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# III RESEARCH REPORT ON THIRD COUNTRY NATIONAL TRAFFICKING VICTIMS IN ALBANIA

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## Trafficking vs. smuggling – an important distinction:

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

(UN Protocol on Trafficking, September 2000)

Smuggling of migrants shall mean *“The procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a state party of which the person is not a national or a permanent resident”*.

(UN Protocol against smuggling of migrants, December 2000)

### List of abbreviations:

GoA:	Government of Albania
ICMC:	International Catholic Migration Commission
IOM:	International Organization for Migration
IARS:	Inter Agency Referral System
MOLSA:	Ministry of Labour and Social Affairs
MOPO:	Ministry of Public Order
OSCE:	Organization for Security and Co-operation in Europe
OFR:	Office for Refugees
UNHCR:	United Nations High Commissioner for Refugees

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## Executive Summary

The IARS (Inter-Agency Referral System) report 2002 provides analyses of data obtained and highlights the prominent realities involved in the trafficking of third country nationals to and through Albania. The collection of valid data proved to be more challenging than before as the overall number of cases assisted was considerably lower than the expected figures.

In 2002, Albania was still the main transit point for trafficking of women and girls from Central and Eastern Europe. The Inter Agency Referral System (IARS) project interviewed and assisted 29 victims of trafficking (VoTs) of foreign nationality who were stranded in Albania. The girls and women assisted belonged to various age groups. Poverty and poor prospects in the country of origin remain the main “push factors” for the majority of the cases. More than 50% declared that they had previous working experience in different sectors with incomes ranging between \$10 and \$50 per month. 70% looked for jobs and better prospects in Western countries. In general, the family backgrounds of the cases assisted are poor and dysfunctional. Recruitment methods include informal networks, introductions through friends, or introductions through agencies offering transit and jobs abroad. The cases assisted were generally bought and sold and further transited through Albania, following the arms and drug smuggling routes, with the destination being Italy, Greece, and further on in Western Europe. Trafficking of human beings through international borders is made possible through co-ordination and implication of different networks of traffickers throughout the region. Pimps and traffickers physically abused the majority of the cases assisted. A major element of trafficking is the “breaking” of the girls and women in order to force consent to their new role as prostitutes. This is achieved through various forms of abuse, including rape.

The main purpose of IOM’s assistance is to give VoTs a chance to stabilise and decide on whether to request repatriation and reintegration assistance in their countries of origin. Reintegration assistance for each returnee was provided, to the extent possible, in line with their respective needs. Besides direct assistance to the beneficiaries, IOM provides information and training. To get in touch with possible VoTs in order to assist them, leaflets with information in different languages are distributed in all police commissariats. Different actions are taken to improve the reception conditions in the police stations and to provide skills and awareness training to police staff. These actions have met with success, as changes are perceived in the perception of the police towards the nature of the trafficking phenomenon. In April 2002, IARS developed a new Counter-Trafficking Information System as a more comprehensive Regional Database system, which allows analytical and statistical caseload reporting. The Government of Albania developed a National Strategy to combat trafficking in 2001 and its underpinning plan of action envisages a number of main domains where actions against trafficking are required. Final recommendations in this report focus on short-term and longer-term results.



## **1. Introduction and purpose of this report**

This report is the third in a row, based on the data contained in the case profiles of victims of trafficking assisted within the IOM-ICMC program of 2002 within the Inter Agency Referral System (IARS) conducted in Albania. From these profiles and additional information collected from IOM IARS project activities, the report provides analyses of data obtained and highlights the prominent realities involved in the trafficking of third country nationals to and through Albania. It will also identify priority issues that require attention in order to combat those realities and suggest ideas for policy development.

Information given by beneficiaries assisted by IOM represents the baseline data used for this report. From this source of information, trends can be analyzed and compared, conclusions can be drawn and policy can be developed. This report hopes to provide valuable information for organizations working in this field and for the GoA as a partner in counter-trafficking.

## **2. Context in 2002**

### **2.1. Pre-screening procedure**

The Pre-screening procedure<sup>1</sup>, in place since 2001, is applied jointly with the police Counter Trafficking (CT) units and IOM's partners, UNHCR and OSCE. The pre-screening procedure is built on the basis of existing systems/programs: the Albanian asylum system, implemented by the Albanian State structures supported by UNHCR; the IARS program for voluntary return of victims of trafficking (implemented by IOM); the program of Assisted Voluntary Return (implemented by IOM); and the extensive monitoring by OSCE through its field presence in Albania. In this way, the pre-screening procedure has become an example of partnership and joint effort by governmental, inter-governmental, and non-governmental organizations in addressing a matter of common concern.

In practice, the pre-screening procedure works as follows: when the Police apprehend an irregular foreigner (for example at the border), the Chief of the respective Commissariat contacts the pre-screening focal point (UNHCR/OFR) providing the profile of the person(s) detained. If the profile matches that of a trafficked woman, ICMC and IOM dispatch their teams, while in all other cases, UNHCR and the governmental Office for Refugees field their teams to interview the foreigner(s). The pre-screening teams interview the foreigners detained within 24 hours of the referral. The asylum component of the procedure ensures that those persons who request asylum in Albania be identified by way of interviews by specialised staff assisted by translators. These persons are transferred to reception facilities in Tirana.

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<sup>1</sup> A procedure implemented to screen all irregular migrants and possible victims of trafficking stranded in Albania with an irregular status

## 2.2. Number of referrals

Regarding the cases assisted in 2002, the collection of valid data proved to be more challenging than before. Precaution to compare and reflect on data is more important than before as the overall number of cases assisted was considerably lower than the expected figures. This relatively low level of intake is the result of several different but closely interlinked factors that can be summarised as follows:

1. In summer 2002 (coinciding with the swearing in of a new government) the tough measures to curb the “speedboat phenomenon”<sup>2</sup> resulted in a substantial reduction of the irregular flows that depart from the Albanian coast.
2. There are substantiated reports<sup>3</sup> that an increasing number of migrants are pushed back by the border police, and thus unable to have access to assistance in the framework of this project.
3. The sophistication in documentation forgery is increasing and has led to the use of alternative routes and new means of transportation to access EU states. Chances of apprehending have decreased.
4. Visa requirements have been waived for nationals from Bulgaria and Romania entering the Shengen area. Hence, citizens of those states are no longer smuggled through Albania<sup>4</sup>.
5. Loopholes in and abuse of the asylum system: irregular migrants, apprehended in the territory of Albania, sometimes apply for asylum being aware that they will be free to move within the Albanian territory and hence continue their journey.

These constraints contributed to a low level of referrals. In addition, it is to be outlined that trafficking and smuggling in Albania is linked to root causal factors (poverty, lack of opportunities) that have not been tackled to date.

## 2.3. Role of IOM and ICMC

Until October 2002, IOM and ICMC offered shelter, including medical and psychological assistance, to VoTs in a joint project. From September 2002, IOM conducted reception activities without a partner, while preparations were made for a collaboration with the Government of Albania regarding the reception of VoTs.. The main purpose of assistance remains to give VoTs a chance to stabilise and decide whether to request repatriation and reintegration assistance in countries of origin.

## 2.4 New counter trafficking projects in Albania in 2002

A system of reintegration assistance and support for returned Albanian victims has been necessary for a long time. Such a system requires the provision of support services and security to ensure that Albanian victims returning home are not caught up in a further cycle of trafficking. Victims were being returned into an environment marked by a high

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<sup>2</sup> The ‘speedboat phenomenon’ refers to the means traffickers used on a widespread scale to transport victims of trafficking, mainly to Italy

<sup>3</sup> UNHCR and OSCE national pre-screening reports

<sup>4</sup> This fact is also acknowledged by the EU as having increased irregular migration and trafficking from those same countries to the Shengen area

level of stigmatisation in which only limited assistance was available, and to the same situation from which they were originally trafficked.

After a six-month publicity campaign of capacity building activities for local NGOs in order to create a Reintegration Support Network, IOM opened a Reintegration Centre at the beginning of 2002 to offer direct assistance to Albanian trafficked women and girls. Referrals are done by IOM offices in destination countries, by the police, and by 'The Hearth', an NGO in Vlora.

The Reintegration Centre is part of the Reintegration and Support Network of governmental and non-governmental organisations which is being set up to provide assistance to trafficked persons. The Centre provides psycho-social counselling, vocational training, and assistance with finding jobs for girls that accept reintegration assistance.

### **3. Evaluation of the IARS 2001 report recommendations**

In the IARS 2001 report several recommendations are made in order to fight the trafficking phenomenon in Albania, as well as to improve the assistance given to victims. Before the developments in 2002 are discussed, this chapter looks back to the recommendations done in the IARS 2001 report and discusses their progress.

***“The Albanian Government should be provided with the capacity to guarantee full protection to detained third country and Albanian trafficking victims, including the establishment of sheltering services and a witness/victim protection program.”***

This recommendation was made in the IARS 2001 report and was followed up in 2002. In 2002, an agreement was signed between IOM and the Government Of Albania (GoA) to lay the basis for a gradual take-over of a Reception Centre/sheltering service for Third Country National Victims of Trafficking and Irregular Migrants stranded in Albania.

As a result of the agreement, the GoA has subsequently set up its own Reception Centre. This service is run with co-operation between the Ministry of Labour and Social Affairs and the Ministry of Public Order and IOM. In 2003 and 2004, IOM will provide technical support and capacity building to the GoA structure in order to support the long-term incorporation of the Centre within the state structure. A work-manual and standard operating procedures have been drafted in line with international standards. The Centre will be fully sustainable by the end of 2003. This makes the continuation of voluntary return services essential as an organic segment in the state structure for the management of irregular migration.

***“There is an urgent need for the Border Police to be divorced from the Police Commissariats and to become part of the Police Directorate.”***

In 2002, the drafting of a national strategy on border control began. The Albanian State has made integrated border management and control a priority, as an important aspect of national security, and, in the framework of the measures taken towards a membership into the Euro Atlantic structures, building of trust of the neighbouring countries and contributing to the fight against organized crime.

The Border Police have undergone a general restructuring process of legislative framework, composition, and organizational structure. Structural changes have been made within the Border Police in order to improve efficiency.

***“A new system is desperately required which must be compatible with European intelligence methods in order to investigate national, cross-border, and transnational crime. This is a must, not a should or could.”***

Achievements in 2002 are due to the three-port strategy advocated by the International Consortium<sup>5</sup>. A more stringent control of border entry and interception at sea has resulted in a substantial reduction in the number of speedboats involved in trafficking. Also, encouraging signs of cooperation have been seen, at both police and prosecutorial levels, between authorities of the country of origin within the context of SECI, as well as a better integration of the state structures within the Interpol and Europol systems.

***“Effective and frequent patrolling of frequently used routes should be established, particularly in the Shkodra area and on the two-lane highway from Shkodra leading south.”***

In 2002, this recommendation was followed up, but mainly in the Vlora Region, where intensified sea and landpatrolling was established. The Albanian government took strong measures against the “speedboat phenomenon”, which led to an almost complete disappearance of the phenomenon. During the second half of 2002, following its official crack down, trafficking trend has shifted to using regular means of transport from Albanian air and sea ports, with a widespread use of false documentation bought or counterfeited in Albania.

***“It is important that a concerted effort is made to change social perceptions of the phenomenon of trafficking, with special stress on the fact that traffickers are criminals that need to be punished and victims of trafficking are people who need to be helped. The change in social perception needs to occur, if any difference is to be made for the future, within the young population.”***

Through awareness campaigns for the public in Albania, for children at school, and for the Albanian Police Force, social perceptions are changing. Information dissemination about trafficking is integrated in school curricula (as a pilot project) and television and radio-spots are broadcast on a regular and continuous basis to inform the public. The media pay a lot of attention to this phenomenon and to the profiling of the trafficker as a criminal, not of the victim as a criminal. However, misinterpretations still occur.

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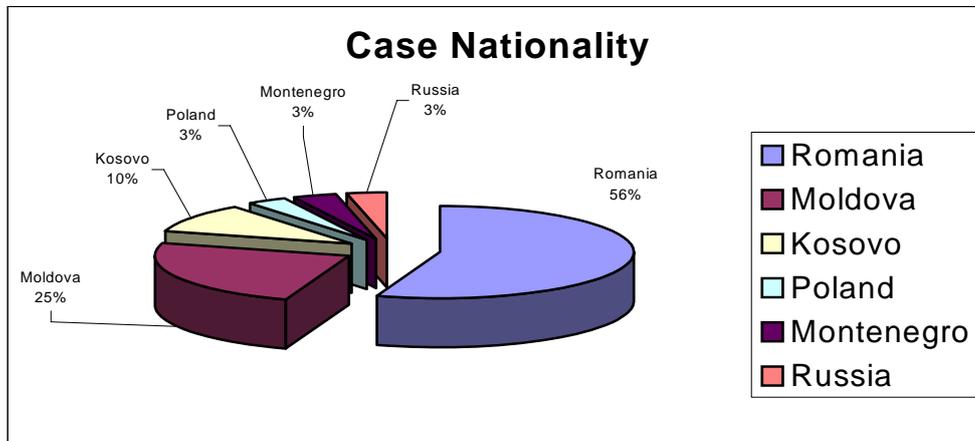
<sup>5</sup> The International Consortium consists of all international agencies including embassies (governmental, part governmental and NGO's that are actively, involved or interested in Police training/guidance/advice or assistance in Albania. They meet regularly with the aim of consolidating activities to reduce overlapping and repetition

#### 4. IARS referrals and caseload

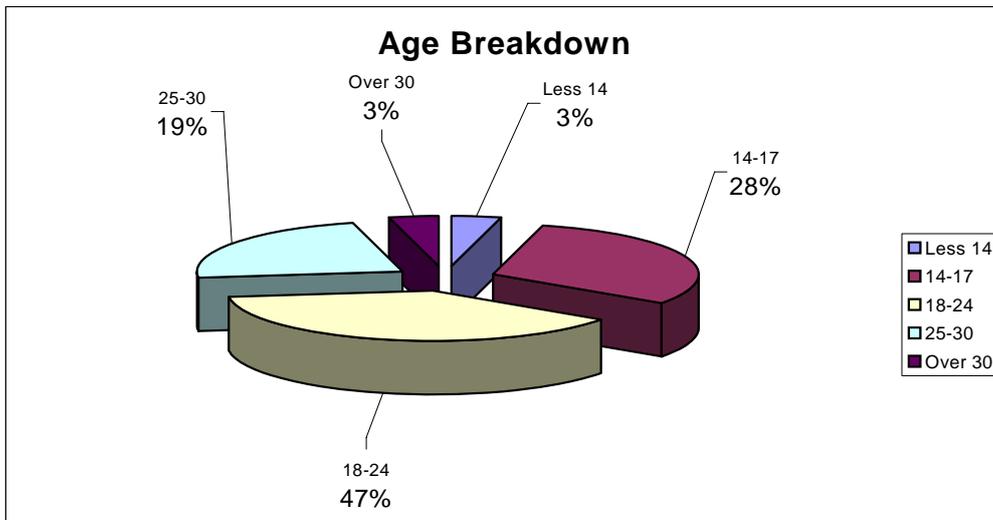
During 2002, 29 third country national VoTs were referred to the IOM & ICMC IARS project which lasted until the end of September 2002. In October 2002, IOM took over the activity under a different source of funding provided by the European Union High Level Working Group to ensure the continuity of the support and assistance to third country national Victims of Trafficking. Through the combined input of the two projects a total of 32 cases were assisted during 2002 (three of them were pending from the previous year). Case referrals came from 6 different police commissariats in Albania, from the Romanian Embassy in Tirana, and from The Hearth in Vlora. This NGO assists victims of trafficking by offering safe shelter, medical assistance, and facilitation in contact and reunion with families. The Hearth referred 10 cases to IOM & ICMC for further assistance in return and repatriation procedures. All of the 29 referred cases expressed the desire to voluntarily return to their home countries.

#### *Nationality and Age of Third Country Nationals*

The majority of the cases referred to IARS were Romanian (16 cases) and Moldavian (7 cases). Other nationalities include Kosovar (1), Russian (1), Montenegrin (1) and Polish (1). The referrals in the first months of 2003 are almost proportional for Romanian and Moldavian cases.

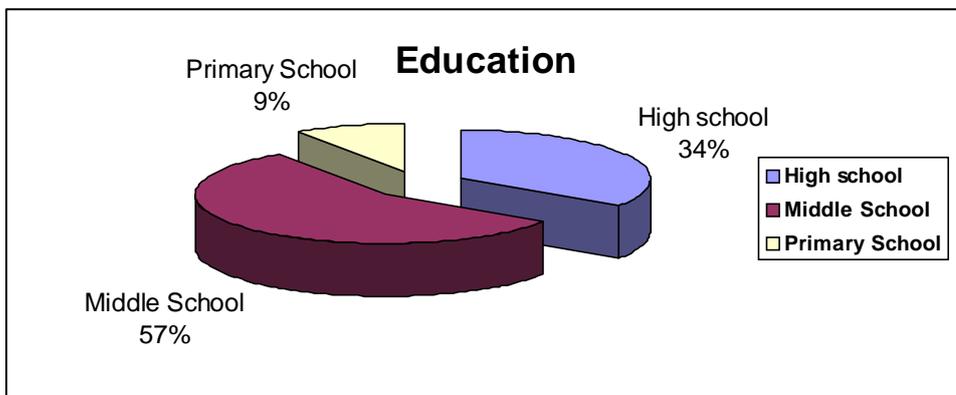


The girls and women assisted by the IARS project during 2002 belong to varied age groups. From the total of 29 referred girls, 9 of them were minors between 14-17 years old. An exception is one case of a third country national who had been trafficked when she was just 13 years old. 25% of the assisted caseload had worked abroad before being trafficked, mainly in Greece, Yugoslavia, Macedonia, Russia, and Turkey. The others (75%) had never left their home country before they were trafficked.



***Educational and Social Backgrounds***

From the caseload assisted during 2002, 57% of the cases had completed middle school, while 34% of the girls had high school education. 9% of the assisted cases had only primary education.

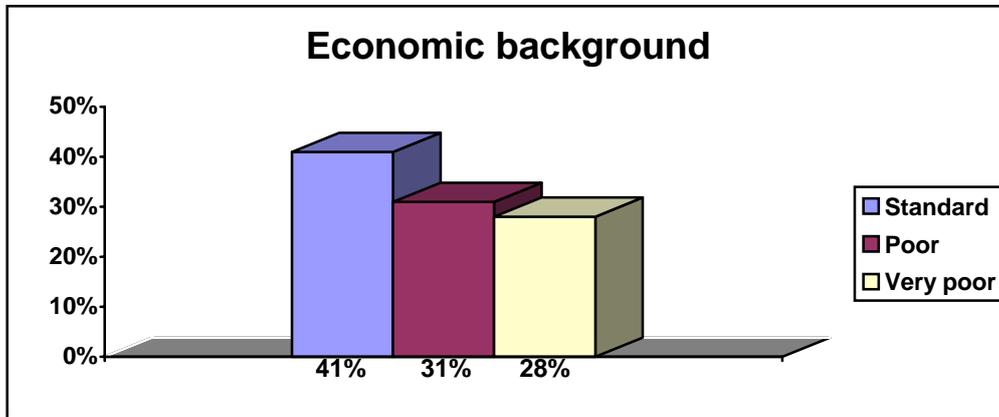


***Work Experience Before Being Trafficked***

From the 32 cases assisted, 18 of them (56%) declared that they had previous working experience in different sectors, while 44% did not have any working experience. Regarding the victims' previous work experience in countries of origin, 50% had been employed in home countries as state workers. 6% of them did not give information concerning their type of work and 28% had worked occasionally. Only 16% had regular jobs, mainly in agricultural sector. The income in countries of origin ranged between \$10 to \$50 per month. 3% of the caseload did not receive payment for their work, while 16% did not provide any information about their incomes.

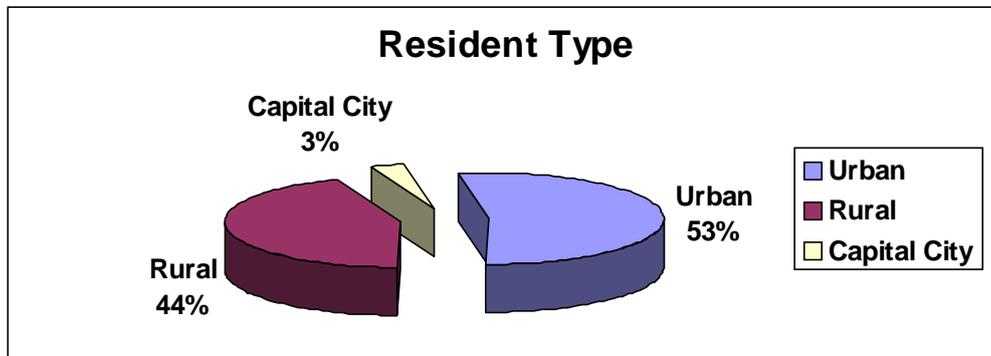
### ***Family Background***

In general, the family backgrounds of the cases assisted are poor. They come from dysfunctional families with severe social problems, such as alcohol, domestic violence, divorce etc. Some of them come from families with extreme economic problems such as unemployment, lack of economic means etc. Statistically, the background of the cases is as follows:

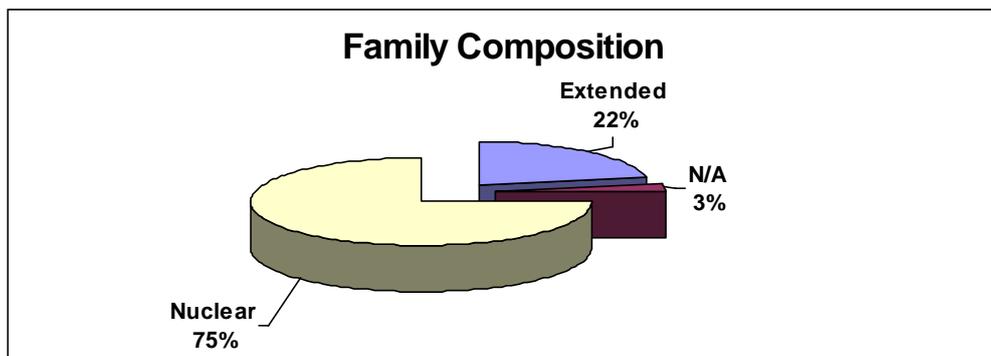


From the 32 cases assisted, 13 cases (41%) declared they had standard economic situation, 10 cases (31%) were poor and 9 cases (28%) had a very poor economic background.

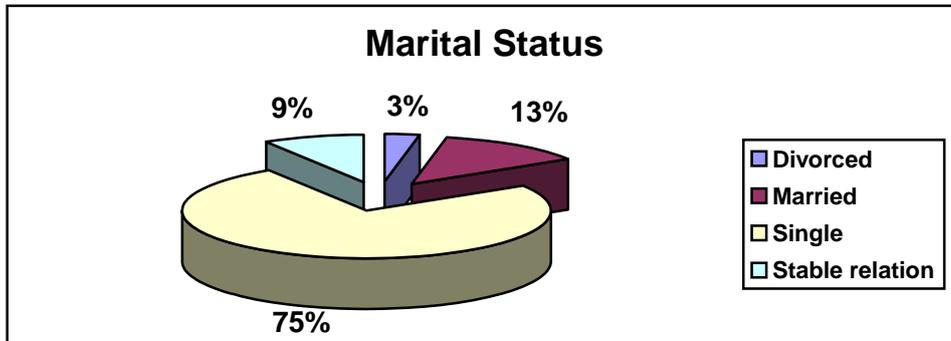
Regarding the residence type, 53% of the girls and women came from urban areas, 44% came from rural areas and 3% from a capital city.



The composition of the families was mainly nuclear 75%, 22% was extended. 3% of the assisted girls and women gave no answer.



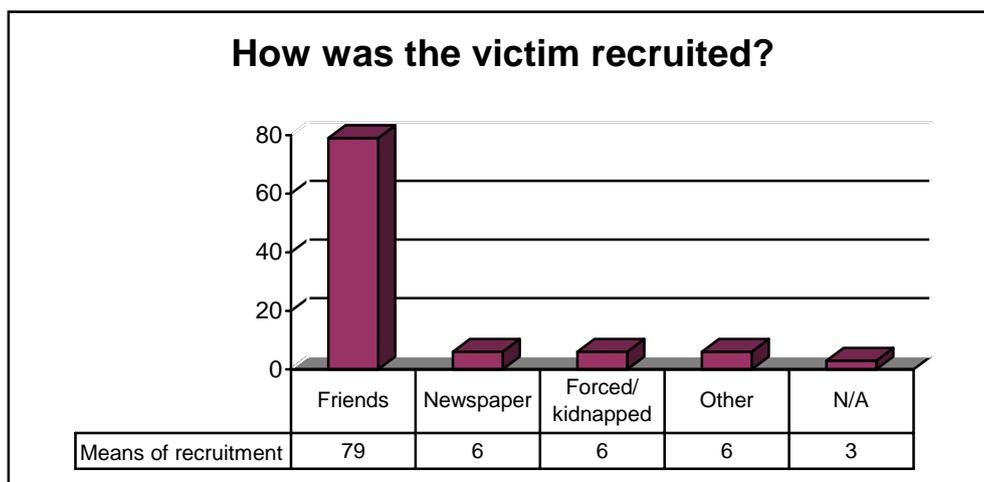
Civil status: 75% were single, 13% were married, 3% were divorced, and 9% were in a stable relationship before being trafficked.



### ***Means of Recruitment***

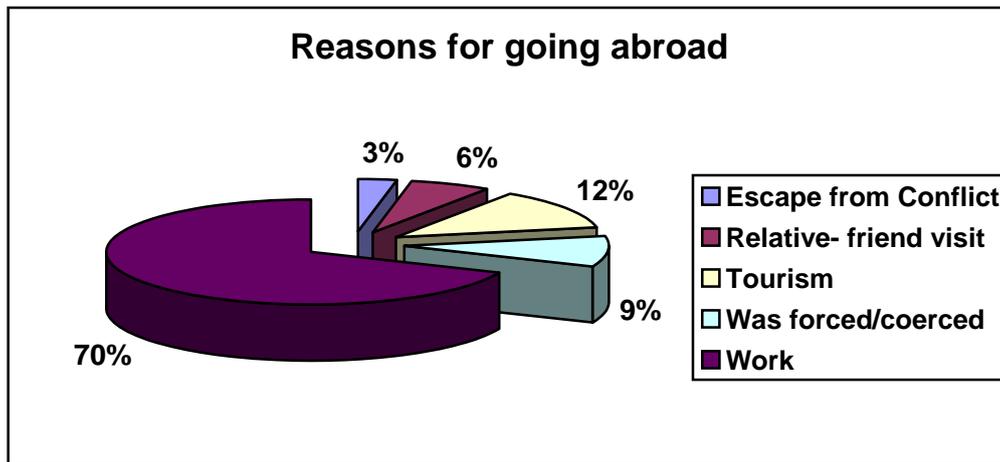
In line with the previous year’s findings, recruitment methods include informal networks, introductions through friends, or through agencies that offer to facilitate travel and to provide jobs abroad.

The majority of cases are recruited in person by different means and offers. A few cases assisted (of Moldavian nationality), reported that they replied to an advertisement offering jobs abroad, from an agency named “Macler”, in some newspapers in Moldova. From the caseload assisted during the year 2002, 79% of the girls and women were individually recruited by a friend, boyfriend, or acquaintance. 6% were recruited through newspaper announcements and 6% were kidnapped. Another 6% were recruited through other channels. 3% of the assisted cases did not provide detailed information about their method of recruitment.



### ***Push Factors and Reasons to Go Abroad***

In 2002, poverty and poor prospects in country of origin remained the main “*push factors*” for the majority of the cases. 70% looked for jobs and better prospects in western countries. Also, lack of interest in school and education and their uninspiring social background influenced girls and women to search for better opportunities abroad.



9% of the victims were not interested in going abroad for any reason, but were forced into trafficking and prostitution. One case reported that after her escape from the war conflict in Kosova in 1999 she was trafficked from Albania to Italy with the aim of sexual exploitation.

### ***Routes To and Through Albania***

In 2002, the most common routes seemed to be the same as in 2001 (see Appendix A), with a slight difference: in 2001 the vast majority of the women were transited through Montenegro, during 2002 only 55% of the cases. In Podgorica establishments exist where Albanian buyers take VoTs into Albania via Shkodra, crossing the lake or the hills near the border point at Hani Hotit.

The most common routes from Romania/Moldova to Albania are Timisoara Iasi, or through the town of Galati in Romania and then former Yugoslavia (Belgrade), crossing the river by boat or passing the border point by car. It is reported that in former Yugoslavia (Belgrade) the selling process and serious abuse begins, although there are cases where the girls are bought and sold within Romania itself.

In Serbia, the VoTs, having been formed into small groups of three to ten women, proceeded either to Belgrade, passing through Pozerovac, or straight to Montenegro, by train or car. Trading houses were mainly identified in Belgrade. Often the girls were not able to identify the places/cities they passed through, as they were kept under very strong control until they were sold.

A few cases reported different routes, passing from Serbia to Macedonia and then to Albania (11%), or from Serbia through Macedonia to Greece and then to Albania (10%). Some other cases of third country nationals were trafficked and transited differently, and



have been deported (24% of total cases assisted) from Italy, France, Sweden and Greece when they declared themselves to be Albanian.

One of the assisted cases, a minor with Russian nationality declared that she had been trafficked through Russia, Finland, Sweden, Germany, deported back to Sweden, and finally to Albania.

The cases usually stayed in houses used for keeping groups of six to ten women. The VoTs report that price paid for women varies, with younger ones generally commanding higher prices. Women reported being sold for between \$ 1500 and \$ 3000 on the Romanian/Serbian border. By the time a woman arrived in Montenegro for trade into Albania, her price had usually risen. In Albania, trafficking victims could be traded two to three times en route to the final destination.

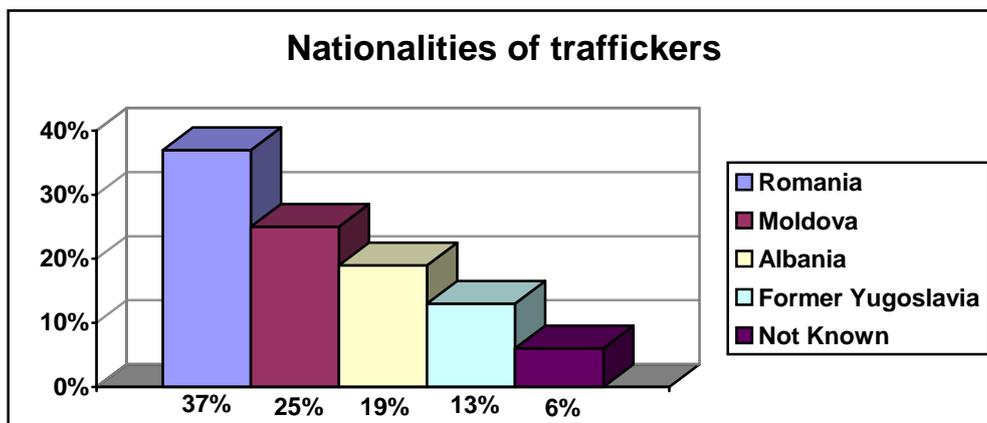
Concerning illegal border crossing, interviews revealed that 50% of cases were passing all the borders illegally until entering Albania. 28% of cases assisted have crossed legally only the first border and 19% only some borders.

### ***Recruiter's Nationality and Gender***

Victims of Trafficking, stated in their interviews that they were trafficked and transited through an international network of traffickers composed of Romanians, Moldavians, Albanians and Serbs. 62% of the original recruiters were male, 25% female, and in the remaining 13% of cases, gender was not known. Young Albanian men who are involved in trafficking are usually a part of a larger organised crime network for drug or arms smuggling. Trafficking of human beings through international borders is made possible through co-ordination and implication of different networks of traffickers throughout the region. In a majority of cases, local people living in the border areas are also involved in the trafficking of foreign women. Traffickers are well known in their communities.

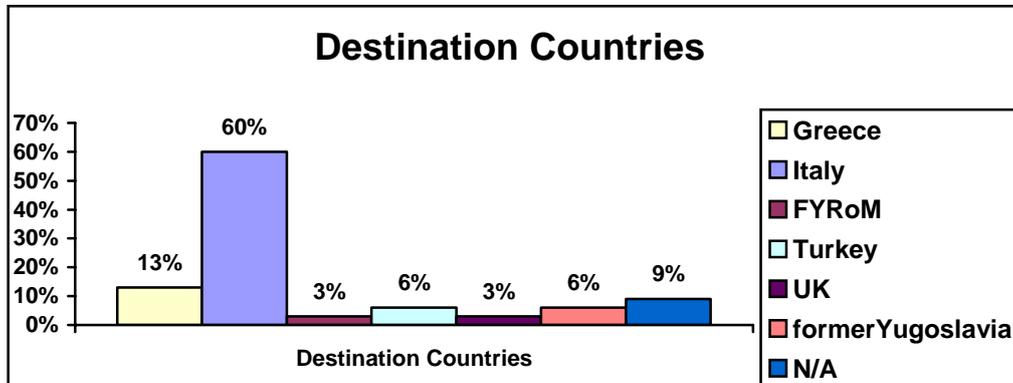
The countries of origin of traffickers encountered are:

Romania 37.5%, Moldova Republic 25%, Albania 19%, former Yugoslavia 13%, unknown 6%.



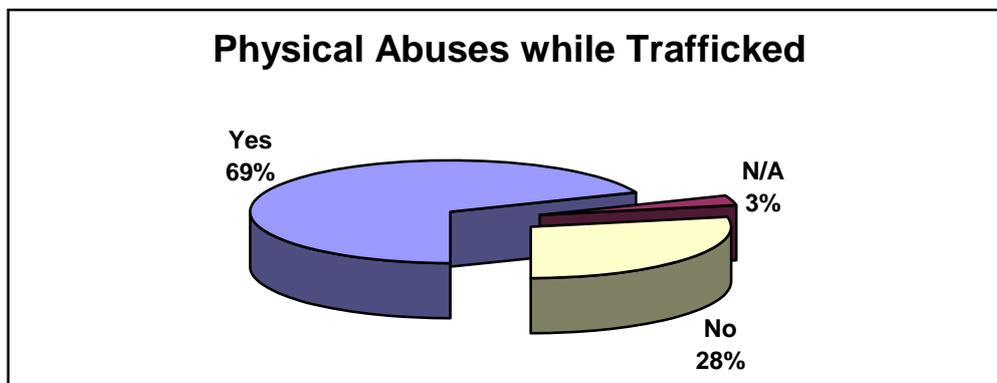
### *Destination Countries' Current Statistics*

In contrast to 2001, when Italy was the most favoured intended destination country, during 2002 Italy was mentioned by only 60% of cases assisted as country of destination and Greece was mentioned by 13%. The rest is a proportion from 3% to 7% with destinations like Macedonia, Turkey and former Yugoslavia (mainly Kosova and Serbia).



### *The Breaking Process*

Almost all cases experienced some forms of abuse while being trafficked, during the transit to Albania, and in Albania itself. Pimps and traffickers physically abused 69% of the cases assisted. Forms of violence included beating, death threats, and combined forms of maltreatment. 62% of the cases were sexually abused. 13 cases (41%) reported the traffickers raped them.



The victims of trafficking suffered threats and segregation on top of the abuse inherent in the trafficking process and endured being bought and sold several times. A major element of trafficking is the “breaking” of the girls and women. The majority of them did not consent to their new role as prostitutes. Their “breaking” was achieved through various forms of abuse, including rape.

One of the assisted cases had been hospitalised and undergone surgery as result of maltreatment and lack of medical care at the appropriate time. Most cases under the age of 18 are traumatised because of their isolation and maltreatment while trafficked.

## ***Stories From Victims of Trafficking***

### ***A 17 year old Romanian girl stated:***

“I was returning home from my tailoring lessons together with some of my friends. It was eight o’clock in the evening. At a certain point on the road my friends left, heading for their own houses and I continued by myself. I felt that I was followed and indeed two unknown persons stopped me and forced me to get in a red Dacia. They drove from Targu-Frumos (Iasi), till Timisiora. I struggled all the way, but they beat me up and took me to an apartment in Timisoara where seven other Romanian girls were. I stayed there for about one week, during which I was told that all of us were going to be taken to other countries for work. During this time we weren’t allowed to leave the apartment and a man about 43 years old used to bring us the food and other things, while a woman about 35 years old stayed with us all the time. Then a man about 43 years old came and took us all in two vehicles. We travelled outside of the town accompanied by two men until we reached a big field. It was getting dark as we got off the vehicles and continued the trip on foot. We walked for the whole night until the next morning when we noticed we were near a village. At that point we were told we were in Serbia. A Serbian man showed up and took two other girls (Nadia and Paola) and me at a house where we stayed over-night. This was a normal village house and a family was living there as well. We weren’t allowed to talk to the family members. Paola and I wanted to escape but there were very high walls surrounding the house, and it was impossible for us to climb those. The next morning the same Serbian man came and took us away. He seemed to be afraid of the police and therefore he had to move us from that place as soon as possible. He got us into his car (a pick up) and covered us with a blanket. This way we travelled for about 5-6 hours until we reached a small town in Bosnia-Herzegovina. He took us to a wooden house full of other Moldavian and Romanian women (25 of them). I stayed there for about two weeks, until another person took two other girls and me to Belgrade (Serbia) to work. I never wanted to work as a prostitute but I had to do what my pimps told me, otherwise I had to suffer the consequences.”

### ***A fragment from an interview with a Kosovar girl about her trafficking experience and exploitation:***

“We arrived in Italy in an area called Lecce. From there, together with the three other women, we took the train to Bari and later to Torino in North Italy. At the train station a man was waiting for us and took over the other women. Rimi (trafficker) took me to his apartment in Torino, where another Albanian woman (Ana), from Kukes, was living also. She told me that she was working in the streets of Torino as a prostitute and that this would be my work also for the future. I tried to leave, understanding Rimi’s intentions, but he mentally, physically, and sexually abused me and forced me to go and work in the street. As a result of his treatment, I was hospitalized in Italy for about 3 months, with Ana staying all the time with me guarding me.”

*She was maltreated several times. During the period of assistance by IOM she was provided with psychological help and medical treatment.*

## 5. Referral and the role of the police

### 5.1 The Pre-screening procedure

As a result of the co-operation and co-ordination between all partners involved, there was a total of 204 persons of different nationalities pre-screened, including those who accepted repatriation to their countries and those who requested asylum in Albania. It is to be noted that one victim of trafficking requested asylum in Albania.

Worthy of mention is that the police collaborated with the pre-screening teams in all their missions. On a case-by-case basis, some high-ranking police officers are invited to participate in the interviews with the aim of increasing their capacity to deal with similar future cases once the pre-screening procedure is phased out.

### 5.2 IOM, Police Counter Trafficking (CT) units, and the Ministry of Public Order

In view of the limited numbers of referrals for third country national victims of trafficking, IOM (in coordination with MOPO - Head of CT sector) directly contacted the Police Directories in all districts to refresh officers on how to handle victims of trafficking and to carry out the procedure of referrals. Meetings with the Heads of Counter Trafficking Units aimed at strengthening co-operation.

Leaflets with information in different languages (Romanian, Bulgarian, Russian, English, and Turkish) are constantly distributed in police commissariats for potential beneficiaries. As well posters in Albanian with information for the police find their way to the police stations and border points.

### 5.3. Capacity Building

During the meetings in different Police Directories, IOM collected information and data from the Police CT units concerning:

- General situation and conditions in Police Directorates when they have to deal with VoTs
- State of knowledge and information about IOM's Counter Trafficking activities
- Training status
- Linguistic knowledge of police personnel
- Relationship with police on other side of the border
- Means at their disposal (cars, computers, mobile telephones, etc.)

Based on gathered information, different actions were taken to improve the reception conditions and to train attitudes, skills and awareness.

## 5.4 Comfort Suites

During visits to several Police Commissariats throughout the country, several shortcomings became evident. Materials and appropriate housing conditions in order to assist detained foreigners were poor. This situation posed a burden on the police, who were compelled to share their workspace and own goods (food and other items such as blankets and mattresses) with detained foreigners. On request of the Police Commissariats, IOM contributed to the refurbishment of six “Comfort Suites” in the Police Commissariats of Shkodra, Kukes, Elbasan, Vlora, Gjirokastra and Tirana. The suites are currently used by victims of trafficking pending their referral to the Reception Centres.

## 5.5 Training

In 2002, a training program on issues of irregular migration and trafficking was conducted through IOM Tirana for the relevant authorities. Training activities for Border Police were conducted in Durres, Shkodra, Fier, Korca, Vlora, Saranda, Pogradec and Erseka. Two training curricula were designed, developed, and published for the police authorities concerning the procedures required, management, and treatment of irregular migrants and trafficking victims. The curricula also covered issues of domestic violence and gender sensitivity. A manual on investigative police procedures in counter-trafficking was developed during the course of 2002 by IOM in co-operation with the MOPO and the General Prosecutor’s Office.

The training, started by IOM in 2001 and continued in 2002, targeted police personnel from all regions and concentrated on strong awareness-raising tactics. It has changed the perception of the police towards the nature of the trafficking phenomenon and their attitudes towards the victims. It has been observed that the number of referrals increases (for a short period) from particular area after training has been given to the local police there. The motivation and sensitivity of the police rise after training, as the importance to society of anti-trafficking action is understood. Although prostitution is still considered a crime, Albanian law now presents the conditions to allow a reversal of the tendency of criminalizing the victim rather than the trafficker.

Police have controlled known or suspected hotels where victims were believed to be kept. Some successes have been recorded, particularly in the last months of 2001 in Tirana, following the police training and during a number of high profile operations carried out during the second half of the year. These operations produced encouraging early results in terms of arrests and prosecutions.

During 2002, two workshops were organized by IOM Tirana and conducted in the region. The workshops were for border police and prosecutors, to encourage and facilitate the exchange of relevant information among law enforcement structures of five countries along a common irregular migration route. As well, two regional workshops were held for journalists on ways of strengthening international co-operation to tackle irregular migration and trafficking by reporting on it.

## **6. The role of the prosecutors and the judiciary**

The amendments to the Criminal Code by Law No. 8733, dated 24.01.2001, led to a decrease of criminal offences in the field of trafficking.

From January to September 2002, 26 proceedings were registered, 21 persons were taken as defendants and 4 criminal proceedings were sent to trial, with seven defendants under arrest. (Source: OSCE, Albania)

For trafficking of children, four proceedings with four defendants under arrest were registered, which continue to be under investigation. For trafficking of women for prostitution and exploitation of prostitution under aggravating circumstances: 183 criminal proceedings were registered, with 156 defendants of whom 148 are under arrest; 37 proceedings were sent to trial, with 57 defendants, 48 of them under arrest; the investigations were closed for 8% of the cases registered because of the absence of a criminal offence or the absence of evidence; and 6% of the cases registered were suspended. Following the blocking of speedboats, the trafficking in human beings and in women for prostitution fell by about 80%, compared to the same period of past years, while from July to September 2002, cases have been sporadic.

It is suggested that one of the reasons for the failure in prosecution could be corruption of the police and judiciary (Source: OSCE, Albania). Due to low level of salaries, police could be vulnerable to corruption. Several NGOs have stated that they know the names of the people involved and state that these names are also known to the police. The same sources speak about involvement of the local police in trafficking (OSCE, Albania).

Among the IARS assisted beneficiaries in 2002, three Romanian, two Moldavian and one Montenegrin case co-operated with the Department of Justice prior to being repatriated. They attended the court hearing sessions as requested by the law enforcement structures (police and prosecutors), where they testified against and denounced their traffickers. Three of the girls were minors, under 18 years old.

## **7. Shelter Provision; co-operation with Government of Albania**

A major development took place in the implementation of the Government of Albania's National Strategy against trafficking. On 25<sup>th</sup> of April 2002, an agreement was signed between the Ministry of Public Order (MOPO) and the Ministry of Labour and Social Affairs (MOLSA) according to which former military barracks in the outskirts of Tirana will be reconstructed and transformed into shelters for Victims of Trafficking. On 28<sup>th</sup> of March 2003, an agreement was signed between MOPO and IOM regarding the creation of a National Reception Centre guarded and managed by the Albanian government with the IOM support, for third country illegal migrants.

The Government of Albania will rehabilitate the premises. The Ministry of Public Order will provide security within the premises, while IOM will contribute basic training and supervision of personnel, and some further necessary rehabilitation.

The physical move is scheduled to take place in June 2003. IOM will henceforth move the assistance to third country beneficiaries (irregular migrants and victims of trafficking) to the Albanian National Reception Centre, where they will be sheltered in separate and dedicated buildings. After consolidation in the new environment, gradual take-over by

state-employed personnel will take place. Through training conducted by professional IOM trainers and by training on the job, where experienced social workers will coach and guide the new staff, skills will be developed. One main concern remains the security of the beneficiaries and the staff and the level of professionalism required to provide appropriate assistance. IOM will provide assistance in monitoring these closely and depending on the progress made, will complete the hand over and phase out through a gradual and close process of validation.

## **8. The Challenges of Reintegration**

All victims of trafficking, once they are returned to their countries of origin, are assisted by IOM Missions and their local partner NGOs on their path to reintegration, according to their needs and expressed wishes. Reintegration challenges are faced in the social environment, as well as in building a new future. Returned trafficked girls and women encounter, in their social environment and in their own family, the prejudice of having been a prostitute. Awareness-raising around this stigma remains an important activity, as severe stigmatisation can prevent effective reintegration and can bring the victims, due to poor possibilities to sustain their living conditions, back into the loop of trafficking. As well, in the development of job opportunities and training, returned cases face difficulties. As long as opportunities are poor, possibilities are few, and no support is given, the risk of getting “re-trafficked” is high.

Of the 16 cases returned to Romania during 2002, about 70% of them were successfully reintegrated and reunited with their families. Some of the cases were first assisted by the IOM receiving mission and referred further to a local NGO (such as ‘Alternative Sociale’) or another NGO located in different cities. All the cases were provided with re-installment grants and opportunities for job placements. Some beneficiaries finished high school. Vocational training courses were also offered. Some of the assisted and returned girls (13%) have, by their own choice, not been in contact with IOM Bucharest. There is no exact information for the remaining 17%.

One Polish case was successfully re-integrated in life after repatriation. She was provided with job placement as Sales Assistant and she was pleased with the assistance ‘La Strada’ (a Polish NGO) gave her. Of the 7 cases returned to Moldova, including transit-assistance by IOM Budapest, only one case assisted could not be traced during the follow-up phases upon return. A few cases were provided with shelter on reception. The other cases were given the information and opportunity to be in contact with IOM Chisinau for further help and assistance and decided to continue their journey to their places of origin.

In April 2002, IARS developed a new Counter-Trafficking Information System as a more comprehensive Regional Database system, which allows analytical and statistical caseload reporting. This system supports the management of the program and provides access to both sending and receiving IOM Missions for the necessary information and monitoring of the cases assisted and returned. The Counter-Trafficking Information System is designed to be more advanced than the previous one and covers the profiles of trafficked victims of both domestic and foreign origins. This system, using electronic data exchange, allows exchange of information between and among the IOM Missions and facilitates caseload monitoring. IOM Missions involved in this system include headquarters in Geneva and missions in Kosova, Macedonia, Serbia, Albania, Bosnia-Herzegovina, Montenegro, Croatia, Romania, Bulgaria, Ukraine, Moldavia, Hungary and Italy.

## **9. Current policy initiatives**

In June 2001, the Prime Minister of Albania authorised the Ministry of Public Order to create an Inter-Ministerial Working Group on Trafficking with the goal of preparing a National Strategy to Combat Trafficking in Human Beings. This initiative was pursued in consultation with international organisations, local NGOs, and other instances of the Civil Society. The Strategy was approved by Parliament in December 2001.

The underpinning plan of action, which should be implemented until September 2004, envisages a number of main domains where actions against trafficking are required, sets out responsible institutions and indicates a budget for all the activities. The main sectoral components of the Strategy include:

- Research on trafficking
- Services to protect trafficked persons, including shelters to be managed by NGOs with government support, and training for the staff of the shelters
- Reintegration programmes for trafficked persons
- General campaign on prevention and raising awareness supported by the Ministry of Education, and also including anti-HIV/AIDS education
- Education of women and children regarding protection against trafficking and exploitation
- Improvement of social and economic conditions for women
- Measures to prosecute and punish traffickers, including changes to legal regulations and better law enforcement
- Strengthening control of national borders.

Other cross-cutting or related activities pursued by the Government include:

- The Minors Division of the Ministry of Justice prepared analyses of the legal aspects of trafficking in children
- New provisions for the protection of children – changes in the Adoption Law and Labour Code
- National Strategy for Children, based on the principles of the Convention RC
- Prevention of trafficking in children and implementation of the National Strategy to Combat Trafficking
- National Strategy for Women including anti-trafficking measures and prevention activities, plus providing girls with a better education and securing their right to education
- Readmission agreements between Albania, Italy, and Switzerland, as well as the bilateral agreement between the Ministry of Public Order of Albania and the Greek Ministry of the Interior on co-operation and readmission of children.

## **10. Current developments in the international community**

The Albanian Government follows international agreements, in order to combat the trafficking phenomenon.

The Stability pact for South Eastern Europe, signed in 2000, addresses the responsibility of the South Eastern Europe states to implement effective programmes of prevention,

victim assistance and protection, legislative reform, law enforcement, and prosecution of traffickers. The Government of Albania signed the Tirana Declaration within the framework of this Stability Pact in 2002. With the Declaration, countries of Western Balkans undertake to grant temporary permit of stay in their territory to victim of trafficking pursuant to their obligations under international law. It is consented that a temporary residence permit forms a crucial element of any effective victim and witness protection strategy. Article 18 in the Italian Law for Migration forms a model to be adopted according to specific conditions of Albania and this law is currently being drafted. IOM is asked by the GoA to comment and assist in the drafting.

Furthermore, in 2002, a start was made to draft a Memorandum of Understanding (MoU) on temporary victim protection and on witness protection, for Albanian and third country nationals. This MoU aims at protecting those who will have the status of witness in trial sessions as well as protecting his/her family.

The Albanian policy on combating trafficking is watched closely by the International Community. In the yearly "Trafficking in Persons" report, the State Department of the United States of America ranks Albania on Tier 2 on this matter, meaning that it is recognized that Albania has taken important steps to combat trafficking in persons, especially through law enforcement efforts and coordination and continued implementation of the National Action Plan. Weaknesses such as corruption and insufficient follow-through on corruption investigations as well as insufficient protection for vulnerable minors are the major factors supporting a continued Tier 2 ranking.

## **11. Final Recommendations**

As already mentioned, some recommendations made within the context of the IARS report 2001, remain valid. In this chapter, a distinction is made between short-term recommendations (to be achieved within one year) and long-terms (to be achieved within three years).

### Short-Term Recommendations

The Border Police form an integral part of counter trafficking investigations and intelligence gathering. The unit is willing and motivated, but due to lack of resources, particularly equipment such as night glasses, communication equipment, and (most importantly) means of transport by road and sea, it remains difficult to properly patrol and secure the 174-km of border. Training by IOM for border guards is planned for second half 2003, in order to provide information and raise awareness. The lack of recourses needs to be addressed in order to apply the skills obtained during training.

The establishment of a law on witness protection, the establishment of sheltering services, and a witness/victim protection program are recommended. This would not only guarantee protection and confidentiality to victims who are willing to testify in court, but also significantly enhance the successful prosecution of the traffickers. Confidentiality is even more important for Albanian victims due to fear of stigmatisation and labelling as 'prostitutes', as well as fear of retribution, which hinders any real opportunity for reintegration into Albanian society. Furthermore, the Albanian Government can benefit from victim protection and return mechanisms established through the IARS project.

Official and reliable statistics on trafficking in Albania are not available, due to the nature of the problem. A national database, jointly used and updated by police and pre-screening teams, as well as corroborated comparable data from institution in countries of destination, can support the building of a reliable knowledge base, in order to draw valid conclusions that can be fed back into effective counter-trafficking programmes.

Since the trafficking in human beings has a strong regional dimension, the Albanian Government should be supported, and not have to work in isolation. The Government should develop sophisticated forms of dialogue, mutual trust, and close co-operation with countries in the region, particularly other origin countries, to combine and synergies efforts in combating trafficking. Much work is still needed at borders to avoid any form of pushing back of irregular migrants, which would contribute to a lingering regional volatility. Policies on both sides of the border must synchronise and interlink their efforts, in order to give investigations new impetus and provide improved assistance to and apprehended VoTs in line with internationally agreed obligation.

### Long -Term Recommendations

The majority of the cases that attempt to leave their countries do so because of lack of employment opportunities. Therefore, an equal level of resources and interest by both the Governments and the international donor community must be devoted to the development and fostering of social services and the creation of viable and convincing economic opportunities in origin countries in order to defuse vulnerability to trafficking, especially in high-risk areas, rather than solely focusing on law enforcement. Furthermore, the economic enhancement of these areas would encourage effective reintegration and retaining of victims within the community and family upon return. This has to develop within the next few years. An example of such an opportunity is a project run by IOM to involve Albanian VoTs in small social businesses. This project will especially serve those who experience difficulties with integration into the Albanian society and/or experience problems in finding suitable jobs in a protected environment. The project aims to give the beneficiaries professional training, to integrate them in protected working activities under special supervision and care and to enable them to live independently.

A change in social perception needs to be achieved, if any difference is to be made in the long term, especially among the young population. The youth of Albania, especially those who live in and come from the poorest areas, are still exposed to and influenced by inappropriate role models, who are nonetheless perceived as successful and therefore emulated. Hence, efforts must be made to mainstream trafficking and gender violence issues in primary and secondary education curricula and to provide young people with alternative role models, and forms of participation, that are more conducive to mature and responsible growth as a full member in civic society. Albania, to a great extent, shares the same push factors and patterns as other countries of origin. Closer collaboration and communication with institutions of these countries it is not only important regarding reintegration assistance, but also regarding awareness raising and prevention efforts. Using the data obtained, tailor-made campaigns and sustainable and comprehensive approaches can be established.

## 12. Conclusions

With regard to the data obtained and analysed, it can be concluded that a stabilisation has occurred in background, age, and nationality of the VoTs and the means and routes for trafficking.

The Albanian Anti-Trafficking Strategy implemented by the State has brought about some tangible improvement. In particular, the political will and attention for the implementation has positively impacted on the state and police departments.

It is widely known that training has different effects. Training given to police officers and border guards not only benefits the skills and knowledge of the participants, but there is also a clear causal relationship between training and the number of referrals, and this needs to be further studied and observed in order to maximise the overall impact of training. One problem associated with training seems to be the continued high level of turn over of staff and the need for reiteration and refreshers as well as other forms of follow-up and support, including regular visits. This effect is short-term, so other means need to be sought to sustain the referral system.

The relationship among partners in the pre-screening – UNHCR, OFR, IOM, OSCE and ICMC (the latter until it phased out its participation in October 2002) – remained positive and constructive in 2002. A renewed Memorandum of Understanding for the expansion of the pre-screening system is to be signed in 2003.

During 2002, IARS experienced a much lower number of referrals compared to the previous year. This development warrants further in-dept investigation. The trend has shifted to using regular means of transportation from Albanian air and sea ports, with widespread use of false documentation bought or counterfeited in Albania. A new challenge is to defy these developments and to use other investigation techniques. The importance of long term sustainable and locally owned reintegration and return mechanism cannot be understated, nor can and the importance of shifting the focus to vulnerable groups.

## Appendix A:

### Routes to Albania by country of origin:

<b>From Moldova</b>	7 cases
• Moldova/Romania/Serbia/Montenegro via Lake	
- Via Shkodra Lake by boat	1 case
- Via mountainous region on foot	3 cases
• Moldova/Romania/Bulgaria/Macedonia/Albania via Lake Ohrid area	1 case
• Moldova/Romania/Serbia/Macedonia/Kosova/Albania via border check point	2 cases
<b>From Romania</b>	16 cases
• Romania/Serbia/Montenegro/Albania via Shkodra area crossing points	
- via Shkodra Lake by boat	8 cases
- via mountainous region by walking	4 cases
• Romania/Bulgaria/Macedonia/Greece/Albania via mountainous area	2 cases
• Romania/Serbia/BiH/Slovenia/Italy/Albania – deported	1 case
• Romania/Greece/Germany/France/Albania - deported	1 case
<b>From Poland</b>	1 case
• Poland/Greece/Albania via Kakavia border point	1 case
<b>From Montenegro</b>	1 case
• Montenegro-Podgorica/Albania-Shkodra via mountains on foot	1 case
<b>From Russia</b>	1 case
• Russia/Finland/Sweden/Germany/Sweden/Albania via air	1 case
<b>From Kosova</b>	3 cases
• Kosova/Albania/Italy/Albania – deported from Italy	3 cases