

Country Info Brief:
Trafficking in Human Beings

Albania

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Population: 2,400,000 (according to last census)

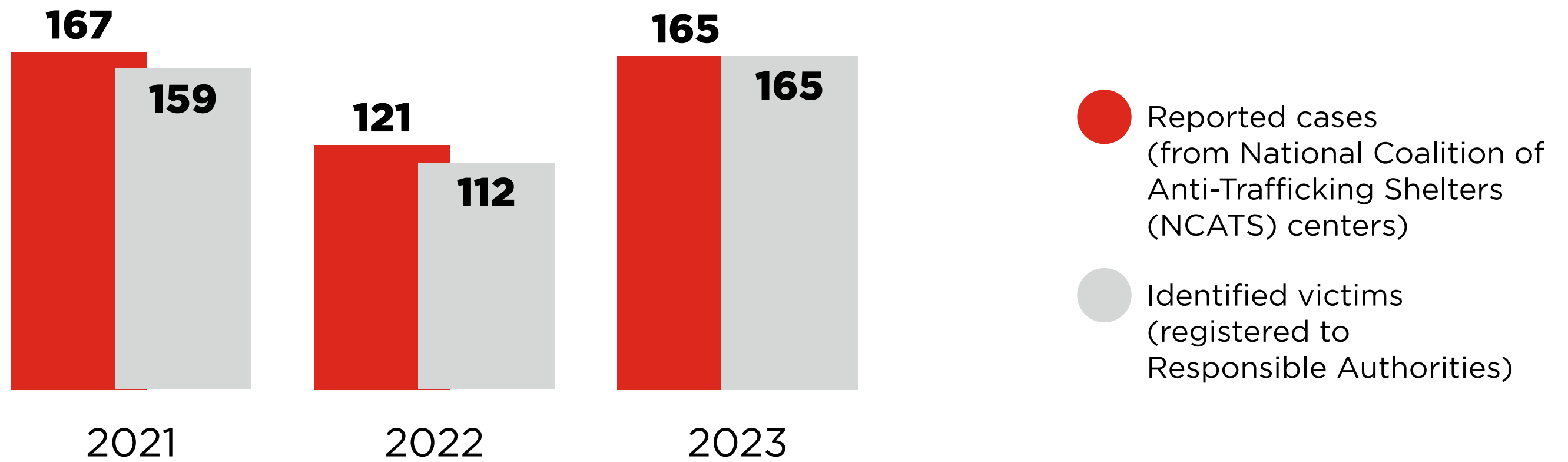
Country Info Brief was developed with the support of the “SMART Balkans – Civil Society for Shared Society in the Western Balkans” regional project implemented by Centar za promociju civilnog društva (CPCD), Centre for Research and Policy Making (CRPM) and Institute for Democracy and Mediation (IDM) and financially supported by the Norwegian Ministry of Foreign Affairs (NMFA). The content of Country Info Brief is the sole responsibility of the project implementers and does not necessarily reflect the views of the Norwegian Ministry of Foreign Affairs (NMFA) or SMART Balkans consortium.

The Country Info Brief contains similar and comparable types of information and data for three countries, relevant to the topic of THB, and provides insight into each country’s overall efforts in the suppression and prosecution of human trafficking.

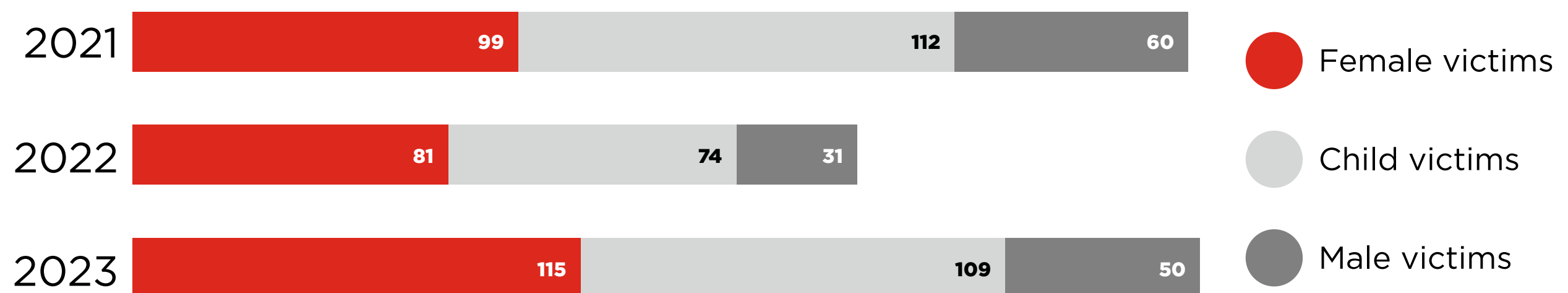


I. The numbers - Key data on THB

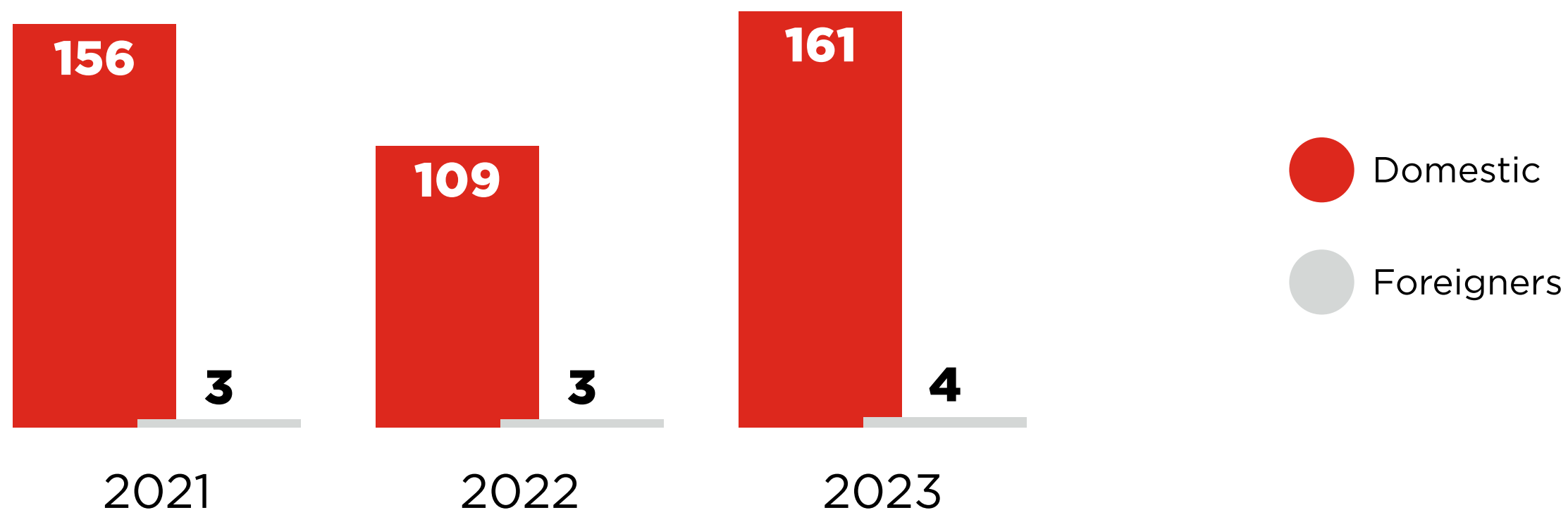
Number of reported cases and identified victims in past 3 years.



Breakdown of data by identified victim gender and age, etc.



Breakdown of data by identified victim citizenship, in numbers.

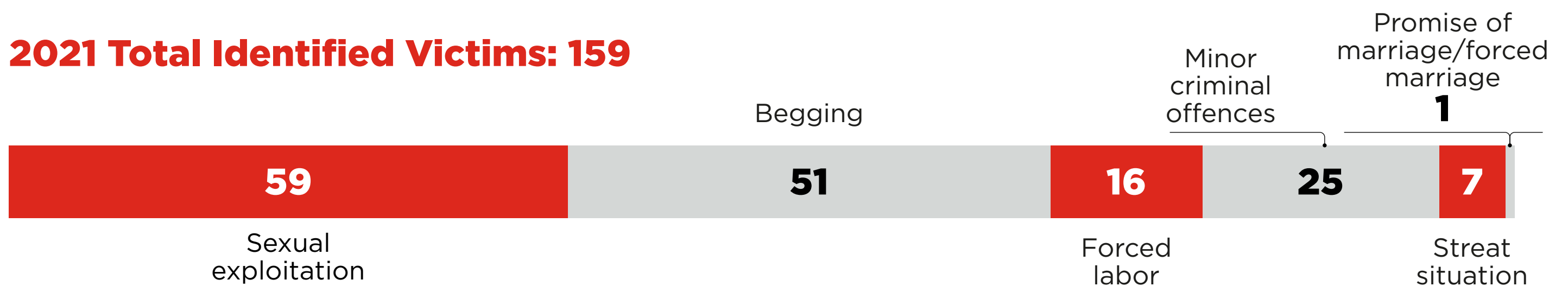


Prevalence of the different forms of trafficking in human beings:

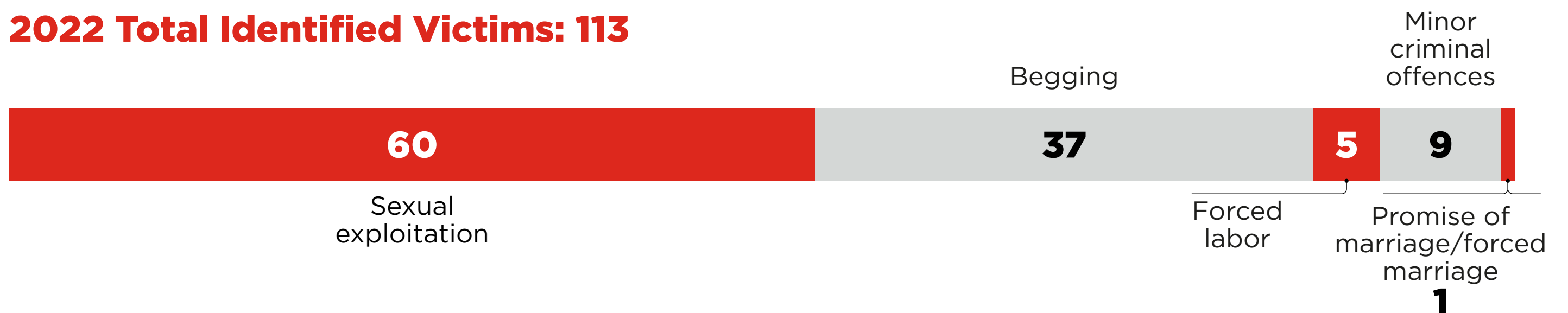
Include relevant statistics on:

Types of exploitation faced by victims.

2021 Total Identified Victims: 159



2022 Total Identified Victims: 113



2023 Total Identified Victims: 180



Countries of origin and destination.

Data from Office of National Antitrafficking Coordinator (ONAC) and National Coalition of Anti-Trafficking Shelters (NCATS) shows that 97% of victims have been Albanian origin and 3% of victims have been foreign victims (Nigeria, Philippine, Gambia, Syria, Montenegro, Ukraine, and Afghanistan), who has been trafficking in Albania. Data from NCATS shows that internal trafficking has been the predominant form of trafficking, where 92% of the victims in total have been trafficked within Albania, mostly in big cities and touristic cities such as Tirana, Durres, Vlora, Lezha, Shkodra, Elbasan, Saranda, Kukes, Dibra, etc. 2% of victims have been exploited in Balkan countries and 6 % in EU and other non EU countries and in more than one country.

During the period 2021-2023 Albania remains a country of origin, transit and destination of trafficking in human beings (Albania Reports of European Council 2020-2023¹). As reported over the past five years, human traffickers exploit domestic and foreign victims in Albania, and traffickers exploit victims from Albania abroad. Traffickers exploit Albanian women and children in sex trafficking and forced labor within the country, especially during tourist season (Trafficking in Person (TIP) Reports 2020-2024²).

¹ European Commission - Albania 2020 Report https://neighbourhood-enlargement.ec.europa.eu/system/files/2020-10/albania_report_2020.pdf; European Commission - Albania 2021 Report https://neighbourhood-enlargement.ec.europa.eu/document/download/7532fb68-5bd9-4620-ae9c-1df47d34b919_en?filename=Albania-Report-2021.pdf; European Commission - Albania 2022 Report https://neighbourhood-enlargement.ec.europa.eu/document/download/dde85556-8061-41f3-ba0c-5e921158bc53_en?filename=Albania%20Report%202022.pdf; European Commission - Albania 2023 Report https://neighbourhood-enlargement.ec.europa.eu/system/files/2023-11/SWD_2023_690%20Albania%20report.pdf

² TIP Report 2023 <https://www.state.gov/reports/2023-trafficking-in-persons-report/albania/>

Mechanisms of recruitment used by perpetrators to recruit victims were:

- Impact of social group: Victims are influenced by their social group, leading to involvement in dangerous situations that result in exploitation.
- Exploitation by family members: Victims are forced into begging by family members or other persons.
- Exploitation by intimate partners: Victims are exploited by boyfriends, cohabitants, or husbands.
- Promises of basic needs: Traffickers lure victims with promises of housing, food, and other basic needs.
- Involvement in criminal activity: Victims are recruited to engage in criminal activities.
- False job offers: Traffickers use false promises of employment to recruit victims.
- Recruitment via social networks: Social media platforms like Facebook, Instagram, and Snapchat are used to lure victims with fake job offers.
- Emotional manipulation: Traffickers form intimate relationships with victims, exploiting these emotional attachments to traffic and exploit them.
- Use of violence: Sexual, physical, and psychological violence, along with other controlling behaviors, are employed to traffic women and girls.

Main actors involved include individuals and loosely organized criminal groups.

Data on prosecutions and convictions of traffickers

Prosecution and convictions of human trafficking remain a problem in Albania. From data issued by international reports such as TIP report for 2024³, The General Prosecution Office (GPO) prosecuted eight new cases (seven for sex trafficking and one for an unspecified form of trafficking), compared with 17 new cases in 2022 and courts did not convict any traffickers for the second consecutive year, compared with 11 convictions in 2021.

³ <https://www.state.gov/reports/2024-trafficking-in-persons-report/albania/>

II. Description of the context, framework and practices

1. Overview:

Albania remains a country of origin, transit and destination of trafficking in human beings (Albania Reports of European Council 2020-2023⁴). As reported over the past five years, human traffickers exploit domestic and foreign victims in Albania, and traffickers exploit victims from Albania abroad. Traffickers exploit Albanian women and children in sex trafficking and forced labor within the country, especially during tourist season (TIP Reports 2020-2024⁵). The most common form of trafficking is trafficking for sexual exploitation, in particular of girls and women, which also constitute the largest number of victims of trafficking (during 2019-2023, 70% are women and girls). Meanwhile, trafficking for the purposes of forced begging and criminal activity is a primary risk for trafficked boys.

Albania has an Anti-Trafficking Task Force and **National Referral Mechanism⁶ (NRM), by improving it with a new one in June 2023**. In addition to existing members from different Ministries and the National Coalition of Anti-trafficking Shelters and civil society partners, new members such as the State Agency for the Rights and Protection of the Child, the State Labour Inspectorate, the Free Legal Aid, the State Agency or the Administration of Seized and Confiscated Assets, and the State Employment Service, as well incorporates the Advisory Board of the Victims of trafficking through the shelters for victims of trafficking. The NRM is headed by the National Coordinator for Human Trafficking, who is also a deputy minister of the Ministry of Interior. In the Ministry of Interior (Mol), the Office of the National Anti-Trafficking Coordinator (ONAC) is the focal point for such activity.

⁴ European Commission – Albania 2020 Report https://neighbourhood-enlargement.ec.europa.eu/system/files/2020-10/albania_report_2020.pdf; European Commission – Albania 2021 Report https://neighbourhood-enlargement.ec.europa.eu/document/download/7532fb68-5bd9-4620-ae9c-1df47d34b919_en?filename=Albania-Report-2021.pdf; European Commission – Albania 2022 Report https://neighbourhood-enlargement.ec.europa.eu/document/download/dde85556-8061-41f3-ba0c-5e921158bc53_en?filename=Albania%20Report%202022.pdf; European Commission – Albania 2023 Report https://neighbourhood-enlargement.ec.europa.eu/system/files/2023-11/SWD_2023_690%20Albania%20report.pdf

⁵ TIP Report 2023 <https://www.state.gov/reports/2023-trafficking-in-persons-report/albania/>

⁶ <https://www.osce.org/presence-in-albania/547577>

In September 2023⁷, the **Joint instruction and Regulation no. 132, dated 8.9.2023 “For the establishment of the Responsible Authority for the identification, referral, protection and reintegration of victims and potential victims of trafficking”** has been signed. This Authority will also act by the new obligations defined in the Agreement for the operation of the National Referral Mechanism, as well as the Standard Operating Procedures (approved by DCM No. 499, dated 29.8.2018).

In district level, **Regional Committees for the Fight against Trafficking in Persons/ Technical Tables** are anti-trafficking structures mainly engaged in the direction of preventing trafficking through the identification of primary problems, at the regional level, as well as through taking measures for the protection of individuals and groups at risk from trafficking, creating a database for all categories and individuals at risk of trafficking at the county level.

FORMAL IDENTIFICATION - Specialized Unite - Police officer and Child Protective Unite (for cases with minor)/ Police officer and and Regional Office of the State Social Service (for cases with adults)

2. Background:

Albania has ratified the UN Convention against Transnational Organized Crime⁸ and Council of Europe Convention on Actions against Trafficking in Human Beings⁹. There are provisions in the Constitution of the Republic of Albania that make TIP illegal. *Although the country does not have a specific law against*

⁷ Ministry of Interior. Monitoring Report of National Anti-Trafficking Plan 2021 - 2023 https://mb.gov.al/wp-content/uploads/2024/04/Raport-monitorimi-per-periudhen-2021-2023_22012024-1-1.pdf

⁸ This Convention and its two protocols have been ratified by the Assembly of the Republic of Albania by Law no. 8920 dated 11/07/2002 “On the ratification of the UN Convention against Transnational Organized Crime” and its two supplementary protocols.

⁹ The Council of Europe Convention “On Actions against Trafficking in Human Beings”, ratified by the Assembly of the Republic of Albania by Law no. 9642 dated 20/11/2006.

*human trafficking*¹⁰¹¹, it does have some important related laws addressing the phenomenon in general, and child trafficking in particular, which are amended.

Most important legislative concerning criminal offence of human trafficking involve:

- **Criminal Code of Albania:**

- * Adopted in 1995 with several amendments improving provisions against human trafficking.
- * Includes specific articles for child trafficking (Article 128/b) and trafficking in adult persons (Article 110/a).
- * **Gap:** Domestic trafficking is not explicitly included in the child trafficking provision (Article 128/b).

- **Criminal Procedure Code (CPC):**

- * Significant amendments made in 2017 as part of the Justice Reform, aligning domestic law with European legislation.
- * Improved the procedural rights of victims, including specific rights for child victims and victims of sexual abuse/trafficking.
- * **Competence for THB cases:** Investigations and adjudications are handled by the Prosecution's Office and general courts, with special cases under the jurisdiction of the Court against Corruption and Organized Crime.
- * **Debate:** Concerns raised by CSOs about reduced institutional power to identify and prosecute trafficking cases.

¹⁰ Different & Equal, 2019. Study report on the need of drafting a special Law for the protection of victims of trafficking <http://differentandequal.org/wp-content/uploads/2019/10/Study-report-on-the-need-of-drafting-a-special-law-for-the-protection-of-victims-of-trafficking-in-albania.pdf> Civil society organizations strongly stand by their proposal for the drafting of a special framework law for the protection of victims of trafficking, which can bring together and better coordinate all laws that provide for the support, legal protection and participation of victims of trafficking in human beings.

¹¹ Vatra Psycho-Social Center 2021, Compliance of the Albanian legal framework with the Acquis Communautaire of the European Union in the area of the fight against Trafficking in Human Beings http://qendravatra.org.al/wp-content/uploads/2024/04/studimi-legjislacioni_anglisht-4-1.pdf

- **Law on the Prosecution's Office:**

- *Each office must have a coordinator to ensure dignified treatment of victims with special status.

- **Antimafia Law:**

- *Establishes a special fund for preventing crime and legal education.

- ***Issue:** Lack of clarity on how victims can benefit from this fund.

- **Law on the Protection of Witnesses and Justice Collaborators:**

- *Guarantees protection for trafficking victims who serve as witnesses in criminal proceedings.

- Only one victim participated in the protection program in 2019.

- **Law on Legal Aid:**

- *Human trafficking victims are defined as special subjects eligible for primary and secondary legal aid regardless of income.

- *Legal aid services are provided by a network of centers, NGOs, and legal clinics across the country.

- ***Funding concern:** Civil society calls for increased funding to support more organizations authorized to provide legal aid.

**In the last five years, the Government of Albania (GoA) has authorized and reauthorized the National Action Plan for Combating Trafficking in Human Beings¹², the previous one covering the period 2021-2023 and the new plan covering the period from 2024-2025 (No. 458, dated 10.07.2024).

The Strategy and Action Plan aim to coordinate state and non-state actors, including international organizations, engaged in efforts to combat human trafficking. The plan focuses on prevention and identification of child and adult VoTs at international borders through obligatory document checks for all children.

The National Action Plan 2021-2023 contains 55 measures in implementation of 3 political goals and 5 specific objectives, for the realization of which 46

institutions/structures have been involved. The National Action Plan 2024 – 2025 contains 3 political goals and 5 specific objectives.**

Albania has a national telephone line 116006 at the disposal of persons who want to report a case of trafficking or for persons who identify themselves as victims, this number harmonized with the telephone lines of the European Commission available to citizens to report and seek help. This telephone line was in the Command Room at the General Directorate of the State Police and is free for Victims of Trafficking and is accessible from any landline and mobile phone. *In the Monitoring Report document of the National Action Plan Combating Trafficking in Human Beings 2021-2023, it is reported that through line 116006, during the year 2022, no identification of victims or potential victims of trafficking was made. In most cases it is communicated in the Albanian language, but also in English and Italian. The Ministry of the Interior took the necessary actions to enable the operation of the free National Line 116 006. There is as well National Line for Children in Albania ALO 116 - 111, 24 hours a day, 7 days a week and every day of the year.*

3. Quotes and Reports:

GRETA (Group of Experts on Action against Trafficking in Human Beings) through its third report for Albania¹² is concerned by the low number of convictions for human trafficking and urges the Albanian authorities to take additional measures to ensure that human trafficking cases are investigated proactively, regardless of whether a complaint regarding the crime has been submitted, and making use of special investigation techniques and financial investigations to gather evidence; 2) to ensure the application of the non-punishment principle in practice; 3) should promote a gender-responsive approach to access to justice for victims of human trafficking; 4) to take further steps to improve identification of victims of human trafficking.

¹² <https://rm.coe.int/greta-2020-09-fgr-alb-en/1680a0b84f>

According to EU Progress report 2023¹³, more results are still needed in countering cybercrime, money laundering, and preventing and combating trafficking in human beings. All forms of child sexual abuse online should be criminalised and prosecuted; Investigations and prosecutions are not conducted consistently with a focus on the victim. A gender-responsive approach to access to justice for victims should be promoted. Anti-trafficking efforts should increase, in particular by strengthening the capacity of border police to identify and refer to the prosecution service cases of trafficking and by strengthening the child protection system. Successful reintegration remains difficult because the state's core protection, care and social services are insufficient. Police, prosecutors and judges should receive dedicated training, especially on the rights of victims.

According to TIP report 2024¹⁴, the Government of Albania does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. Albanian authorities should: Seek penalties for convicted traffickers; increase funding and improve the sustainability of Mobile Units, including law enforcement participation; establish specialized police and prosecutors to investigate and prosecute trafficking; ensure the NRM convenes, coordinates, and effectively oversees implementation of the SOPs; increase efforts to screen vulnerable populations for trafficking indicators and train police, labor inspectors, and other front-line officials on the existing SOPs and NRM for proactive victim identification and referral to services; consistently implement victim-centered approaches and victim-witness assistance measures during investigations, prosecutions, and court proceedings; train judges on restitution in criminal cases and create effective methods to allocate restitution and compensation in a timely manner; integrate Romani groups into decision-making processes regarding victim protection; continue to increase funding and create funding mechanisms that allocate adequate financial and other resources on a consistent and regular basis to the NGO-run shelters for trafficking victims; Increase reintegration services, including access to long-term housing, vocational training, and education.

¹³ https://neighbourhood-enlargement.ec.europa.eu/system/files/2023-11/SWD_2023_690%20Albania%20report.pdf

¹⁴ <https://www.state.gov/reports/2024-trafficking-in-persons-report/albania/>

4. National Reports:

In the Monitoring Report document of the National Action Plan Combating Trafficking in Human Beings 2021-2023¹⁵ it is reported that this plan has been implemented in 89% of the established measures. *Among specific measures not implemented are: adoption of a special law against human trafficking and for the protection of victims and alignment as far as possible with Directive 2011/36 “On preventing and combating human trafficking human rights and the protection of their victims”, and establishment of a multifunctional center in north of the country in cooperation with non-state partners for reintegration and support of vulnerable groups, risked by trafficking, including victims.* Among the measures that need to be improved are: Amendment of the Criminal Code accordingly with the international commitments of Albania; Training of police officers of border and migration, customs employees, asylum workers and staff of reception and accommodation centers for migrants, including medical staff for increasing capacities for identification of victims among asylum seekers, migrants and especially unaccompanied children, regardless of the ability and/or willingness of them to cooperate, especially in emergency situations emergency, as in the case of COVID-19; Training of general patrol officers of the police; Strengthening effective access to the market work for victims through education, professional training, incentive programs of employment and self-employment and undertaking of educational activities and advisory for journalists, on the role of media in preventing human trafficking.

It should be noted that the Monitoring of the Plan was carried out by the Antitrafficking Sector in Ministry of the Interior and based on the recommendations of GRETA in the previous round, this monitoring should be carried out by an external structure.

¹⁵ Ministry of Interior. Monitoring Report of National Anti-Trafficking Plan 2021 - 2023 https://mb.gov.al/wp-content/uploads/2024/04/Raport-monitorimi-per-periudhen-2021-2023_22012024-1-1.pdf

5. Court Practice:

During the preparation of this report, no national reports or data related to Case laws were found. Data from TIP Report 2024, evidenced that „*Courts did not convict any traffickers for the second consecutive year, compared with 11 convictions in 2021. In past years, judges sentenced some traffickers to lenient sentences, such as probation, which undercut efforts to hold traffickers accountable, weakened deterrence, created potential security and safety concerns for victims, and was not equivalent to the graveness of the crime*“.

EU progress Report 2023¹⁶, evidenced that during 2022, „*the number of final convictions remained very low with seven final convictions from two cases*“.

NCATS organizations in the reply to GRETA for the period 2020-2023, reported for 12 investigations that were conducted into cases of human trafficking, of the “prostitution exploitation”. 4 cases of exploiters/abusers are declared guilty for minors’ abusing and 4 of them have been convicted (one of them was convicted in absentia).

During 2022, Criminal College of the Supreme Court by decision No. 00-2022-1679 published a Decision (217) date 27.07.2022 (page 22/34) when has been foreseen concepts of “vulnerability” and “abuse of a position of vulnerability”, as well handling the issue by giving priority to the Ratified Convention of European Commission on Human Trafficking, even if the Albanian legislation does not have the appropriate provisions.¹⁷

¹⁶ https://neighbourhood-enlargement.ec.europa.eu/system/files/2023-11/SWD_2023_690%20Albania%20report.pdf

¹⁷ This decision of the Criminal College of the Supreme Court was carried out to analyze the decisions of the Courts of different levels, regarding the qualification of a case as adult trafficking, according to Article 110/a of the Criminal Code of the Republic of Albania. In this reasoned decision, the Supreme Court provides an extended practice of dealing with trafficking issues by the Prosecutor’s Office and the Court, which will serve the legal practices for trafficking. <https://financa.gov.al/wp-content/uploads/2024/02/FZ-2022-175-Udhezim-Nr-33-dat%C2%BD-2.12.2022-P%C2%BD-nj%C2%BD-ndryshim-n%C2%BD-udh%C2%BDzimin-nr.-7-dat%C2%BD-7.5.2007-P%C2%BD-rp%C2%BDrdorimin-e-fondit-t%C2%BD-shpron%C2%BDsimeve.pdf>

6. Law Enforcement Data:

*Decreased Law Enforcement Efforts: In 2023 and 2024, the Albanian government reduced its law enforcement efforts against human trafficking. The Albanian State Police (ASP) investigated 26 cases in 2023, down from 85 in 2022, and initiated three cases for soliciting sex trafficking victims, a first in two years. The General Prosecution Office (GPO) prosecuted eight new cases in 2023, compared to 17 in 2022, while continuing 42 ongoing cases. The Special Prosecution Structure (SPAK) initiated one new investigation in 2023, down from two in 2022.

*Human Trafficking Statistics:

- Adult Trafficking: In 2023, six proceedings for adult trafficking were registered, a slight decrease from seven in 2022. However, the number of defendants increased from zero to six, with five being sent for trial.
- Child Trafficking: Cases of child trafficking doubled from four in 2022 to eight in 2023, with an increase in defendants sent for trial from zero to two.

*Manual on Human Trafficking: In 2022, a manual on human trafficking was published for legal professionals to enhance their capacity in identifying, investigating, and prosecuting human trafficking cases, as well as protecting victims' rights.

7. Conclusion:

1. The justice institutions, specifically the prosecutor's office and the district courts, should give priority to the cases of denunciation of the victims of trafficking in order not to prolong the investigation and trial procedures for several years.
2. The prosecutors and judges should implement the victims' centered approach (both for minors and adults) during the process of investigation and trial process.
3. Albanian authorities should make efforts to facilitate and guarantee access to compensation for victims of human trafficking, both from perpetrators and by

the State. It is necessary to create a mechanism to facilitate the compensation of victims of human trafficking. In Albania only in two cases compensation was awarded by the court, but until now the victims did not receive their financial compensation.

4. With the change in the law of the Code of Criminal Procedure, where the competence to deal with human trafficking has passed to district prosecutors and courts, training is needed for judicial police officers, prosecutors and judges related to Albanian and international anti-trafficking legislation. It is also necessary to improve the infrastructure in the district courts, such as equipping them with audio-visual tools to question the victims as witnesses.
5. Just as before 2017, where in the prosecution of serious crimes there were two specialized prosecutors for human trafficking cases, the same thing should be done in the district prosecutor's offices, to designate special prosecutors for the investigation of human trafficking cases.
6. During the last years, the highest number of cases of victims / potential victims of trafficking have been identified by 9 mobile units, set up and supported by the organizations of the National Coalition of Anti-trafficking Shelters in the framework of projects implemented with the support of international donors. Based on this, it is necessary for the Albanian government to financially support these mobile units in order to sustain the identification work of victims of human trafficking including identification of potential trafficking cases among migrants.
7. The Albanian Government should increase attention to detecting victims of trafficking amongst asylum seekers and migrants, including persons placed in immigration detention centers. In this context, training on the identification of victims of trafficking should be provided to border and migration police officers, customs officers, asylum officials, and staff of reception centers and immigration detention centers, including medical staff;
8. Drafting and approval of a specific law for the protection of victims of trafficking is necessary. This recommendation has been taken into consideration by the Albanian authorities and has been placed in the national action plan 2021-2023, but should now be given priority to be implemented. This law will regulate the process of identification, referral and effective protection of victims of human trafficking.