United Nations Programme “Support to Social Inclusion in Albania”

Profile of the situation of trafficking victims and efforts for social inclusion
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January 2015
Tirana, Albania
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Methodology

The activity of developing the profile of trafficking victims is part of the component “Establishing social exclusion profiles of populations at risk in Albania”, within the UN Support to Social Inclusion in Albania Project (UNSSIA), funded by the Embassy of Switzerland, Swiss Cooperation Office in Albania, and it aims to contribute to the social protection reform in Albania.

The profile development methodology was defined after consulting an adjusted version of the general profiles’ methodology, designed by the UNDP, from which the basic profile concepts were taken, including social inclusion/exclusion:

- a demographic description and analysis typically involving age gender ethnicity education social class religious affiliation sexual orientation. Can be both a driver and outcome of social exclusion.

- social exclusion is a process whereby certain individuals are pushed to the edge of society and prevented from participating fully by virtue of their poverty, or lack of basic competencies and lifelong learning opportunities, or as a result of discrimination. This distances them from job, income and education and training opportunities, as well as social and community networks and activities. They have little access to power and decision-making bodies and thus often feel powerless and unable to take control over the decisions that affect their day to day lives. (social exclusion)

- a process which ensures that those at risk of poverty and social exclusion gain the opportunities and resources necessary to participate fully in economic, social and cultural life and to enjoy a standard of living and well-being that is considered normal in the society in which they live. It ensures that they have a greater participation in decision making which affects their lives and access to their fundamental rights. (social inclusion)

The consultation determined the purpose of the Profiling as a collection, organization and presentation of data related to: 1. The identification of trafficking victims, means and initiatives for identification; 2. The degree of individual inclusion/exclusion prior to trafficking, by the areas/indicators of education, housing, health, employment, etc.; 3. Efforts and challenges for post-trafficking social inclusion by the same areas; 4. Recommendations on social inclusion.

In order to map the profile for the situation of individuals who are victims of trafficking and the efforts to ensure social inclusion, three main methods
were applied, namely: 1. Literature Review; 2. Semi-structured interviews with individuals victims of trafficking and representatives of institutions or agencies involved with their identification and assistance; 3. Review and verification of collected information.

Between July and September, 10 interviews were conducted with individuals who were victims of trafficking (5 under 18 years old and 5 adults), and 10 others with employees of the agencies involved in the identification and assistance of the trafficking victims. The gender configuration of the interviewed group of victims, with 2 males and eight females, was imposed by the load cases dealt with by service provider, but also by the willingness of the victims themselves to be interviewed. During the time of interview, all these individuals were subject to receiving rehabilitation and reintegration services from state and non-state providers and were actually going through different stages of these programmes. The interviewing process was guided by the WHO Ethical and Safety Recommendations for interviewing Trafficked Women and the UNICEF paper, “Let’s talk - Developing Effective Communication with Child victims of Abuse and Human Trafficking.” While consulting the draft methodology, suggestions were made to have a larger number of interviewees, but that resulted to be impossible, since during the time collecting information, a series of studies or simultaneous activities were taking place, engaging both service providers and trafficking victims in frequent interviewing episodes on their trafficking experience and assistance programmes. Hence, it was deemed as appropriate and ethical to keep the number to what was previously determined and to complete and verify the profile through the use of second-hand materials, reports and the most recent research conducted by service providers. Another aspect used to establish the profiles was also the review of the anonymous information within the aspects of inclusion/exclusion from five randomly selected cases made available by the Different & Equal organization (3 juveniles, 2 of whom under 18 years and one 18 years old, and two adults, all females), and from data collected by IOM on the activity of the three mobile units of Vlora, Tirana and Elbasan between June 2013-April 2014. Additionally, data regarding the assistance provided to the beneficiaries in the period between December 2012 and August 2014 was collected also from three other organizations, including Vatra psychosocial centre, Different and Equal and Tjeter Vizion (Another Vision).

The early findings of the profile were presented and discussed in a workshop conducted in October 2014.
### List of acronyms

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<tr>
<th>Acronym</th>
<th>Description</th>
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<tr>
<td>ARSIS</td>
<td>Association for the Social Support of Youth</td>
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<td>D&amp;E</td>
<td>Different and Equal</td>
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<td>DoS</td>
<td>US Department of State</td>
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<td>IOM</td>
<td>International Organization for Migration</td>
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<td>NMR</td>
<td>National Referral Mechanism</td>
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<td>MoFA</td>
<td>Ministry of Foreign Affairs</td>
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<td>MoSWY</td>
<td>Ministry of Social Welfare and Youth</td>
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<td>MU</td>
<td>Mobile Units</td>
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<td>NATC</td>
<td>National Anti-trafficking Coordinator</td>
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<td>NCATS</td>
<td>National Coalition of Anti-trafficking Shelters</td>
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<td>NRCVT</td>
<td>National Reception Centre for Victims of Trafficking</td>
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<td>PVT</td>
<td>Potential Victims of Trafficking</td>
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<td>RA</td>
<td>Responsible Authority</td>
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<td>SIVET</td>
<td>Information System for the Victims of Trafficking</td>
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<td>SOP</td>
<td>Standard Operating Procedures</td>
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<td>SSS</td>
<td>State Social Service</td>
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<td>TV</td>
<td>Tjeter Vizion (Another Vision)</td>
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Acknowledgements

The International Organization for Migration (IOM) would like to acknowledge the contribution and support of all anti-trafficking stakeholders including: Ministry of Internal Affairs, specifically the Deputy Minister of Internal Affairs - National Anti-Trafficking Coordinator - and the Anti-Trafficking Unit staff, the Ministry of Social Welfare and Youth staff, State Social Services, International Organizations (IOs) and Non-Profit Organizations. Special thanks go to the Albanian National Coalition of Anti Trafficking Shelters and specifically to the directors and staff of the Psychosocial Center VATRA, Different & Equal, Tjeter Vision, and the National Reception Center for victims of trafficking, for assisting with the identification of the beneficiaries to be interviewed. We are thankful to the beneficiaries involved in this process, ten former victims of trafficking, who trusted us and shared with us their experience and challenges and provided their contributions on how to improve services and better serve beneficiaries.

The International Organization for Migration (IOM) would like to thank the Swiss Agency for Development and Cooperation for its financial support provided in the framework of the United Nations Programme Support to Social Inclusion Initiative in Albania.
1. Definitions

For the purposes of the profile, the report contains terms and definitions taken from the IOM Glossary of Migration, the Albanian and international legislation, and various other sources. Some of the most frequent terms used in the course of this report are as follows:

*Bonded Labour: Service rendered by a worker under condition of bondage arising from economic considerations, notably indebtedness through a loan or an advance. Where debt is the root cause of bondage, the implication is that the worker (or dependents or heirs) is tied to a particular creditor for a specified or unspecified period until the loan is repaid.

Child: Every individual born alive until 18 years of age. Where the age of the individual is not fully determined, but there are reasons to imply that the individual is a child, this individual shall be considered a child and benefit from this law until his/her age is fully determined.

*Child labour: Any work performed by a child which is detrimental to his/her health, education, physical, mental, spiritual, moral or social development.

*Consular protection: Consular functions aiming at helping nationals abroad, assisting in the protection of their rights and interests before local courts. In particular, protection extended to migrants arrested or committed to prison or custody pending trial or detained in any other manner; such migrants must be informed without delay of the right to communicate with consular authorities.

*Custody: Responsibility for the care and control of an individual. A court might assign custody of a minor to a relative or other guardian. A person who is detained by authorities is “in custody”.

*Detention: Restriction on freedom of movement, usually through enforced confinement, of an individual by government authorities. There are two types of detention. Criminal detention, having as a purpose punishment for the committed crime; and administrative detention, guaranteeing that another administrative measure (such as deportation or expulsion) can be implemented. In the majority of the countries, irregular migrants are subject to administrative detention, as they have violated immigration laws and regulations, which is not considered to be a crime. In many States, an alien may also be detained pending a decision on refugee status or on admission to or removal from the State.

*Guardian: One who has the legal authority and duty to care for another’s person or property, usually because of the other’s incapacity, disability, or status as a minor.

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1 Terms with asterisks have been taken from the IOM Glossary.
**Forced labour:** All work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.3

*Forced migration:* General term used to describe a migratory movement in which an element of coercion exists, including threats to life and livelihood, whether arising from natural or man-made causes (e.g. movements of refugees and internally displaced persons as well as people displaced by natural or environmental disasters, chemical or nuclear disasters, famine, or development projects).

**Health:** A state of complete physical, mental and social well-being and not merely the absence of disease or infirmity.

*Kidnapping:* Unlawful forcible abduction or detention of an individual or group of individuals, usually accomplished for the purpose of extorting economic or political benefit from the victim of the kidnapping or from a third party. Kidnapping is normally subject to the national criminal legislation of individual States; there are, however, certain kidnappings that fall under international law (e.g. piracy).

**Profile:** A demographic description and analysis typically involving age, gender, ethnicity, education, social class, religious affiliation, sexual orientation. It can be both a driver and outcome of social exclusion.4

*Refoulement:* The return by a State, in any manner whatsoever, of an individual to the territory of another State in which his/her life or liberty would be threatened, or s/he may be persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion; or would run the risk of torture. Refoulement includes any action having the effect of returning the individual to a State, including expulsion, deportation, extradition, rejection at the frontier (border), extraterritorial interception and physical return.

**Social exclusion:** A process whereby certain individuals are pushed to the edge of society and prevented from participating fully by virtue of their poverty, or lack of basic competencies and lifelong learning opportunities, or as a result of discrimination. This distances them from job, income and education and training opportunities, as well as social and community networks and activities. They have little access to power and decision-making bodies and thus often feel powerless and unable to take control over the decisions that affect their day to day lives.5

**Social inclusion:** a process which ensures that those at risk of poverty and social exclusion gain the opportunities and resources necessary to participate fully in economic, social and cultural life and to enjoy a standard of living and well-being that is considered normal in the society in which they live. It ensures that they have a greater participation in decision making which affects their lives and access to their fundamental rights.6

**Slavery:** The status or condition of a person over whom any or all the powers attaching to the right of ownership are exercised (Art. 1, Slavery Convention, 1926 as amended by 1953 Protocol). Slavery is identified by an element of ownership or control over another’s life, coercion and the restriction of movement and by the fact that someone is not free to leave or

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3 ILO, Forced Labour Convention No. 29, 1930, Article 2(1).
4 Recommendations for the Methodology for Establishing Social Exclusion Profiles of Populations At Risk In Albania”.
5 Ibid.
6 Definitions from the EC’s 2004 Joint Report on Social Inclusion.
to change employer (e.g. traditional chattel slavery, bonded labour, serfdom, forced labour and slavery for ritual or religious purposes).  

**Modern slavery:** Includes bonded labour, child slavery, early and forced marriages, forced labour, descent-born slavery and trafficking. 

**Trafficking in persons:** The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. 

**Trafficking of adults:** According to Article 110/a of the Criminal Code is: “The recruitment, transport, transfer, hiding or reception of persons through threat or the use of force or other forms of compulsion, kidnapping, fraud, abuse of office or taking advantage of social, physical or psychological condition or the giving or receipt of payments or benefits in order to get the consent of a person who controls another person, with the purpose of exploitation of prostitution of others or other forms of sexual exploitation, forced services or work, slavery or forms similar to slavery, putting to use or transplanting organs, as well as other forms of exploitation within and outside the territory of the Republic of Albania.”

**Trafficking of minors:** According to Article 128/b of the Criminal Code, trafficking of minors shall mean, “The recruitment, sale, transport, transfer, hiding or reception of minors with the purpose of exploitation for prostitution or other forms of sexual exploitation, forced services or work, slavery or forms similar to slavery, putting to use or transplanting organs, as well as other forms of exploitation.”

**Crime victims:** Persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that are in violation of criminal laws operative within Member States, including those laws proscribing criminal abuse of power. 

A person may be considered a victim, under this Declaration, regardless of whether the perpetrator is identified, apprehended, prosecuted or convicted and regardless of the familial relationship between the perpetrator and the victim. The term “victim” also includes, where appropriate, the immediate family or dependants of the direct victim and persons who have suffered harm in intervening to assist victims in distress or to prevent victimization.  

**Victims of abuse with power:** Persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial

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7 IOM, Handbook on direct assistance for victims of trafficking. 
8 Descent-based slavery describes a situation where people are either born into a slave class/ caste or from a ‘group’ viewed as being in slavery by other members of their society (Anti Slavery International). 
12 Amended by Article 31 of Law 144/2013. 
impairment of their fundamental rights, through acts or omissions that do not yet constitute violations of national criminal laws but of internationally recognized norms relating to human rights.14

**Victim of human trafficking:** An individual who is subject to human trafficking.15

**Vulnerable group:** Any group or sector of society that is at higher risk of being subjected to discriminatory practices, violence, natural or environmental disasters, or economic hardship, than other groups within the State; any group or sector of society (such as women, children or the elderly) that is at higher risk in periods of conflict and crisis.

**Worst forms of child labour:** All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and servitude and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict, the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances, the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties, work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.16

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14 Ibid.
16 ILO, Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, Article 3.
2. Vulnerable group and its identification

Limits and subdivisions of the vulnerable group

According to Law No. 9642 of 20.11.2006, “On the Ratification of the Council of Europe Convention on the Measures against Human Trafficking,” a victim of human trafficking is the individual who is subject to such kind of trafficking. Prior to the entry of this law into force, the definition of who would be deemed as trafficking victims or groups thereof derived or was implicit from the trafficking definition contained within the UN Protocol of the Convention on Organized Crime, Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power17, as well as in separate articles on the penalties applicable to the offence of trafficking, provided for in the Criminal Code of the Republic of Albania18. The articles in question keep describing the elements of the offence as inseparable from the punishments. Legal practitioners suggested the introduction in the Criminal Code of general descriptive paragraphs on the criminal offence of trafficking in persons, but that was left out of consideration in the last amendments made to the Code by Law 144/201319.

As of present, the Albanian legislation contains provisions on the trafficking of adults and of minors, thus providing for two subgroups, namely: adult victims and child victim.

With regard to the above subdivisions, there are two relevant articles provided by the Criminal Code:

**Article 110/a Trafficking of adults**

The recruitment, transport, transfer, hiding or reception of persons through threat or the


18 According to the Criminal Code of the Republic of Albania, (Article 1 and separation of criminal offences): “Criminal law defines the criminal acts, the sentencing and other measures taken against the persons who committed them”.

use of force or other forms of compulsion, kidnapping, fraud, abuse of office or taking advantage of social, physical or psychological condition or the giving or receipt of payments or benefits in order to get the consent of a person who controls another person, with the purpose of exploitation of prostitution of others or other forms of sexual exploitation, forced services or work, slavery or forms similar to slavery, putting to use or transplanting organs, as well as other forms of exploitation, within and beyond the territory of the Republic of Albania, shall be punishable by imprisonment from eight to fifteen years. If such offence is committed against an adult female, it shall be punishable by ten to fifteen years of imprisonment. The organization, management and financing of the trafficking of persons is punished with imprisonment of from seven to fifteen years and with a fine of from four million to six million Lek. When such offence is committed in collaboration, more than once, accompanied by maltreatment and making the victim to commit various actions through the use of physical or psychological violence, causing serious consequences to health or threatening his life, is punishable by imprisonment of no less than fifteen years. When the crime has brought about the death of the victim as a consequence, it is punished with imprisonment of no less than twenty years or with life imprisonment, as well as with a fine of from seven million to 10 million Lek.

When the criminal crime is committed through the utilization of a state function or public service, the punishment of imprisonment and the fines are increased by one fourth of the punishment given.

**Article 128/b Trafficking of minors**

The recruitment, sale, transport, transfer, hiding or reception of minors with the purpose of exploitation for prostitution or other forms of sexual exploitation, forced services or work, slavery or forms similar to slavery, putting to use or transplanting organs, as well as other forms of exploitation, shall be punishable by ten to twenty years of imprisonment. The organization, management and financing of the trafficking of minors is punished with imprisonment of from ten to twenty years. When this crime is committed in collaboration or more than once, or is accompanied by maltreatment and making (coercing) the victim to commit various actions through physical or psychological force, or brings serious consequences to health, it is punished with imprisonment of no less than fifteen years and with a fine of from six to eight million Lek. When the crime has brought about the death of the victim as a consequence it is punished with imprisonment of no less than twenty years or with life imprisonment, as well as with a fine of from eight to ten million Lek. When the criminal crime is committed through the utilization of a state function or public service, the punishment of imprisonment and the fines are increased by one fourth of the punishment given.

With the endorsement and formalization of the Standard Operating Procedures, a two-step system has been put in place for the identification of trafficking victims within the territory of the Republic of Albania, which is independent and unconditioned from the cooperation of the individual in capturing the crime perpetrators. The system consists of: 1. Initial identification/identification of potential victims and 2. Formal identification/potential victims of trafficking. Thus, the two identified subgroups are potential victims and trafficking victims.

“Initial identification is the entirety of the actions taken by the state and non-state institutions in the border and within the territory of the Republic of Albania, allowing the possibility to determine whether a minor or adult is a potential victim of human trafficking. These actions shall include, as a minimum: 1. Assessment of the situation of the individuals
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against the trafficking indicators; 2. Collection and analysis of the initial information on the individual’s trafficking process; 3. Information of the individual on their rights and the assistance available for the potential victims of trafficking and the victims of trafficking, and the ways how to approach such assistance; 4. Offering of the first assistance to bring the individual out of the exploitation network and ensure his/her rehabilitation in a safe environment as soon as possible; 5. Notification of the Responsible Group/Structure for Formal Identification (RG/SFI); and 6. Cooperation and coordination to ensure the ultimate rehabilitation and re-integration of the trafficked individuals.”

The SOPs provide a list of primary and secondary indicators that are supposed assist the employees of various state and non-state agencies to identify the potential victims of trafficking.

“The formal identification of the victims of trafficking at the border and within the territory of the Republic of Albania is the identification of an individual as a victim of trafficking exclusively by the Responsible Group/Structure for Formal Identification (RG/SFI), based on the template of the formal interview included in this document (SOP Document). The formal identification shall obtain as a minimum: 1. Determine whether the individual is a trafficking victim, through the collection and analysis of the information provided by the individual him/herself; 2. In-depth assessment of the needs for assistance and protection of the individual who is victim of trafficking; 3. Issuance of instructions and ensuring the access of the trafficked person to an adequate and safe assistance; 4. Collection of information and beginning of investigations towards the punishment of traffickers. The formal interview, along with all the actions taken to determine the status of the individual in relation to trafficking, shall be conducted as soon as it may be possible, following the detection of the individuals as a potential victim of human trafficking. Such formal interview shall be separate in time from the reporting. Even in that case where the individual wants to file a report, in no way shall the formal interview interrupted in order to record the reporting, but another time is set for such purpose.

The formal interview shall be conducted in any case in the premises used for police interviewing at the Unit for the Fight of Illicit Trafficking (SLKTP) and all the required arrangements, including the notification of the state social worker, shall be under the responsibility SLKTP police officer. The templates made available in the SOPs include the interview and the conditions for the conduct of the formal interview/granting of the status of “victim of trafficking”.

Again, the SOPs provide another division of the group that has to do with the victims identified within the territory (foreign and Albanian) and the Albanian victims outside the territory. The responsibility for the formal identification outside the territory of the Republic of Albania lies with the RA employees from the Ministry of Foreign Affairs. The latter, in addition to waiting for information from the destination country agencies and organizations that have knowledge of Albanian citizens identified as victims of trafficking in the host country who are in need assistance from the Albanian authorities, should collect information proactively, by addressing “regular requests for information to the responsible authorities for the identification and protection of victims in the host countries,” and update the contact list with authorities responsible for the identification in the countries of destination.

20 Standard Operating Procedures.
21 In line with the principles stated by the SOPs: The assistance and protection of trafficked persons shall not be conditioned by their collaboration with justice and the identification of the victims of trafficking shall take place not as a purpose in itself, but rather to help and protect them.
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Information sources on the group size and characteristics

Albania has a relatively early, systematic and continuously expanding practice of collecting information on the victims and the efforts made towards their safe identification, rehabilitation and re-integration, including, in some cases, the punishment of traffickers. Such practice includes reports issued by the National Anti-trafficking Coordinator (NATC) and the Anti-trafficking Unit on the implementation of the anti-trafficking strategies and action plans, and also annual or thematic reports, with particular focus on the identification and protection of the victims of trafficking, as well as by the National Coalition of Anti-trafficking Shelters (NCATS) and other coalition members, such as Vatra, Different and Equals.

The cross-cutting strategy on the fight against organized crime states that one of the noted achievements is unification during 2008 of the number of the victims of trafficking and potential victims of trafficking reported by the state and non-state institutions. According to the strategy in question, a re-programming of the database on victims of trafficking has been carried out, leading to the generation of a more comprehensive and updated database of collecting and analysing information from the initial identification of the victim/potential victim of trafficking until his/her full re-integration. Currently, in the programme, known also as the Information System for the Victims of Trafficking (SIVET), continues the data entry from the users, under the supervision of the Anti-trafficking Unit, which monitors the operation of the system and uses the data generated thereby.

According to the information obtained by interviews, enhancement of the database of the victims of trafficking, SIVET, and the assignment of specific responsibilities within the RA in terms of data entry is expected to lead to a significant boost not only of the cooperation among stakeholders in charge of the identification, referral and protection, but also of the speed, quality and availability of information on the state of anti-trafficking efforts.

The reports issued by the US Department of State, the Group of Experts on Action against Trafficking in Human Beings (GRETA), and other reports from international organizations, such as UNODC, OSCE, Anti-slavery International, etc., constitute an important source for the information on and verification of the situation in the country and in relation to other countries.

In 2012, with the IOM support, NCATS members prepared a report that offered a detailed profile of the trafficking victims and a picture of the support provided, leading, as result, to the establishment of a database on victims. Unfortunately, though, the report stopped being produced as anticipated, due to scarce funds and the prioritization of assistance.


23 The D&E reports are downloaded at www.differentandequal.org, whereas the reports of Vatra at www.qendravatra.org.al


25 This is expected also to reduce the overload of reports that service providers are due to write for central and local authorities.

26 See http://www.state.gov/documents/organization/226845.pdf
Group size

The US Department of State informed that the number of reported victims by the government was 25 in 2006, 20 in 2007\textsuperscript{27}, 108 in 2008, 94 in 2009, 97 in 2010, 84 in 2011, 92 in 2012 and 95 in 2013. It is evident from these figures that the number of identified trafficking victims has been 90 each year for the last five years.

Number of victims 2006-2013, according to DoS

The above presents the figures of victim identification in the country. Records collected so far indicate that the efforts of the RA at the Ministry of Foreign Affairs have been focusing on the capacity-building of the diplomatic representation employees, rather than on the identification of the Albanian victims abroad/in destination countries, as per the SOPs.\textsuperscript{28}

It is difficult under such circumstances to have an exact number of the victims of trafficking abroad, and we can but only create an idea around it. According to the UK National Crime Agency REPORT\textsuperscript{29}, in the period between April and June 2014, the National Referral Mechanism (NRM) in the country signalled 506 cases of referral for individuals (children and adults) coming from 60 different countries of origin. As of 1 October 2014, Albania

\textsuperscript{27} According to the 2007 report by DoS, the government identified as victims of trafficking only those who had identified themselves as such. During the same year, a number of 146 victims of trafficking were reported by the NGOs.

\textsuperscript{28} The present steps towards RA expansion and coordination are expected to intensify efforts for the implementation of this obligation.

was ranked on top of these countries of origin, with 93 cases of adults referred to NRM\textsuperscript{30}, followed by Nigeria with 55 cases. Meanwhile, even the referred cases involving minors were at a higher number compared to the other countries of origin, with 26. Equally so, Albania came first, with 85 cases\textsuperscript{31}, in the list of those countries whose individuals had gone through the initial identification stage, following a “positive reasonable grounds decision\textsuperscript{32}” and were being considered for the final decision. Of the 85 cases, 4 had already received a positive final decision on their status as victims of trafficking, 13 others had received a negative verdict, while 66 cases were pending a decision.

Media is another tool that can provide us with an idea in terms of the group size. Hence, the Italian media reported: “In our night outings (twice a week in 2013, Caritas employees and volunteers met with 292 females, one fifth of what is thought as the number of those who are out in the streets of Milan and the province. Places of stay are the same and unchanged: Milan ring road, the streets with the highest rate of vehicle movement that lead to the province. Every direct measure to counter such phenomenon has been useless: prostitution that has never disappeared has become even more evident. Identical is even the geography of the countries of origin. It is confirmed that Romanians hold the majority (60%), followed by the Nigerians (15%) and the Albanians (12%), whose presence has increased following a reduction in the last years (in 2011, the number had fallen to 6.5 %.). Such increase in number and, particularly, their substitution (72 % of the girls met in 2013 are not the same with those of the last year) make us assume that there is a strong return of the criminal organizations in Tirana and Vlora.\textsuperscript{33}

Finally, a way to understand the dimensions of the phenomenon or the size of the vulnerable group is the review of information and statistics on modern slavery (the trafficking in persons is at times referred to as a form of “modern slavery” and other times as an umbrella notion for other forms of slavery). According to DoS, Over the past 15 years, “trafficking in persons” and “human trafficking” have been used as umbrella terms for activities involved when someone obtains or holds a person in compelled service. Anti-Slavery International states that there are certain features that distinguish slavery from the other human rights violations. However, only one needs to be present for slavery to exist, that is someone is forced to work through mental or physical threat or be owned or controlled by an “employer”, usually through mental or physical abuse or the threat of abuse, or be dehumanised, treated as a commodity or bought and sold as “property”, or be physically constrained or have restrictions placed on his/her freedom of movement. Further, according to the same agency, the present forms of slavery include bonded labour, child slavery, early and forced marriage, forced labour, descent-based slavery, and trafficking. Many forms of slavery involve more than one element or form listed above. For example, trafficking often involves an advance payment for the trip and organizing a promised job abroad which is borrowed from the traffickers. Once at the destination, the debt incurred serves as an element of controlling the victims as they are told they cannot leave the job until the debt is

\begin{itemize}
  \item \textsuperscript{30} According to the Agency, referral to NRM are not to measure trafficking in United Kingdom, but show the number of individuals who are referred as potential victims of trafficking from agencies considered as the “first to respond” in the list of Supervising board of the NRM. Individuals potential victims are referred to one of the following: Visa and Immigration Department of the Ministry of Internal Affairs of the United Kingdom or the Centre against Trafficking of Human Beings in the National Crimes Agency.
  \item \textsuperscript{31} Positive conclusion: “More possible for yes than no…”
  \item \textsuperscript{32} It means that within 5 days from the referral it comes to the conclusion “Doubting, but cannot prove … “.
\end{itemize}

La “mappa del sesso”: le prostitute sono più di 1.500, boom delle albanesi, http://www.ilgiorno.it/milano/cronaca/2014/06/19/1080697-prostitute.html
paid off. The Walk Free Foundation Global Slavery Indicator offers a chance to determine the position of states vis-a-vis modern slavery and trafficking as part thereof. Thus, it reports that Albania counts 10,000 persons under modern slavery, a number equal to 0.36 per cent of the population. According to the Global Slavery Index, the extent of risk from modern slavery to which individuals of a country are exposed is determined by a) what policies does the state pursue to fight modern slavery, b) to what degree are the citizen’s human rights safeguarded, c) the extent of the country’s social and economic development, d) stability in the country or lack thereof, d) the extent of women discrimination in the country. In the 2013 ranking, Albania results to be the first in Europe concerning the risk from modern slavery.

Coordination of identification and referral of victims of trafficking

The main tool for coordination and identification in Albania is the National Referral Mechanism (NRM). NRM was established by the Agreement for Cooperation and Improvement of Identification and Assistance for the Victims of Trafficking, of 18 July 2005. Until the end of 2011, the signatories of the agreement included the State Police General Directorate, Ministry of Labour, Social Affairs and Equal Opportunities/State Social Service, Tjeter Vizion in Elbasan, Different and Equal in Tirana, Vatra in Vlorë, ARSIS and the IOM Mission in Tirana. In 2012, NRM was renewed and broadened its scope, counting other signatory parties, such as the Ministry of Social Welfare and Youth, Ministry of Internal Affairs, Ministry of Education and Sports, Ministry of Health, General Prosecutor’s Office, IOM, World Vision, Vatra Psychosocial Centre, Different & Equal, Tjeter Vizion and ARSIS.

The Council of Minister’s Decision No. 582 of 27.07.2011 endorsed the Standard Operating Procedures for the Identification and Referral of the victims/potential victims of trafficking. The SOPs determine in details the modality and responsibilities for the identification and referral of the victims of trafficking.

Upon a joint instruction of the Ministries of Internal Affairs, Education and Sports, Foreign Affairs, Health and Social Welfare and Youth, the authority in charge of the identification, referral, protection and re-integration of the victims/potential victims of trafficking is the Anti-trafficking Unit at the Ministry of Internal Affairs and will be expanded with 9 members, one of which from NCATS.

The documentary review shows that continues efforts of coordination and cooperation with other countries/countries of destinations have been in place with regard to the identification and assistance provided to victims of trafficking and that has been stepped up over the last year. They include the following:


• June 2012 – Signatory of the Additional Protocol of Cooperation with the same scope with Kosovo, with particular focus on children;

• 4 December 2014 – Signatory in London of the Memorandum of Understanding with the United Kingdom, “Intensifying cooperation in the fight against trafficking in human beings and on the enhanced identification, notification, referral and voluntary assisted return of victims/potential victims of trafficking in human beings”;

• 8 December 2014 – Signatory of the Additional Protocol with Montenegro, on “Intensifying cooperation in the fight against trafficking in human beings and on the enhanced identification, notification, referral and voluntary assisted return of victims/potential victims of trafficking in human beings.”

Recent initiatives boosting efforts to identify victims of human trafficking and focus on a proactive approach.
Among the efforts to improve the initial identification of potential victims was the establishment of three mobile units in Tirana, Vlora and Elbasan, which enhanced or stepped up relations with those organizations which are in touch with individuals who may be victims of trafficking. Thus, Different and Equal in Tirana concluded agreements with SHKEJ, ARSIS, SHKBSH, Municipality Unit 9, and Municipality Unit 4, Regional Directory of State Police, NCCS, FBSH, Mission Possible, World Vision, SOS Foundation, TLAS. In Elbasan, Tjeter Vizion concluded agreements with the municipality, Romano Sevi, NDF-në, Ndihmë për Ballkanin, Terre des Homes, Child protection unit, World Vizion, Education Directorate. In Vlora, Vatra concluded agreements with Directorate of Economic Aid and Social Services, Municipality of Vlore, CPU-Vlore, Regional Directorate of Employment-Vlore, “Aulona” Centre-Vlore, Police Directorate of Vlora District, Vlora Youth Centre.

Reports by international institutions affirm that the establishment of mobile units led to an increased number of identified victims and potential victims.39

On 16 June 2014, the National Anti-trafficking Coordinator, with the support of USAID-IT World Vision dhe Vodafone Albania Foundation, launched the national helpline 116 006 and the application, “Report! Save!”. Through this initiative, the public is offered a quick and simple way to report cases of trafficking or suspected cases of trafficking. The citizens can send an anonymous short message that will immediately and simultaneously reach 6 different public officials, who are members of the Responsible Authority for the Identification, Referral and Protection of the Victims/Potential Victims of Trafficking or they can call the number 116006 free of charge.40

In the meantime, an agreement was signed on 21 October 2014 between the National Anti-trafficking Coordinator, the Director General of SLI and the Director General of State Police, “On the procedures of cooperation for the identification of forced labour cases and trafficking for labour exploitation cases.” According to the Deputy Minister of Interior, Elona Gjebrea, establishment of a joint working group involving the above institutions will enable the identification of the cases of domestic trafficking.41

Identifying actors and identification challenges

From the police records obtained by UNODC, the trafficking cases for 2010 were 37, for 2011 were 23, for 2012, 30 and for 2013 they were 51.42

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By comparing these data with those presented by DoS\textsuperscript{43}, we can come up with a chart on the ratio of identification figures by the police and other stakeholders, which clearly speaks in favour of an enhanced identification by the policee.

![Chart showing ratio of identification figures by the police and other stakeholders]

Even in the group of the respondents for this profile, the majority has been identified by the Albanian police. The way how the interviewed individuals have come to contact with the police is stated in details below:

1. E. (M) \textit{He returned himself to Albania from Kosovo and was identified by the police;}
2. V. (F) Identified by the police;
3. R (F) Identified by the police;
4. A. (M) Identified by the organizations who have put him in contact with the mobile unit;
5. V. (F) She went to the police herself;
6. T. (F) The police happened to be nearby at the moment of physical violence;
7. A (F) Found by the police after father’s request;
8. Ve. (F) Has gone to the police herself;
9. Mm( F) Found by the police after mother’s request;
10. Me( F) Found by the police after mother’s request;

It can be easily affirmed from this group that the police has been the main identification actor, in three cases set into motion by parents’ request to find the children who had left home. According to the interviews with anti-trafficking police employees, it results that the police is highly sensitive and responds rapidly to the reported cases of children missing from home, considering them as a category at risk of being trafficked.

The information coming from Tjeter Vizion speaks of cases that were referred by other different organizations, as well as the public health institution, but the highest rate of referrals over the last two years come from the state police and the state social service.\textsuperscript{44}

\textsuperscript{43} See above, 97 in 2010, 84 in 2011, 92 in 2012, and 95 in 2013.

\textsuperscript{44} IOM, Final project implementation report.
Actors involved in identification become evident when looking at the sources of referral to assistance. The following table provides a list of referral sources for the victims of trafficking assisted by Different and Equal over the period between 1 December 2012 and 31 August 2014, with the IOM support, as part of this project:

<table>
<thead>
<tr>
<th>Sources of referral to D&amp;E</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Serious Crimes Prosecutor’s Office</td>
<td>3</td>
</tr>
<tr>
<td>State Police General Directorate</td>
<td>7</td>
</tr>
<tr>
<td>Tirana Regional Police Directorate</td>
<td>2</td>
</tr>
<tr>
<td>Korça Regional Police Directorate</td>
<td>1</td>
</tr>
<tr>
<td>Berat Regional Police Directorate</td>
<td>3</td>
</tr>
<tr>
<td>Durres Regional Police Directorate</td>
<td>1</td>
</tr>
<tr>
<td>Police Directorate and Regional State Social Service Office in Durres Region</td>
<td>2</td>
</tr>
<tr>
<td>Dibra Regional Police Directorate</td>
<td>1</td>
</tr>
<tr>
<td>Police Directorate and Regional State Social Service Office in Kukes region</td>
<td>1</td>
</tr>
<tr>
<td>Tirana Police Station No. 2</td>
<td>1</td>
</tr>
<tr>
<td>Tirana Police Station No. 3</td>
<td>1</td>
</tr>
<tr>
<td>Tirana Police Station No. 4</td>
<td>1</td>
</tr>
<tr>
<td>State Social Service</td>
<td>3</td>
</tr>
<tr>
<td>Regional State Social Service Office in Lezha Region</td>
<td>3</td>
</tr>
<tr>
<td>Gjirokastra Municipality</td>
<td>1</td>
</tr>
<tr>
<td>National Centre for the Reception of Trafficking Victims</td>
<td>4</td>
</tr>
<tr>
<td>Vatra Psychosocial Centre</td>
<td>2</td>
</tr>
<tr>
<td>Tjeter Vizion Association</td>
<td>2</td>
</tr>
<tr>
<td>ARSIS</td>
<td>10</td>
</tr>
<tr>
<td>Terre des Hommes</td>
<td>1</td>
</tr>
<tr>
<td>IOM Tirana</td>
<td>2</td>
</tr>
<tr>
<td>Tirana Mobile Unit</td>
<td>4</td>
</tr>
<tr>
<td>National Shelter for Violated Women</td>
<td>3</td>
</tr>
<tr>
<td>Women Forum, Elbasan</td>
<td>1</td>
</tr>
<tr>
<td>LGBT Alliance</td>
<td>1</td>
</tr>
<tr>
<td>Global Care Organisation, Bathore</td>
<td>1</td>
</tr>
<tr>
<td>Human Rights in Democracy Organisation</td>
<td>1</td>
</tr>
<tr>
<td>Women Counselling Centre, Service for victims of trafficking, in Dusseldorf, Germany and Rinas Police Directorate</td>
<td>1</td>
</tr>
<tr>
<td>Befrienders, London, UK and Rinas Police</td>
<td>1</td>
</tr>
<tr>
<td>Sisters of our Lady of Charity, Redcote Convent, United Kingdom</td>
<td>1</td>
</tr>
<tr>
<td>SOLWODI (Solidarity with Women in Distress), based in Germany</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>67</td>
</tr>
</tbody>
</table>

45 Ibid.
Considering the importance of police in identification, the first action of the organizations which took over to establish the mobile units was the conclusion of cooperation agreements with the police directorates in the regions of Tirana, Elbasan and Vlora, as well as the development of a detailed communication and intervention plan for the identified individuals. The above organizations report that, anytime they receive identification records from Mobile Units, the latter affirm that identification has been carried out in cooperation with the police.\textsuperscript{46}

The SOPs enlist a considerable number of agencies responsible for the initial identification, including shelters for victims of trafficking, social care centres for people in need, organizations delivering programmes of assistance for vulnerable people, the regional social service offices, state police structures, the labour inspectorate, employment offices, regional education directorates/offices, regional health directorates, child protection units.

The evaluation carried out at the conclusion of the project, “Boosting Albania’s efforts towards an effective and sustainable response on human trafficking,” implemented by IOM in partnership with the National Anti-trafficking Coalition and the Office of the National Anti-trafficking Coordinator, funded by the Office to Monitor and Combat Trafficking in Persons, found that although efforts have been made to build the capacities of the health employees and tour operators in terms of the identification of the trafficking victims, there are no cases referred by them yet.\textsuperscript{47}

According to the profile informations from the service providers, the challenges of identification stem from the failure to know the SOPs and to recognize or acknowledge the trafficking phenomenon.

A series of different activities have been carried out over the last two years in function of the identification capacity building of various organizations through training and work in common. One of the mobile unit workers describes the importance of identification as below:

“The cooperation of the mobile unit with the field agencies (organizations, social administrators or CPUs) encouraged another practice that was related to identification and interviewing. It frequently occurred that, following the capacity building meetings in organizations, reports were received by the workers of collaborating agencies on cases of potential victims of trafficking. Further, a meeting and an interview was conducted with the case together with the worker. The approach had two positive aspects: first, it was easier for the case to talk about the situation, since he/she got to know the worker and build trust and, second, the identification capacities of the worker were strengthened, ensuring sustainability of identification in the area, even after the Mobile Unit did not operate in the area.”

From the description of the identification steps described above, we can see that the responsible structure for the formal identification and assignment of the status of “victim” is a structured composed at least by two persons, one of whom from the police, the sector of fight against illicit trafficking and one from the social state service office in the region where the victim of trafficking is located. The primary aim of the formal interview is to conduct an in-depth assessment of the needs the victim has for assistance and support. In practice we observe that such “status” can be “assigned” by the prosecutor’s office as well.

\textsuperscript{46} Consultative meeting for the profile findings, date 22.10.2014.

\textsuperscript{47} Evaluation project report.
Thus, a report of D&E for 2013 states that: “Seven cases referred by the Serious Crimes Prosecution and the General Directorate of Police have been received the status of “victims of trafficking” directly by the prosecutors, who referred them to D&E to receive services and are actually prosecuting their cases.” The criminal offence perpetrated constitutes grounds for the prosecutors to carry out the identification, with the ultimate aim of punishing the traffickers. “There are certain principles that have to be considered during the identification. … The interviewing technique aims to find details that lead to detecting lies and to the increased credibility of statement before the court.” One of the service provider workers reports as follows:

“The identification practice followed by the prosecution is positive. It is great that the victims are willing to cooperate and address prosecution directly. This is a move that should be encouraged and introduced in the system, so that the victims are not subjected to the formal interview twice. One thing to ensure is that the communication between the prosecution and the victim and the latter’s referral to the services of assistance is done properly. … Many have been the cases where the victims have been kept for a long time, often, by being subjected to long sessions of questions until the prosecutor has been convinced that the individual is telling the truth and is indeed a victim of trafficking. In some cases, the victims have left the assistance, being annoyed by the situation. There also cases in which the victims themselves have been punished.”

Practical difficulties of law enforcement officers in understanding and interpreting elements of the criminal offence of trafficking have been noticed by legal experts and suggestions have been made for them to be reviewed, in order to clarify the interpretation of certain terms, such as “hiding”, “deception”, “taking advantage of the social situation”, “exploitation or transplanting of organs”, etc.

According to a survey conducted by IOM during 2013-2014, around 38 per cent of respondents reported that the type and quality of assistance deters some people from coming forward.

One of the challenges in terms of the identification is also the reluctance of the victim him/herself to be identified. Police employees report cases in which the victim does not admit do have been trafficked.

According to the State Department, trafficking for purposes other than sexual or forced labour exploitation has increased and some of its forms like child trafficking for armed fight, low criminal activity or forced begging, can be a rather sensitive issue in some areas, although, from the global perspective, this is a limited problem.

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49 IOM & the School of Magistrates http://www.albania.iom.int/publications/research/School%20of%20Magistrate%20study%20on%20issues-ALB.pdf
50 See for more information the GRETA report, paragraphs 48 – 52. Disambiguation of the terms and notions used in the Criminal Code would help us to standardize the exact term to be used on the phenomenon itself. That is a problem that stems also from difficulties in the translation and understanding of such terms, such as: human trafficking, trafficking in persons, trafficking of people, etc.
51 Sandër Simoni, IOM & the School of Magistrates http://www.albania.iom.int/publications/research/School%20of%20Magistrate%20study%20on%20issues-ALB.pdf
A study conducted by Anti-Slavery\textsuperscript{54} indicates that, in Europe, the trafficked individuals are exploited for criminal activities such as theft (including pick-pocketing, ATM theft and shop-lifting), benefit fraud, cannabis cultivation, drug trafficking/smuggling, counterfeit goods production (such as DVDs and cigarettes), illegal charity bag collection, begging (criminalized in certain jurisdictions such as Romania and Bulgaria), sham marriage, illegal adoption, metal theft, methamphetamine (Crystal meth) production. The study finds that, regardless of the European Directive into force and the fight against human trafficking\textsuperscript{55}, there is a dearth of research and awareness about this type of exploitation, with very few cases reported in official statistics and many victims misidentified as offenders. The cases under review confirm the difficulties faced in the identification of this type of exploitation. Two of the minor respondents, a male and a female, were exploited for theft\textsuperscript{56} and, in both cases, they have been identified and punished as perpetrators. One of the cases says:

\begin{center}
\textit{“I did not report, I didn’t want to be called a spy. I’d better suffer punishment ...”}
\end{center}

Further, even in other cases of trafficking for purposes of forced begging, reports indicate that perpetrators are hardly identifiable, due to the reluctance of the children to admit they are being exploited by their parents. One of the interviewed cases, (E) a male identified in Albania as a victim of trafficking says about the reaction of the police in Kosovo UNSC resolution 1244-administered Kosovo\textsuperscript{57}:

\begin{center}
\textit{“We all begged, girls and boys. The police did nothing. They saw us and told us to go home (E)”}
\end{center}

Respondents state that there are difficulties in identifying trafficked male adults. According to the researcher Ruth Rosenberg, all signs indicate that the scope of the problem of trafficking of adult men could be far larger than current data indicate. There are many reasons for the underreporting of the number of adult male victims of trafficking. The main reason is that victims are never identified, but rather are treated as irregular migrants and deported without their cases being investigated. The second is that gender biases result in men not being identified as having been trafficked, even when they are in the same circumstances as women who are identified as having been trafficked. Another reason for the failure to identify trafficked men is that the profile of trafficked persons is based on known victims, which to date have been primarily women trafficked for prostitution. This leads to an assumption that trafficking is mainly of women for the purpose of prostitution, and therefore that is the profile which authorities look for when they look for trafficking\textsuperscript{58}.

\textsuperscript{54} Anti-Slavery, Trafficking for Forced Criminal Activities and Begging in Europe Exploratory Study and Good Practice Examples, http://www.antislavery.org/includes/documents/cm_docs/2014/r/race_europe_report.pdf
\textsuperscript{56} One for theft and begging.
\textsuperscript{57} Hereinafter referred to as Kosovo/UNSC 1244.
\textsuperscript{58} Ruth Rosenberg, Trafficking of Adult Men in the Europe and Eurasia Region, July 2010; Report was produced for the Social Transition Team, Office of Democracy, Governance and Social Transition of the United States Agency for International Development (USAID/E&E/DGST) by Creative Associates International, Inc. and the Aguirre Division of JBS International, Inc. It was prepared under ABE Contract EDH-I-01-05-00029-00.
In one of the UNODC analysis of trafficking, it is highlighted that it is important to take into consideration that official statistics may over-represent incidents that are more easily detected by the criminal justice systems and that sexual exploitation is easier to detect than other forms of exploitation, being that for many years it has been at the centre of public awareness and legislation. As of last year, the Criminal Code contained a special article on women trafficking:

“There were examples given of victims who were viewed first as undocumented, or illegal, immigrants and treated as criminals and subjected to deportation hearings. In other cases, victims were viewed first as prostitutes and charged with solicitation and placed in jail or detention (even in cases involving minors). These cases serve to reinforce the message of traffickers that the victims will be treated as criminals if they come to the attention of authorities, buttresses the perception of victims that they are to blame, and enhances the power and control of traffickers over their victims.”

Finally, challenges emerging in the efforts for identification are also result of an unclear description by SOPs of the immediate police intervention, in the case where other responsible agencies for initial identification cannot intervene to take the person out of the situation of exploitation.


3. Profile before and after trafficking

Age

According to UNODC, since it started to collect information on the age profile of detected trafficking victims, the share of children among the detected victims has been increasing. Globally, children now comprise nearly one third of all detected trafficking victims. Out of every three child victims, two are girls and one is a boy.\textsuperscript{61}

In the group of respondents for this profile, the age of trafficking ranges from 5 to 25 years old. However, the majority are under 18 years of age (7 out of 10)\textsuperscript{62}. Even from Tirana Mobile Unit practice has been noticed that minors are those affected in particular by trafficking. Of 30 identified cases in the period between June 2013 and October 2014, 14 are children. What the MU has found in the course of its work for identifications is that, although the cases may have been identified in an adult age, yet the process of trafficking has started at a minor age (between 14–17 years old).

\textsuperscript{61} UNODC, Global Report on Trafficking in Persons 2014 (United Nations publication, Sales No.E.14.V.10).

\textsuperscript{62} E. (M) 8 and a half years old, V. (F) 15 years old, R (F) 5 years old, A. (M) 13 years old, V. (F) 22 years old, T. (F) 25 years old, A (F) 19 years old, V. (F) 17 years old, M (F) 19 years old, M (F) 15 years old.
According to the Mobile Unit workers, the longer the exploitation period is, the more difficult becomes the process of accepting help by the victim and even harder is the re-interation course. As a result, we are faced with the indispensability of early identification by the field operating structures working for MUs or Child Protection Units.

The following chart gives the age and duration of trafficking for each case:

Ethnicity

Of the 10 interviewed cases, three come from the minorities: E – both parents are Roma, V – parents of Egyptian minority, R - Egyptian.
Type of exploitation

Figures over the last two years in Albania show an increased rate of identification for cases of labour exploitation. TIP reports that in 2013, 21 of 95 identified victims had been trafficked for labour purposes, whereas the previous year, 2012, of 92 identified victims, only two had been trafficked for labour purposes.

Different & Equal reported in 2013 that 62 per cent of the cases had been subject to sexual exploitation, 16 per cent to forced labour and 13 per cent to begging, 6 per cent to forced marriage and 3 per cent për veprimtari kriminale.

Reports by TV last year speak of 71.4 per cent of victims being sexually exploited, whereas 77.7 per cent of the children were exploited for purposes of labour, begging and drug smuggling.

The above percentages are similar with those found from the group of respondents and the MU cases for the period between June 2013 and April 2014 under review for this profile. The following charts illustrate the findings from the group of respondents, the group of cases identified by the three mobile units.
Organization of traffickers and income from exploitation.

According to UNODC (2009), no matter the reasons, statistics indicate that the ratio of women sentenced for the offence of trafficking is higher than for other offences.63

Additionally, UNODC reports that Criminals committing trafficking in persons offences can act alone, with a partner or in different types of groups and networks. Human trafficking can be easily conducted by single individuals with a limited organization in place. This is particularly true if the crime involves only a few victims who are exploited locally. But trafficking operations can also be complex and involve many offenders, which is often the case for transregional trafficking flows.64.

In the cases under review for the profile, we have noticed several types of exploiters of labour or forced services exacted on the victim, with the “boyfriends” or “husbands” heading the list. Although it cannot be firmly said that the parents, the fiancées or husbands have acted alone, in three cases we have an “organization” of the traffickers. The following table provides information on the individuals who mainly take advantage of the exploitation for each interviewed case and the times in which the information has been provided, as well as for other people exploited by the same individuals.

<table>
<thead>
<tr>
<th>Interviewed case</th>
<th>Individual taking direct intentional advantage/exploiter</th>
<th>Other individuals exploited by the same person/network</th>
</tr>
</thead>
<tbody>
<tr>
<td>E. Male</td>
<td>Parents (father, stepmother)</td>
<td>Other family children</td>
</tr>
<tr>
<td>V. Female</td>
<td>Different (hotel owners, taxi drivers)</td>
<td>Other minor girls</td>
</tr>
<tr>
<td>.R. Female</td>
<td>Mother</td>
<td>Other children of the family</td>
</tr>
<tr>
<td>A. Male</td>
<td>Adults in the neighbourhood</td>
<td>Other neighbourhood children</td>
</tr>
<tr>
<td>V. Female</td>
<td>Boyfriend</td>
<td></td>
</tr>
<tr>
<td>T. Female</td>
<td>Fiancée</td>
<td></td>
</tr>
<tr>
<td>V. Female</td>
<td>Husband</td>
<td></td>
</tr>
<tr>
<td>A. Female</td>
<td>Different, hotel owners, bar owners</td>
<td>Sister</td>
</tr>
<tr>
<td>M. Female</td>
<td>Fiancée</td>
<td></td>
</tr>
<tr>
<td>M. Female</td>
<td>Different, hotel owners, bar owners</td>
<td>Female friend</td>
</tr>
</tbody>
</table>

The way how income from exploitation was collected and used is different for different cases:

“Sometimes, when it was cold outside, the other children stayed at home and only my older sister and I went to beg. Dad told us how much money we had to make. During summer he asked for 50, whereas in the winter for Euro 20. When I did not make any money, I was afraid to turn home and slept in bars or at a friend’s house. Dad came and found me at the bus station and whipped me with a belt. (E., 14 years old).

I started work as a waitress and, then, as a dancer. I used to make 50 thousand Lek, 60 thousand a day as a dancer. I paid for food, clothes and the rent. The two girls who were with me, one worked with clients, while the other did not work. We helped her. (V., 17 years old)

Over the last two years, the trafficked persons have come here having no money, except for some jewellery.” (service provider)

Countries of exploitation

There were many children in Kosovo. I don’t know, there were probably around 100, from Elbasan, Fier.” (E.)

The United States government considers trafficking in persons to include all of the criminal conduct involved in forced labor and sex trafficking, essentially the conduct involved in reducing or holding someone in compelled service. Under the Trafficking Victims Protection Act as amended (TVPA) and consistent with the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol), individuals may be trafficking victims regardless of whether they once consented, participated in a crime as a direct result of being trafficked, were transported into the exploitative situation, or were simply born into a state of servitude. Despite a term that seems to connote movement, at the heart of the phenomenon of trafficking in persons are the many forms of enslavement, not the activities involved in international transportation.65

According to the analysis the UNODC makes on the trafficking in Europe in the years between 2005 and 2007, victims from Western Balkans were spotted in four or five West and Central European Countries. During the same period, a limited number of Albanian victims were detected in 9 European countries.66

Until one year ago, internal trafficking had not been stipulated by law. Following its amendment by the Law 144/2013, “On some amendments and additions to the Law No. 7895 of 27.1.1995, “The Criminal Code of the Republic of Albania,” amended, the system recognizes the in-country movement as an element of trafficking.

According to the report of the National Anti-trafficking Coordinator for 2013, the main countries of destination included Greece, Italy, Yugoslav Republic of Macedonia Kosovo UNSC resolution 1244-administered Kosovo and other EU countries, mainly, Belgium, the Netherlands, Germany, Switzerland and Great Britain.67

Five of the cases under review had as country of exploitation/destination: Serbia (B.), Greece and Albania (F.), Albania and Greece (E.), Albania (R.), Albania (S.). Of the total of 10 respondents, 6 were exploited in Albania and 4 in Albania and abroad, in Greece, Great Britain, Kosovo.

65 http://www.state.gov/j/tip/what/
The following chart provides the countries of exploitation for the interviewed cases.

**Country of exploitation**

- **Exploited in Albania**: 7
- **Exploited abroad/also abroad**: 8

**Methods of reducing and keeping under exploitation**

The NCATS report indicates poverty and economic hardships as the main causes of trafficking (34.18 per cent consider this as a cause), followed by the bad family relations, including the domestic violence (31.65 per cent), the divorce and separation of parents (12.66 per cent) and the death of parents or of a family member (7.59), as well as feeling without support (7.59 per cent).

According to the respondents, the main recruitment and control methods are frauds and promises for marriage. For five of the cases of the adult respondents (this dimension is irrelevant for the adults), the ways of recruitment have been: V., fraud and threats for their life and that of their children; T., exploitation of the parental authority and of the mentality, isolation and physical violence; A., exploitation of the situation and the extreme violence from the family and extreme domestic violence; M., marriage deception. One of the minor respondents recounts also of violent forms of recruitment:

“They wanted to take my uncle’s wife forcibly in the car and almost drove over the young child she was holding by the hand. There was a boy who told them, “leave her alone”. He was killed. Some girls are taken from the streets when begging. A 12-year old girl was taken away. It was a cousin of hers in Albania. We never saw her again.”

**Residence**

The majority of the respondents used to live in the city until the moment of trafficking. The ration in the interviewed group is 70 per cent to 30 per cent (7 in the city and 3 in the village).

This percentage is similar with the one found two years ago. The NCATS report indicates that the percentage of those living in the city was 80 per cent and the others living in the

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68 NCATS report.
village 20 per cent. The residence location (regions) for each of the respondent is: Tirana 4, Elbasan 2, Dibra 1, Korça 1, Berat 1, Shkodra 1. The most frequent regions emerging in the report are Tirana, Durres, Elbasan, Shkodra, Berat, Vlora, Korca.

Housing and ownership on the house

Most of the respondents either did not have a parental house, or do not consider the family house as theirs, or are not allowed to live therein. The following table provides a description of the type of housing and the respondents’ relationship with that.

<table>
<thead>
<tr>
<th>Code</th>
<th>Type of housing</th>
<th>Ownership, relationship with the house</th>
</tr>
</thead>
<tbody>
<tr>
<td>E.</td>
<td>Two-storey house</td>
<td>My father fights with my uncle over whom does the house belong to. The house has been registered in the name of my grandfather. We, the children, helped to build it by begging and with what our aunts have brought from abroad. Dad says, “don’t come home”</td>
</tr>
<tr>
<td>R.</td>
<td>Homeless</td>
<td>My grandmother had a house</td>
</tr>
<tr>
<td>V.</td>
<td>House in the village</td>
<td>It is of my maternal grandparents</td>
</tr>
<tr>
<td>A.</td>
<td>No house/on rent</td>
<td>We moved from one rented place to another</td>
</tr>
<tr>
<td>V.</td>
<td>House</td>
<td>It is there, but there’s no one in the house. Us, children, were away</td>
</tr>
<tr>
<td>T.</td>
<td>House in the village</td>
<td>It belonged to my father and brothers</td>
</tr>
<tr>
<td>V.</td>
<td>House</td>
<td>We did not own the land; the house was illegally built. It can be demolished anytime</td>
</tr>
<tr>
<td>M.</td>
<td>Homeless/on rent</td>
<td>We lived with my mother’s parents for sometimes, but then left, after my uncle got married</td>
</tr>
<tr>
<td>M.</td>
<td>Flat</td>
<td>It was ours, dad’s</td>
</tr>
</tbody>
</table>

Number of children, means of subsistence in the family

In half of the cases, the respondents reported they had more than four siblings. In seven of the cases the family made a living out of their children work.

<table>
<thead>
<tr>
<th>Code</th>
<th>Number of children</th>
<th>Family’s means of subsistence</th>
</tr>
</thead>
<tbody>
<tr>
<td>E.</td>
<td>8 children of different mothers (2;6)</td>
<td>Child beggary and collection of scrap metal</td>
</tr>
<tr>
<td>R.</td>
<td>7 children with different fathers</td>
<td>Child begging</td>
</tr>
<tr>
<td>V.</td>
<td>1 child raised by grandparents</td>
<td>Work in agriculture and grandfather’s retirement pension from the former cooperative</td>
</tr>
<tr>
<td>A.</td>
<td>3 children</td>
<td>Mother’s work. She sold clothes as an ambulant seller</td>
</tr>
<tr>
<td>V.</td>
<td>5 children</td>
<td>Children’s work. Children worked in agriculture, in Greece</td>
</tr>
</tbody>
</table>
Profile of the situation of trafficking victims and efforts for social inclusion

<table>
<thead>
<tr>
<th>Code</th>
<th>Number of children</th>
<th>Family’s means of subsistence</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>6 children</td>
<td>Father and brothers used to work and send money from Greece</td>
</tr>
<tr>
<td>T</td>
<td>7 children</td>
<td>The work of parents and children. They worked their land</td>
</tr>
<tr>
<td>V</td>
<td>4 children</td>
<td>Mother and children worked, sewing shoes at home</td>
</tr>
<tr>
<td>M</td>
<td>1 child</td>
<td>Both mother and daughter worked. Mother cleaned houses</td>
</tr>
<tr>
<td>M</td>
<td>3 children</td>
<td>Mother worked, she cleaned houses</td>
</tr>
</tbody>
</table>

Co-habitation with parents/parental care

Of the 10 interviewed cases, only three had a house and lived with their two parents until the moment of movement or trafficking. One case never lived with any of the parents, whereas in another case, one of the parents passed away. In all the other cases, parents are separated either due to divorce, or to migration (1 case).

Two of them were placed in children residential institutions after being abandoned.
E. (M) – Parents were married and, afterwards, separated. Mom moved away and left the two children with the father and his family. E. was sent to the orphanage. His dad re-married and had five other children. E. lived with the elder sister, the stepmother and the five other children from his father.

V. (F) – Parents were separated before she was born. Her mother was kidnapped and trafficked in Italy. She never met her mother and was raised by her grandfather.

R. (F) – Her dad passed away living her a baby. She has lived most of the time in the streets or in institutions, or with the grandmother, or the mother with her six children, some from mother’s second marriage.

A. (M) – His parents separated when he was 13. The children, A. and the sister, used to live with their mother, whereas the other brother with the father.

V. (F) – She lived with the parents until 13 years of age. Then, she went to work with her brother to Greece.

T. (F) – She lived with her parents until 25 years of age.

A. (F) – She lived with her mother, since the father had migrated. Her mother died, she poisoned herself as a result of depression/violence.

V. (F) – She lived with the parents until 17 years of age. She was forced to work at home since 9 years old.

M. (F) – Her parents separated when she was 3. She lived with her mother.

M. (F) – Parents divorced when she was 13. She lived with the mother and the other two children.

Relations in the family

Vatra reports that almost all the victims come from a dysfunctional family, have faced one or more traumatic experiences in their life and have established unhealthy stress-coping mechanisms.

Of the 10 respondents, 9 have been subject to violence or witnesses of domestic violence. In this group, 2 have been testimonies of the attempted murder of one parent against the other (in one of the cases, one parent has committed suicide as result of depression) and five have been physically abused by their parents or relatives.

The situation is quite similar to what NCATS found two years ago. Their reports indicate that 81.01 per cent of the cases had been subject to physical violence and/or psychological violence before trafficking, 21.51 per cent had been subject of psychological/emotional violence, whereas 7.59% resulted to be victims of sexual violence.70

Re-trafficking

Two of the respondents are cases of re-trafficking, previously referred to the relevant centres. Similar is the situation depicted by the NCATS in its report: “Previous trafficking remains a key vulnerability factor. Hence, 16 new cases of trafficking (18 per cent) referred

to NCATS during the reporting period have been identified previously and accommodated in the Coalition shelters.”

Education

According to the Strategy of Employment and Skills, the literacy extent among the persons of 15 years of age and above is around 96 per cent, whereas among the young people falling under the age group of 15-24 years old, the rate is 99 per cent (equally distributed between genders). On the other hand, though, the rate of functional illiteracy among the young is reportedly 57 per cent.

One of the latest studies commissioned by UNICEF reports that: “From the initial interview, most of the children in a street situation in Albania were identified to be at the age of basic compulsory education (up to 15 years old), or 83.8 per cent (655 children). However, around 62 per cent (485) of the children were actually not enrolled or they did not attend. In the meantime, 21 per cent (167) of the children had never attended school.”

The situation of the group of respondents is similar as above. Two of them, one in a street situation, had never attended school. No one of the interviewed individuals had advanced beyond basic education. The education level of each of the respondents and the reasons thereof are as follows:

- E. – 3 years (his father took him away to UNSC resolution 1244-administered Kosovo)
- V. – no education (they were poor and grandparents could not afford to send her to school)
- R. – no education (begging with mother)
- A. – 8-year education (problems with the law)
- V. – 5 years (immigrated to Greece for work)
- T. – 8 years (high school was far from home)
- A. – 8 years (poor performance, mingling with bad company)
- V. – 7 years (family prohibited her to attend school further, because of physical development)
- M. – 8 years (had to work, to help mother)
- M. – 9 years (first year of half school left incomplete, expelled due to high rate of absences, mingled with bad company)

72 Employment and Skills Strategy.
73 ARSIS, GFK Albania, National study on street children in Albania.
Profile of the situation of trafficking victims and efforts for social inclusion

**Education**

- **5** No education
- **2** Some basic education
- **3** Basic education

**Poverty perception and description**

According to NCATS report, the majority of the identified victims of trafficking (62%) lived in poverty prior to trafficking.

The respondents were not asked in details with regard to their monthly consumption or how the met their needs for food, but they were required, however, to give their perception over the economic state, choosing between the alternatives, “very bad, bad, good, very good” and were invited to make a description with their words. For that reason, it is impossible to draw conclusions from the descriptions (the table below) as to how many of them have lived in absolute poverty or extreme poverty. What is evident, though, is the fact that perception mostly go towards bad or very bad.

“The first time police found me, I was in the street and had nowhere to go and nothing to eat.” (V)

<table>
<thead>
<tr>
<th>Code</th>
<th>Perception of economic situation: Very bad, bad, good, very good.</th>
<th>Description of economic situation, reasons for the choice</th>
</tr>
</thead>
<tbody>
<tr>
<td>E.</td>
<td>Very bad</td>
<td>Parents bought food, but no clothes</td>
</tr>
<tr>
<td>V.</td>
<td>Very bad</td>
<td>We could grow some peppers or little things from the land and then uncle brought us a sack of flour at times</td>
</tr>
<tr>
<td>R.</td>
<td>Very bad</td>
<td>We were many children, that’s why...</td>
</tr>
<tr>
<td>A.</td>
<td>Bad</td>
<td>Only mom worked. At times she earned nothing</td>
</tr>
<tr>
<td>V.</td>
<td>Bad</td>
<td>Work was scarce. One of the sisters helped me, when she could</td>
</tr>
<tr>
<td>T.</td>
<td>Good</td>
<td>We had the land. It was not much, but we did not suffer famine.</td>
</tr>
<tr>
<td>A.</td>
<td>Good</td>
<td>Dad and my brothers provided for us. They worked.</td>
</tr>
<tr>
<td>V.</td>
<td>Bad</td>
<td>They could hardly wait for one of the girls to get married, so that they had less mouths to feed</td>
</tr>
<tr>
<td>M.</td>
<td>Good</td>
<td>We worked together with mom, that’s why...</td>
</tr>
<tr>
<td>M.</td>
<td>Bad</td>
<td>Dad worked sometimes and other times not. Only mom …</td>
</tr>
</tbody>
</table>

74 Absolute poverty in Albania is determined as the number of individuals whose real monthly consumption is under Lek 4,891, whereas extreme poverty as the number of individuals who can hardly meet their basic needs for food.
Registration

One of the respondents is 17 years old and unregistered.

Problems with the law

Two minor respondents, a girl and a boy, were sentenced. The girl was sent to a penitentiary for adults, whereas the boy in a juvenile institution.

Pregnancies and children

Three of the respondents have children with their exploiters. Two of them have decided to take care themselves of the children, whereas one has put the child in a private residential centre temporarily.

Health

None of the respondents had any problems of mental and physical health prior to trafficking. Such problems have emerged during the period of trafficking, as a result of the forced labour. Among them, the respondents mentioned unwanted pregnancies and unassisted abortions (1), incidents (2 cases), problems of the urinary tract (1).

According to the NCATS report, 52.84 per cent of the assisted cases have shown physical and mental health problems when referred to the assistance organization and they were result of the forms of exploitation and control at the rate of 87.44 per cent.75

Citizenship/Nationality

Over the last two years, Tjeter Vizion, Vatra and Different & Equal have assisted 5 foreign individuals, who were potential victims/victims of trafficking. They were Philippines, Greek, Afghan, Bulgarian and Russian. In three of the cases, the recruiter was the boyfriend or the husband, whereas in one case the victim was recruited as house worker. Great part of the respondents believes it is necessary that foreign cases are addressed carefully, in particular those involving women and children who transit Albania, as well as the cases of foreign girls working as house workers or dancers, who are being viewed simply as illegal migrants.

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75 NCATS, Report on NCATS contribution for the identification and assistance of the victims of trafficking, October 2009 - September 2010.
4. Efforts for social inclusion

It is an early known fact that victims’ rehabilitation is difficult, but, at the same time, it is the most important link and the cornerstone of the anti-trafficking interventions. According to the director of the Centre of Studies for Social Investments: “The challenges of victims’ rehabilitation are well-known. Even if we presumed that the national and international legislation enabled institutions to rendr justice, if we presumed that the courts were able to apply the most appropriate sentences for the offences in question, that the police forces in and out of the country have the needed room to carry out investigations successfully and apprehend perpetrators, assure that persecution and revenge would not reach the victim or his/her close persons, both in the country of origin and destination, the last chapter is one of the most complicated and, at the same time, the most determinant to give or remove full credibility to the strategy of the fight against trafficking, approved by the institutions: the full and permanent rehabilitation of the victims from exploitation.”

During a workshop organized by IOM in 2012 on consulting draft ideas related to re-integration, participants were asked to fill out a simple form containing the question, “What percentage of the victims of trafficking are re-integrated, according to you.” Of a total of 25 individuals, employees from different agencies, 3 chose none of the offered alternatives, 9 chose the alternative that 0-25 per cent of the victims are re-integrated, 11 chose the alternative 26-50 per cent and only 2 the alternative 76-50 per cent.

Article 12 of the Council of Europe Convention on the Action against Trafficking in Human Beings, ratified by Albania, the assistance for the victims of trafficking is not conditioned by the victim’s willingness to testify. Instead, it is offered in response of the needs of the victim, to include at least: standards of living capable of ensuring their subsistence, through such measures as appropriate and secure accommodation, psychological and material assistance; access to emergency medical treatment, translation and interpretation services, when appropriate, counselling and information, in particular as regards their legal rights, and relocation. 


77 IOM notes.
rights and the services available to them, in a language that they can understand. The Convention refers to re-integration and calls on the State Parties to make maximum efforts “to favour social re-integration of victims in their State of return, including reintegration into the education system and the labour market, in particular through the acquisition and improvement of their professional skills.”

From the information collected and the reviewed documents and legislation, it comes out that there are special legal provisions that ensure the offering of the assistance prescribed by the Convention and that maximum efforts are made to provide a wide range of services. NCATS offers safe accommodation and rehabilitation assistance for the victims of trafficking. The three non-profit providers offering assistance to the victims of trafficking, Tjeter Vizion, Vatra and Different and Equal, apply a re-integration approach in stages that includes: the first stage of intervention in case of a crisis and reception in the shelter; the second or transitional stage of supporting a semi-independent living and the third stage consisting of reintegration and social inclusion.

The range of services provided by NCATS members, in cooperation with public and private agencies, include safe accommodation and good living conditions, safe transportation, individual assistance plans, food, clothes, medical examinations and treatments, as well as provision of care in case of hospitalization, health information, psychosocial counselling, employment counselling and facilitation, reintegration grants, support for the return to school and studies, social and cultural activities, vocational training and care during pregnancy, as well as for the child.

There is a sustainable practice of leaflet production and distribution the NCATS provides in order to inform the victims of trafficking about services it provides. In the context of the activity of Mobile Units (MU), a considerable number of informative leaflets has been distributed, but their impact on encouraging the victims of trafficking to contact with the service providers has been low. The MU members have come to the conclusion that it is the direct contact with individuals and groups at risk, such as street children, women reporting domestic violence and other marginalized groups, and their efforts to approach assistance, that have more influence on the reporting rate.

**Efforts for education**

One of the most important recent events in respect of the assistance for the vocational education and training of victims of trafficking is the representation of the Ministry of Education with one member in the competent authority.

The documents or instructions related to the education of victims of trafficking are the following:

- Instruction No. 34 of the Minister of Education and Science, of 08 December 2004, “On the implementation of the “Second Chance” Project for the education of students abandoning school, of students confined to homes because of blood feud”;

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78 SOPs, unconditioned assistance for the victims of trafficking.

79 Art. 16(5), Council of Europe Convention on Action against Trafficking in Human Beings, 2005, CETS No. 197.

80 NCATS: National Reception Centre for the Victims of Trafficking, Tjeter Vizion, Different & Equal, Vatra.
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- Instruction No. 31 of the Minister of Education and Science, of 02 August 2013, “On procedures of elementary education for the students who have not attended at least two academic years of elementary education;
- Instruction No. 36 of the Minister of Education and Science, of 13 August 2013, “On procedures for the education of confined children;
- Instruction No. 23 of the Minister of Education and Sports, of 8 August 2014, for the academic year 2014-2015.

The above-referred-to documents show that there are some challenges and recommendations from the “Second Chance” Programme. According to IKAP, for the implementation of the “Second Chance” Programme, the Ministry of Education and Science planned 92 teachers all over the country, but out of this pool of teachers, the Regional Educational Directorates and the Education Offices have utilized only 39 teachers for this purpose, while the rest of them is used for other classes, not for the ones related to the “Second Chance” programme. IKAP recommended the Ministry to review the instruction for the programme in question, so as to enable free books and provision of food and other assisting services for the children in schools, in cooperation with the Ministry of Social Welfare and Youth and the Publishing House, to re-consider the possibility to pay the teachers involved in the “Second Chance” programme, and to provide financial support and bonuses to the successful children attending this Programme. IKAP has also suggested to the Ministry of Education and Science and the Educational Development Institute to draft a lesson plan for the “Second Chance” programme classes, to draft a comprehensive package with programmes and activities for the involved children, a valid certification for the ones finishing the “Second Chance” Programme, a package of instruments dedicated to involving the parents in the education and support of abandoning children, as well as the training of teachers working with this Programme, especially with interactive methodologies and learning through games81.

According to Instruction no. 31 of the Minister of Education and Science, of 02 August 2013, “On procedures for attendance of elementary education for students who have not at least not attended two academic years of elementary education”, children, who, for various reasons, a. are at least eight years of age, b. are not enrolled in the first academic year, and are, therefore, not enrolled in the subsequent year/s, and c. have finished one class of basic education and are not enrolled in at least two subsequent classes; d. have failed a class and have not repeated such class for at least two subsequent classes are subject to attending the compulsory full-time education, within the age of compulsory education. In such circumstances, the parent of the child in question submits a request to the Educational Directorate and the relevant Education Office, while the Regional Educational Office/Educational Office decides on the school the child shall be registered into. According to this instruction, the school management, in cooperation with the teacher responsible for the child, makes sure that individual teaching and learning programmes are drafted by the teachers of respective subjects for the children in question.

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According to Instruction no. 38 of the Minister of Education and Science, of 13 August 2013 “On the education of individual at a school age in the social care institutions”, individuals under the social care institutions get a full-time or part-time education in the schools that are the closest to the social care institutions, or in a public school as defined by the Regional Educational Directorate/Educational Offices. According to this instruction, every social care, public or private institution, is obligated to notify the relevant Regional Education Directorates/Education Offices for every social service beneficiary attending compulsory education, including the following data: a) first name and last name of the beneficiary, b) name and location of the social care institution, c) address of the beneficiary.

The interviewees provide this information on the support for education:

<table>
<thead>
<tr>
<th>Prior to trafficking</th>
<th>After trafficking, in assistance programmes</th>
</tr>
</thead>
<tbody>
<tr>
<td>E. Three years</td>
<td>I am enrolled in school, at the fourth grade ... I was assisted by the staff to do my homework; next year I will be at the fifth grade.</td>
</tr>
<tr>
<td>V. No education</td>
<td>I am learning how to write and read; I am assisted by the staff to learn, to write and to read. I am now attending a hair-dressing course. We do not have to write or read; it is a state-run Centre ... all the girls go there ... We have no comb or means, but we have just started.</td>
</tr>
<tr>
<td>R. No academic year</td>
<td>I cannot learn how to write or read; I do not know the reason why I cannot learn; I go to a hairdressing course.</td>
</tr>
<tr>
<td>A. 8 grade school</td>
<td>I was helped, I was registered in the first academic year, they bought my books and all the stuff that I needed for the school.</td>
</tr>
<tr>
<td>V. 5 years</td>
<td>I go to school, I finished the sixth grade; I go to school and work; I had a culinary course here.</td>
</tr>
<tr>
<td>T. 8 years</td>
<td>I cannot go to school because I work long-hours. When I was in the centre, I had a professional culinary course and I am a very good chef.</td>
</tr>
<tr>
<td>A. 8 years</td>
<td>I cannot go to school, because I have to work. I have a child to bring up. I have had a culinary course and tailor course; I was assisted by the course.</td>
</tr>
<tr>
<td>V. 7 years</td>
<td>I have children, I have to work. I have had a culinary course and I was given a job as a chef.</td>
</tr>
<tr>
<td>M. 8 years</td>
<td>I like what I do, I do not need to go to school; the hair-dressing course was very good.</td>
</tr>
<tr>
<td>M. 9 years</td>
<td>I will go to school in the first year. I had a tailoring course during summer.</td>
</tr>
</tbody>
</table>

Assistance for reception, unsuitable accommodation

One of the interviewees tells of his first experience when arriving at the border-crossing point:

“It was winter and it was cold. I was stuck in a police room. There was a bed, but there were no glasses and it was rather cold. They put me there; would come to visit me, bring me something to eat; they would buy themselves something for me”.

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The information received from the research done in the context of this report shows that compared to the current identification number, there are sufficient capacities for an immediate and safe accommodation in the residential centres, established particularly for the victims of trafficking. Thus, the NRCVT can accommodate up to 100 persons, Different but Equal can accommodate 15 grown-up beneficiaries and three children at the same time, Vatra can accommodate up to 20 people, and Another Vision, with two residences, can accommodate up to 34 persons. However, such capacity is not sustainable because of the lacking funds.

Another challenge related to sheltering is the safe and adequate sheltering once the victims leave the shelters.

The following table shows the information received from the interviewees on the status of current sheltering and perspective sheltering, according to the points of view of the interviewees. Out of the ten interviewees, only one is still living, and lives in the house owned by her parents. The issue of sheltering becomes more complicated for the minors, because they want to join their families and relatives, who have exploited and abused them.

<table>
<thead>
<tr>
<th>Code</th>
<th>Kind of current accommodation</th>
<th>Perspective for accommodation</th>
<th>Details for perspective</th>
</tr>
</thead>
<tbody>
<tr>
<td>E.</td>
<td>In the centre</td>
<td>I will keep staying on the center</td>
<td>My dad says: “Do not come home. You should not set foot in my home”. I cannot even go to my mother, as she and my grandfather bits me up. I just wanted to see them when they came from Italy, but they did not allow me to; they gave me a hard time.</td>
</tr>
<tr>
<td>R.</td>
<td>In the centre</td>
<td>I will go and stay with my grandmother</td>
<td>I want to go and stay with my grandmother, but they do not allow me to. They tell me my grandmother would force me to beg. I will stay at my uncle’s, with his wife and children. My uncle works, he collects scrap-metals.</td>
</tr>
<tr>
<td>V.</td>
<td>In the centre</td>
<td>I will go and stay at my uncle’s</td>
<td>I will go and live at my uncle’s; they love me; at the beginning I will go at my other uncle’s, as otherwise the other uncle will know where I was and will tell my dad.</td>
</tr>
<tr>
<td>A.</td>
<td>In a rented apartment</td>
<td>We will keep paying the rent ourselves, we shall keep working</td>
<td>I work, but I do not earn a lot; I get 10 000 lek per month; but we shall all work; I hope we will see the light.</td>
</tr>
<tr>
<td>V.</td>
<td>In a rented apartment</td>
<td>I will pay the rent myself.</td>
<td>I hope there will be work.</td>
</tr>
<tr>
<td>A</td>
<td>In the center</td>
<td>I will go and live with my sister</td>
<td>My sister lives in the village; She has a house, but no husband; she lives with her children.</td>
</tr>
<tr>
<td>T</td>
<td>In a rented apartment</td>
<td>I will continue to pay the rent myself.</td>
<td></td>
</tr>
</tbody>
</table>

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82 The women and child centre.
83 NCATS’s report.
84 Where they were staying at the interviewing moment.
### Profile of the situation of trafficking victims and efforts for social inclusion

<table>
<thead>
<tr>
<th>Code</th>
<th>Kind of current accommodation</th>
<th>Perspective for accommodation</th>
<th>Details for perspective</th>
</tr>
</thead>
<tbody>
<tr>
<td>V</td>
<td>In a rented house</td>
<td>I will continue to pay the rent myself.</td>
<td>I hope I will get some assistance, as I cannot cope with it.</td>
</tr>
<tr>
<td>M</td>
<td>In a rented apartment</td>
<td>I will continue to pay the rent together with my mother.</td>
<td></td>
</tr>
<tr>
<td>M</td>
<td>In his/her own house with his/her mother</td>
<td>I hope I will return to live in the center.</td>
<td>One can learn more in the center.</td>
</tr>
</tbody>
</table>

The five interviewees currently live in a rented house and are initially assisted by the center to find the house and to pay the rent from six months to one year.

The interviews show that it is very difficult for the interviewees to pay the rent themselves. One of the interviewees, divorced with a child at the age of 6, said she paid 40 thousand lek for a barrack which door would not close, while she received a salary of 140 thousand lek, which the “owner” would give me the salary in shares, any time the house owner would tell her she would end up in streets.

Currently there is no legal provision giving priority to victims of trafficking to get social housing even though, in principle, the victims can be considered as meeting the specificities or criteria for social housing. According to the Municipality of Tirana, the individuals or families classify to be treated under the social housing programmes, according to the Law, need to meet specific criteria, _inter alia_: attest that they have not benefitted from Law No. 7652, of 23 December 1992, “On the privatization of state facilities”; the head of the family is a widowed or divorced woman; they are a one-member family in charge of children, elderly who have as well reached the retirement age not choosing to stay in public social care institutions; individuals with disabilities, who have the hearing impaired status from the first group, of the paraplegic and quadriplegic disabled persons, or labor disability status and disability because of involvement in the National Liberation War; families with many children; new couples with a general age of 55 years; households that have changed their place of domicile due to work-related reasons; individuals having the orphan status at the moment of leaving the orphanages or care canters up to the age of 30.

A considerable part of beneficiaries get assistance for applying for the social housing programme, but no single person has managed to benefit from the programme by the time this report was drafted.

### Assistance for incomes, vocational training and employment

Pursuant to Article 5 of Law 1039, of 17 March 2011, the category benefitting the social welfare package are: “victims of trafficking after they leave the social care institution, until they get a job”.  

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85 Law no. 9232, of 13 May 2004 “On social housing programmes for the inhabitants of urban areas”.  
The service providers report that only a minor share of the victims of trafficking part of the re-integration programme, apply for and get the social welfare, because sustainable employment is an indicator of preparation for an independent life in the center. Beneficiaries leave the center only once they have started a job and have received several salaries.

On the other hand, social welfare after leaving the social care institutions is perceived as a sort of limitation of access to or imposing of only one single alternative of assistance, which is staying in the center, thus turning it in an unnecessary formality, which might as well become subject to abuse.

Anyway, social welfare is only provided to the victim of trafficking, not to her child. According to Law 1039, of 17 March 2011, Article 10, item 4, “the children of families in need which get social welfare according to Law No. 7952, if 21.6.1995, “On Pre-university Education”, as amended, receive an additional amount until they end compulsory education, in the amount laid down by the Council of Ministers”.

The two reintegration centers, namely Different & Equal and Vatra, inform that they have a close cooperation with the state-run vocational educational centers, while Another Vision is licensed for the vocational education. A good share of the interviewed cases (7) speak of hair-dressing, culinary and tailoring courses.

The main legal provisions facilitating employment of victims of trafficking are:

- **CMD No. 47, of 16 January 2008, “On the employment of unemployed job-seekers through on-the-job training”:** the job-seekers taking part in the programme receives 50 per cent of the minimal salary; there is an insurance of accidents in the working place in the amount of 0,3 per cent, while the participating subject gets a part of the training cost (75 per cent of the cost for small and medium-sized businesses and 50 per cent of the training cost for the big businesses).

- **CMD No. 48, of 16 January 2008, “On the employment of unemployed jobseekers who are at difficulty”.** Social insurance is ensured by 16,7 per cent for a period of twelve months, as well as four minimum-level salaries of the individual falling under this category.

- **CMD No. 27, of 11 January 2012, “On the employment promotion programme for women and special-need groups”.** Subsidies are funded up to one year in the amount of 100 per cent of the compulsory social insurance amount and of the employer’s health insurance amount, the equivalent of the 100 per cent monthly minimum salary for four months, respectively in the fifth, the sixth, the eleventh and the twelfth month of the contract.\(^{87}\)

Preparation and mediation for getting a job are amongst the main components of the victim re-integration programme of Another Vision, Vatra, Different & Equal, as well as one of the key elements of success in employing the victims of trafficking. All the three centers cooperate with the employment offices. The table below provides the situation of employment for the interviewed persons, including the kind of job they deal with, insurance, employer and potential for jobs.

\(^{87}\) More details on this kind of employment are also provided in leaflets. CMD 27 at: http://www.shkp.gov.al/wp-content/uploads/2014/02/web-vkm27.pdf
The data received from the interviews are confirmed by the service providers. The high unemployment rate has driven people to accept any kind of job, having no social insurance and very low wages. Some reports show that in Elbasan, there have been tens of cases of women in need and victims of trafficking who have accepted all sorts of jobs. Employment offices’ offers are limited and are associated with problems related to working hours, days off, very low salaries which cannot substantiate a safe re-integration.

According to the interviews with the service providers, maximum efforts are made to create jobs within the organizations, given that they are sensitive to the special needs of victims, but these possibilities are very limited and depend hugely on funds. What the service providers give as a recommendation based on their experience, is establishment of social businesses.

### Satisfying basic needs and assistance for physical and mental health

“Here I get food, get clothes, get help to be clean, get my clothes washed by a washing machine. They try to make me quit smoking; they get me two cigarettes which I smoke after I eat. Before, I used to smoke a packet of cigarettes a day, now I only smoke two.” (E.)

“We have transformed into centers of mental care.” (service provider)

According to the latest legal amendments, the Health Insurance Fund shall cover all health-related expenses for the victims of trafficking regarding medicaments, visits, examinations, and media treatment in public and private hospitals contacted by the
fund. In an interview given for the daily “Shekulli” in June 2014, the Health Insurance Fund Director said that there are about 200 women and girls who will get a free medical service and shall get a health card without paying a penny. This category shall keep getting a free health service, even when leaving the social welfare scheme. According to Beci, “in the past, only the ones involved in the social welfare scheme would indirectly benefit, while now, the ones leaving the social welfare scheme, or even others not benefitting from this scheme shall get their health services for free. These people are 100 today, but, taking into account that their re-integration and rehabilitation phase lasts for 6-12 months, often even 2 years, the overall number of the ones benefitting from this category is 200 persons.”

Assistance for children

As already highlighted above, out of 10 interviewed cases, three were children. Two mothers take care themselves for their kids, while one of them has send her child in a private care center until she regains power to receive the child. The assistance provided by the organizations is focused on covering all the needs for the mothers and on paying the children day care.

Assistance for insurance

According to the data UNODC reports of having received from the Serious Crimes Court, 17 people were sentenced for trafficking in human beings in 2010, 15 in 2011, 2 in 2012 and 2 in 2013. All the convicts were of an Albanian nationality and they were all men.

Same information shows of an intensified response to traffickers and more security for victims of trafficking. According to the National Anti-trafficking Coordinator, from September 2013, 60 referrals were filed to the Serious Crimes Prosecution on the offence of “trafficking of adults”, Article 110/a of the Criminal Code and “trafficking of minors”, Article 128/b of the Criminal Code. 58 referrals are filed with the district prosecution offices for the offence of “exploitation for prostitution”, provided for in Article 114 of the Criminal Code. During this year, the Serious Crimes Court has issued 7 judgments for the offences of trafficking of adults, trafficking of women, trafficking of minors and a total of 10 persons have been convicted.

Legal aid

In May of 2013, the Assembly of the Republic of Albania has approved Law No. 143/2013, “On some amendments to Law no. 10 039, of 22 December 2008, ‘On legal aid’”. This law introduces important changes in the context of possibilities of victims of trafficking and domestic violence to access justice. According to Article 4 of this Law, the persons who need to protect their rights through submission of the lawsuit, but have no sufficient means to do that, are entitled to receive legal aid, which is mandatory for the Attorney General. This provision is the first of its kind in a country in the region and will provide a real guarantee for the protection of the human rights through the court.

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pay for the tax on submission of acts as well as the relevant expenses for the other court
notifications or services, might benefit from free legal aid services. In order for these people
to benefit from legal aid for cases they are related to, they should attest that they are involved
in social protection programmes, or meet the conditions to be involved in them, are victims of
domestic violence, of victims of trafficking in human beings. The Legal Aid State Commission
has approved bylaws, which stipulate normative acts in order to enable legal aid.91

Funding

According to Mikë Dottridge, re-integration services should be widely reliable and available
for all the victims of trafficking wishing to benefit from them, and should have the highest
quality possible. While re-integration cost is high, the cost of non-supporting the victims of
trafficking for the society is much higher.92

The public service cost for victims of trafficking is known. State budget fully funds the
services provided for the victims of trafficking staying in QKPVT, and only food for victims
in other centers. NCATS has conducted and submitted in its report a calculation of the
rehabilitation and re-integration service costs.

In 2013, although USD 50,000 was allocated for food expenses for the non-governmental
organizations’ shelters, the fund was not disbursed.93 From the information we have, the
changes made to the procurement law and the reform of so social services will bring a
change of the situation.

According to the Council of Ministers Decision of December 2014, “On some amendments
and additions to CMD No.114 of 31.01.2007, ‘On establishing the amount of contributions for
individuals placed in public residential social care services,’” the amount of the contribution
for the victims of trafficking/potential victims of trafficking who have no income and have
been placed in public residential institutions shall be 3,000 (three thousand) by January
2015.

The greatest achievement marked in the financing area is the first-time allocation of a
budget of USD 50,000 to the National Anti-trafficking Coordinator office.

According to the Strategy Implementation Report, raising a special fund as part of the anti-
mafia law, worth around Euro 157,000, is a significant step. The report goes on to enlist the
agencies that have been directly benefiting from the fund in question, including the State
Police General Directorate, the Prosecutor General Office, with each of them allocated Lek
4 million respectively. In the meantime, the amount of Lek 14 million has been allocated to
support NPOs that protect and treat victims/potential victims of trafficking. Another seven
million has been allocated to the Agency for the Support of Civil Society and 7 million to
various applications from NPOs.94

The three coalition shelters have applied but failed to receive funding from ASCS.

91 Anti-trafficking Unit report.
93 TIP report 2014.
94 Implementing report of the strategy and action plan 2013.
5. Recommendations

On the identification of the victims of trafficking

• Initiative should be undertaken or supported to enhance the efficiency of the tools provided for in the SOPs, based on the experience of field workers. For instance, the absence of a parent/parents, the domestic violence, extreme poverty, being in a street situation or living in institutions should be a signal of alert to identify victims of trafficking.

• The opportunity to improve reception conditions for children at the border should be taken in consideration.

• The various effects of the Criminal Code on victim identification should be examined.

• There should be an analysis of the information exchange with the countries of destination and mechanisms and support provided in both countries should be boosted.

• Support should be given to RA to enhance the role of SIVET database in the coordination of identification and referral, as well as monitoring of assistance.

• Instructions should be developed for law enforcement officers, in order to provide a unified understanding of the term “abuse with the vulnerable position,” as an important element of identification for the victims of trafficking.

• The notifications to the Responsible Authority provided in the SOPs should make for an updating source for the authorities and avoid duplications and the reporting overload of the identifying agencies.

• Support should continue for the field work and activity, including the support for MUs and increase of their activity to reach other regions.

• Communication and cooperation between the police and civil society organizations should continue and a “police immediate intervention” protocol should be developed, so that the response is truly rapid and without any harm for the victim.

• Cases of children delinquency should be reviewed and serve as grounds for the development of special identification indicators for the minors subject to this form of exploitation.
On the rehabilitation and reintegration assistance

- Discussions and open analyses should be conducted to identify the shortcomings and ensure a balanced management of funds for different stages of identification, rehabilitation and reintegration.

- The financial needs/support needs of the victims who choose the family or to return thereto should be looked at – NCATS analysis should be taken into consideration.

- The SSS regional offices should contribute to the monitoring of VT reintegration in communities, in line with the SOPs.

- The communication between the providers of services for the victims of trafficking and the providers of services for other vulnerable groups should be enhanced.

- A practice of advancing knowledge on trafficking should be put in place, through exchanging information on activities attended by workers involved in the anti-trafficking activities. For example, after each activity, the participants inform other partners on the latest developments and issue recommendations on new developments in Albania.

- Continuous and regular communication should be in place and common work should be carried out between service providers and labour inspectorate or other identification actors, particularly including schools and health institutions, in function of the identification and protection of the victims of trafficking.

- Formal employment should be promoted and support should be provided to the Social businesses-service providers assisting victims of trafficking that have supported small start-ups by women beneficiaries, and the opportunities provided by the Council of Ministers Decision No. 592 of 10.09.2014, “On the establishment of the supporting fund for women entrepreneurs,” should be explored further.

- Efforts should be made for victims of trafficking to be considered as a special category within the bonus schemes for rents or soft loans.
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2012 Evaluation of the implementation of the directive No. 34, dated 08.12.2004, of Ministry of Education “For the implementation of ‘Second chance’ programme for the education of children have dropped out of school and students self-confined due to blood-feud,” supported by UNICEF

National Coalition of anti-Trafficking Shelters (NCATS)
2011 Report on the contribution of the NCATS to the identification and assistance for trafficking victims, October 2009 - September 2010
Main questions of the interview for victims of trafficking:

1. Can you describe what happened?

   (additional questions during the interview to understand the vulnerability)
   - At what age did the recruitment happen;
   - Who was the recruiter;
   - Family relations with the recruiter or exploiter;
   - What was the form of recruiting;
   - What was the form of exploitation, countries of destination/exploitation;
   - Previous cases of trafficking, other individuals trafficked with him/her.

2. Can you describe your family situation until that moment?

   (additional questions to understand)
   - Number of children;
   - Means of subsistence and perception of the economic situation;
   - Divorce or separation in the family relations;
   - Housing conditions/type of house and ownership;
   - Parental care.

3. Can you describe how did you escape from that situation?

   (additional questions during the interview to understand)
   - Motives to escape the situation;
   - Identifying actors.

4. Can you describe what were your needs when you came to the assistance provider and what kind of help have you received?

   (additional questions during the interview to understand)
   - Assistance for vocational education and training;
   - Assistance for safe and adequate accommodation and housing prospects;
   - Health issues and relevant treatment received at the assistance provider;
   - Assistance for employment and employment prospects.