



## Albania

- Population: 3.2 million
  - GDP per capita (in US dollars): 4,564
  - Parliamentary regime
  - Human development index (HDI): 0.733 (85<sup>th</sup> rank among 187 countries)
  - Gender inequality index (GII): 0.217 (45<sup>th</sup> rank among 147 countries)
  - Corruption Perceptions Index (CPI): Score of 36 on a scale from 0 (highly corrupt) to 100 (very clean)
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- No official national statistics on prostitution
  - Prostitution is illegal in Albania and is punishable by a fine or sentence of up to three years of imprisonment; procurers can be sentenced to up to five years of imprisonment (15 years in cases of aggravating circumstances). Since 2012, the purchase of sexual services has been criminalized and clients can face up to three years of imprisonment.
  - Human trafficking is punishable by eight years in prison when the victims are adults and 10-20 years if the victims are minors.
  - In 2014, 18 trafficking suspects were prosecuted. Nine of them were sentenced to terms ranging from 10 to 20 years in prison. In 2013 only three suspects were prosecuted, two of whom were convicted.
  - Phenomenon of domestic trafficking of Roma and Egyptian minorities.
  - Country of origin and destination for victims of trafficking for sexual exploitation.
  - Countries of destination for victims of Albanian trafficking: neighboring Balkan countries (Kosovo, Macedonia, Montenegro, Greece) and Western Europe (Italy, Belgium, France, The United Kingdom, The Netherlands).

The 2013 U.S. Department of State report on Trafficking in Persons put Albania on the Tier 2 Watch List (from 2009 Albania was previously listed as Tier 2). This recognizes the efforts of the Albanian government, but also emphasizes their failures. The report highlights several shortcomings, such as the low number of prosecutions against traffickers which have decreased in recent years, the continued prosecution of victims, the lack of assistance to child

victims, and the lack of a National Coordinator to fight against human trafficking since the unjustified dismissal of the last holder.

This downgrade was not happily received by Albania. Since 2009, the country has sought candidacy for entry into the European Union. The fight against crime and the improvement of women's rights are two obstacles to this development. However, the Albanian government has several years of important work on these issues to adapt to the European criteria.

### **Women, Minors, Roma and Egyptian Minorities: the Primary Victims of Sexual Exploitation.**

98.8% of victims of trafficking for prostitution are women (*INSTAT*, 2015). In a country still experiencing much poverty, women are primarily affected by unemployment, and therefore vulnerable to all forms of exploitation, inside and outside of Albania (*Independent Balkan News Agency*, May 27<sup>th</sup>, 2015). Between 2010 and 2014, 24.1% of Albanian women between the ages of 15 and 24 were unemployed (source: World Bank). This is even truer for Roma and Egyptian minorities: the unemployment rate is 58% for Roma women and 73% for Egyptian women (*UNDP in Albania*, 2015).

Several studies highlight the high vulnerability of minors. Between 2009 and 2013, the minor assistance hotline ALO116, created by the Albanian Children's Rights Center with the support of UNICEF, registered nearly 500,000 calls from children ages 9-18 and treated 140 cases of exploitation (sexual, begging,...) (*CRCA*, September 10<sup>th</sup>, 2013). The proportion of child victims is increasing. According to the NGO Different and Equal, minors accounted for 24% of the victims they assisted in 2012; in 2013 they were more than 50%.

Again, the Roma and Egyptian communities are primarily affected. The NGO ARSIS estimated that about 2,500 children are homeless in Albania in December 2014 and 73.4% of them belong to Roma and Egyptian communities. The same study stated that out of these 2,500 children, 800 were at risk of being trafficked within or outside the country or sexually exploited.

### **A Country of Origin for Trafficking but debated figures...**

Albania is a country of origin and destination for human trafficking for sexual exploitation. Victims come from Ukraine, Russian Federation, and Norway, and a growing number of Albanian victims are being sexually exploited. Albanian women and children are victims of human trafficking into neighboring countries such as Greece, Macedonia, Kosovo, and Montenegro, as well as other European countries such as Italy, Belgium, the Netherlands, Germany, Switzerland, Ireland, and the United Kingdom (*U.S. Department of State*, 2015). There are no estimates on the number of victims within Albania or abroad.

The method used by traffickers tends to be the same: victims are deceived, leave Albania with their significant other, are sent to Italy with false papers, and are forced into prostitution. According to the NGO Vatra, there are two kinds of traffickers. There are Albanian traffickers acting as networks, and more "artisanal" traffickers who are individuals acting on their own accord. The departure cities for victims include all major cities in Albania, particularly tourist ones.

Reports from the National Crime Agency in the UK claim that the number of Albanian victims has gradually increased in recent years. In 2013, 192 Albanian victims or potential victims were registered in the UK (of whom 87% were trafficked for sexual exploitation). In 2014, there were 449 victims (of whom 351 were women) representing 19% of the victims recorded in the UK by the National Orientation Mechanism (*National Crime Agency*, 2015). Albania was the primary country of origin for victims in the UK in 2014.

In May 2014, the Albanian government contested this analysis. They claimed that most ‘trafficked victims’ in the EU were actually economic migrants presenting themselves as victims of trafficking to obtain a special status. They said that they “are in discussion with our European partners to sign a cooperation agreement in the field of human trafficking , which will make possible a more efficient identification of actual victims” (*Balkan Web*, May 25<sup>th</sup>, 2014).

### **The Fight Against Human Trafficking: A Priority for the Rama Government**

With the return to political stability after the June 2013 parliamentary elections, the new center-left government was lead by Edi Rama, the former mayor of Tirana, who established that he wanted to make the fight against human trafficking a priority. On October 19, 2013, the European Day of Action against Trafficking, the Prime Minister announced that “(...) the new government will engage human resources, technical and financial means, being aware that this challenge is urgent for society, but also an emergency relating to the necessity of not allowing Albania to enter the black list of hopeless countries” (*Independent Balkan News Agency*, October 19<sup>th</sup>, 2013). Meanwhile, a new National Coordinator against trafficking was appointed. For the first time, this service under the Ministry of the Interior was given its own budget (approx. 50,000 US\$ /46 165 €) for its operations.

### **Restructuring the Fight against Human Trafficking**

Since he was appointed, Gjebrea Elona, the new National Coordinator, has sought to reactivate and reorganize the institutional framework against human trafficking to develop a more coherent and efficient program.

#### ***At the National Level***

The National Referral Mechanism (NRM) has been revived. Led by the National Coordinator, it brings together 16 NGOs and institutions to coordinate their work in identification, protection, and reintegration of victims. Its actions are completed by the National Task Force against Human Trafficking, created in November 2013, and a National Authority, created in August 2014. The Task Force, chaired by the National Coordinator, improves coordination between the police, magistrates, and judges. The National Authority is composed of representatives from the police, social services, health, education, and consular authorities to manage the database of victims. The National Commission for the Fight against Human Trafficking was reviewed and extended by order of the Prime Minister on August 19<sup>th</sup>, 2014. Fortified with new members and new responsibilities, this commission is

responsible for the implementation of strategies developed by the government to fight against human trafficking.

### ***At the Regional and Local Levels***

Regional Committees against Trafficking (RCAT) were reorganized: 12 committees have been created to cover the Albanian territory and local action plans have been prepared with committees responsible for their implementation. Three mobile teams in charge of the initial identification of victims have been established in cooperation with the International Organization for Migration (IOM). These teams (active in Tirana, Vlora, and Elbasan) bring together two social workers and a police officer. They are responsible for identifying potential victims and facilitating their access to support services. In 2014, mobile teams identified 94 potential victims, including 54 minors, at risk for prostitution and forced begging. Following these changes, a new action plan for the fight against human trafficking for 2014-2017 was adopted by the Council of Ministers in November 2014. It was organized around the four priorities (the “four Ps”): protection of victims, prevention of trafficking and re-victimization, partnership, and pursuit of traffickers.

## **First Actions of the New National Coordination**

### ***Prevention and Awareness***

The government has been focusing on preventative action and awareness. This has taken various forms in seminars and conferences for the general public (for young people and students in particular) and training workshops for professionals in contact with victims of trafficking (social workers, judges, police officers, health professionals, tourism professionals,...) with themes such as identification, assistance to victims / potential victims of trafficking, and reintegration of victims into the working world. Apart from organizing these programs, the government has carried out two significant projects:

- A week of anti-trafficking awareness, organized for October 18<sup>th</sup>-24<sup>th</sup> 2014 by the National Coordination along with various NGOs and institutions. This included awareness activities throughout the country with exhibitions, forums, round tables, and television advertisements.
- In June 2014 a smartphone application called “Raporto! Shpeto!” (“Report! Save a life!”) was launched to help victims. This application was created in cooperation with USAID, World Vision Albania, the Vodaphone Albania Foundation, and the Albanian government. This application provides access to the hotline, a list of services (shelters, hospitals,...), the ability to make a report by SMS or email, and various other resources (information on the phenomenon, identification of victims, and prevention).

## **Revision of Trafficking Laws**

In 2013 and 2014 the laws on human trafficking were strengthened by reforms of the Albanian Criminal Code (*GRETA*, 2015):

- Minimum sentences were raised from five to eight years of imprisonment for trafficking of adults and 10 to 20 for trafficking of minors;

- Domestic trafficking has been added to the Criminal Code as a criminal offense, distinct from cross-border trafficking;
- Impunity for victims of trafficking was added to the Criminal Code in cases where they were involved in criminal activities while victims;
- Taking advantage of trafficked persons is now criminalized and punishable by two to five years in prison (Article 110b);
- Actions facilitating trafficking (manufacturing, supplying, or possessing of identity documents, passports, or other travel documents or their confiscation and destruction to promote exploitation of a person) are now criminal offenses punishable by two to five years of imprisonment.

In addition to strengthening penalties for trafficking, specific measures were taken to protect minors. In May 2013, Article 117 of the Criminal Code on the production, sale, distribution, and possession of child pornography was amended: the possession and manufacturing (particularly the recruitment of children for this purpose) of child pornography is now subject to a sentence of 3 to 10 years in prison. In September 2014 an agreement between the Ministry of Internal Affairs and the Ministry of Social Welfare and Youth was signed to better identify and protect homeless children.

Despite these changes, there is still concern about the confusion between trafficking laws and prostitution laws. Prostitution is illegal in Albania: prostituted persons are liable to a fine or up to three years in prison, procurers up to five years (15 in aggravating circumstances), and, since 2012, clients for up to three years (*Fondation Scelles*, 2013). Traffickers are often charged with “exploitation of prostitution” rather than trafficking to incur lesser penalties.

These laws on prostitution are periodically called into question and there are frequent debates on legalization. In 2015 the debate focused on Article 113 of the Criminal Code, which punishes prostituted persons. In April, the Commissioner for the Protection against Discrimination, Irma Baraku, called on the Constitutional Court to repeal this article. Far from demanding the decriminalization of prostitution, the Commissioner highlighted the discriminatory nature of this text and asked that the practice of prostitution not be considered a criminal offense. He explained the inefficiency of the law in terms of clients (in 2013 only three people were punished for the purchase of sexual services) (*Academicus International Scientific Journal*, 2015) and its protective effect on traffickers.

In June 2015, after a debate within the government and parliament (which resulted in a vote against the repeal of section 113), the Constitutional Court decided to maintain the law. Thus, prostitution remains a criminal offense.

### **First Signs of Progress**

The statistics from 2014 show a slight improvement over previous years, a possible sign of the effectiveness of recent measures.

- The government and NGOs identified 125 victims/potential victims of trafficking, including 62 minors, in 2014 (compared to 95 in 2013). 77 of these were victims of trafficking for prostitution and 10 of trafficking for both prostitution and forced labor.
- The court of the prosecutor’s office for serious offenses investigated 39 alleged suspects (compared to 24 suspects in 2013 and 11 in 2012).

- The court of first instance for serious offenses pursued 18 suspects in 2014 (compared to three in 2013). There were nine convictions for human trafficking (compared to two in 2013). All convicted traffickers have received sentences ranging from 10 to 20 years of imprisonment (*U.S. Department of State*, 2015).
- In 2014, the government trained 333 judges, magistrates, and police officers in the identification of victims and the prosecution of traffickers (compared to only 57 in 2013).
- Albania has increased its police cooperation with other countries: as an example, in 2014, the operation Tempesta was conducted in Italy, Romania, Greece, and Albania, leading to the arrest of seven Albanian nationals suspected of belonging to a criminal organization involved in drug and human trafficking. Cooperation agreements were signed with neighboring countries to improve identification and assistance to victims, especially minors (agreements with Kosovo in 2012 and Montenegro in 2014).

### **The Burden of Corruption**

Despite some progress, observers continue to criticize the corruption in Albanian society, particularly in the justice system. In April 2015, the European Commission called on Albania to “consider organized crime a major issue,” and to “do more to ensure the independence, effectiveness, and accountability of the justice system.”

The government has made efforts to move in this direction. In the last months of 2014 and throughout 2015, they have taken several measures: organization of a national forum in the presence of the Prime Minister for the fight against corruption in Tirana, a campaign for creating a reporting site, and the launching of a national campaign against corruption (Feb. 2015) ([stopkorrupsionit.al](http://stopkorrupsionit.al)). However, a special commission of the Albanian Parliament met in June 2015 to discuss this issue and concluded that the justice system is totally corrupt and that corruption is considered a “normal” way of administering justice (*Balkan Insight*, June 9<sup>th</sup>, 2015).

A scandal occurred during 2015, highlighting the complicity existing between high-level politicians and organized crime networks. This began with an international arrest warrant issued by the Belgian authorities against Christian Democrat MP Mark Frroku for a retrial. In 2010 he had been sentenced to 10 years in prison for the murder of a compatriot in Brussels in 1999. This murder was linked to a prostitution network. The case was sent to retrial because of procedural violations and a second trial was scheduled for October 2015. The initial arrest warrant was kept secret by Tirana Interpol for several months leading to the resignation of the head of the Albanian police and the arrest of two Interpol officers. To assert its commitment to the fight against corruption, the Albanian parliament lifted the immunity on Mark Frroku, who was arrested in April 2015 and is currently being extradited.

### **Inadequate Protection for Victims**

The healthcare law was amended in June 2014 to facilitate access to care for trafficking victims. This law was initially adopted in 2011, but bureaucratic obstacles prevented victims from getting access to free medical care. The amended law and agreement with the Ministry of Health should ensure free care to 200 victims each year. Currently these measures still have

not been implemented and the services concerned are still awaiting instruction from the government for the implementation.

Through 2014, the Albanian government increased subsidies for shelters of trafficking victims. The welcome center managed by the state was supposed to receive 198,000 US\$ (182,813 €) and three shelters managed by NGOs (Different and Equal, Another Vision, and Vatra Psychological Center) were to receive 27,800 US\$ (25,667 €) for the cost of food. However, the government did not pay the full amount promised, resulting in financial difficulties for the NGOs throughout 2014. However, this is still an improvement compared to 2013, when no subsidies were announced or paid by the government.

Since 2013, the Albanian government has renewed its efforts in the fight against human trafficking. Their political willingness has been quickly rewarded. In 2014, the U.S. Department of State report on Trafficking in Persons released Albania from the Tier 2 Watch List, restoring it to Tier 2. That same year Albania achieved status of “candidate country” for accession into the European Union.

The question still remains: will these efforts actually be effective? It is difficult to know. The second evaluation by GRETA<sup>1</sup> experts in June 2015 will indicate more precisely the answer to this question. An acceptable action plan has been created and it is now a matter of implementation. According to the NGO Vatra activity reports, the problem in Albania has never been a lack of initiatives, but rather a lack of resources allocated for the implementation of these initiatives. In this sense, it seems that the creation of a budget for the National Coordinator is a positive sign for Albania’s future.

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<sup>1</sup> GRETA is responsible for ensuring the implementation of the Convention of the Council of Europe on the Fight against Trafficking in Human Beings by the Parties. The second round of evaluations by GRETA began in May 2014, two and a half years after the publication of their first report.

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