Home Office's Country Policy and Information Team uses some standardised ToRs, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Law on trafficking
- Trafficking
  - Prevalence
  - Risk factors
  - Forms of trafficking
- Action by the state
  - Government action to address trafficking
  - Action by the police
  - Action by the judiciary
- Assistance for victims of trafficking
  - Shelters
  - Financial assistance
  - Employment
  - Situation for those leaving shelters, including accommodation
- Healthcare for victims of trafficking
  - General
  - Mental health
- Societal attitudes
  - Attitudes to victims of trafficking
  - Attitudes to single mothers
  - Life for single women/mothers

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# Version control

## Clearance

Below is information on when this note was cleared:

- Version: **6**
- valid from: **26 June 2018**

## Changes from last version of this note

Updated country information and guidance.

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