

# Understanding Trafficking of Girls and Women from Albania



Shpresa Programme  
2017

## About Shpresa Programme<sup>1</sup>

Shpresa programme is an award winning community driven organisation. Since the start it has worked with over 2,000 Albanian speaking refugees and migrants each year to foster integration and support men, women and children, enabling them to contribute to the communities in which they now live and work.

Shpresa works with children learning Albanian language and dance, parents learning English and parenting skills, women suffering domestic violence, asylum seekers and migrants and volunteers trained and supported on jobs. We are a hub, providing country information on Albanian speaking communities. We also help our vulnerable beneficiaries with food and clothes. Shpresa has become the family for young people who are in the UK without their parents. Shpresa is the organisation anyone can come for help knowing that we will do our best to help.

Shpresa was awarded the Queen's Award for Volunteering in 2004, the Youth Quality Mark, Gold Award for excellence in our Youth Work provision, the Special Distinction Award from the National Resource Centre for Supplementary Education for exceptional all round high quality supplementary school provision, the Forum for Health and Well Being's Communities of Health Award for three years and the 2016 Marsh Award for contribution to the fight against modern slavery and work with trafficked women and children.

Shpresa's CEO received the UK Foreign Social Entrepreneur Award from Money Gram (2017), the Ambassador For Peace from Universal Peace federation (2016), the David Crystal Award from the Chartered Institute of Linguists in 2014 in recognition of work on fostering studies of community languages, an Honorary Award as Migrant and Refugee Woman of the year 2012.

## Rationale for this research paper

There is a prevalent assumption that, as an EU candidate country, Albania's record of rights protection is at similar levels to other EU member states. However, the rising trend of people migrating and or seeking asylum indicates that the reality may be quite different. Certainly, in order to better respond to their needs when they are in the UK, further analysis is needed to help us understand the complex issues people are faced with in the country.

We feel that while there is some degree of understanding in the UK of the Albanian culture - namely the music, dancing and traditional cuisine –there is however, little knowledge of the current social, economic and political situation in the country to help in understanding why trafficking is taking place. Therefore we present this research paper to highlight some of the major issues affecting trafficking and hoping that future research will bring the necessary evidence to not only understand but also to eliminate trafficking of women and girls from Albania.

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## About This Paper

This working paper brings an analytical view of the social, economic and political context in Albania, and risks to the individual, to help in understanding major reasons behind the growing trend in trafficking of people from Albania to the UK that has been reported by British authorities. It aims to uncover complex issues and factors that cause and surround trafficking of people from Albania, in particular that of women and girls. Rich in evidence and factual analysis, it will be a useful document for academic researchers, policy makers, charity sector workers that support asylum seekers who are victims of trafficking, legal professionals and International Organisations focusing on the global fight against trafficking of people.

It is clear that more research is needed in order to develop a better understanding of the issues affecting trafficked persons, the situation and perspectives of victims of trafficking when they reach the UK, and to elaborate the process and impacts of asylum, integration and return. Issues of safe return, state protection and relocation deserve particular investigation to provide robust ground for evidence based policies.

This paper also aims to contribute to wider debates on the causes and consequences of modern human trafficking, to move beyond longstanding misconceptions and generalizations.

## Methodology

The evidential basis for this paper comes from country statistics, reports and publications on issues of trafficking of women and girls from Albania. The main sources consulted include Government of Albania (strategy and policy documents, laws, regulations, statistics), Home Office UK, the People's Advocate and the Commissioner for Protection from Discrimination in Albania (reports and statements), Local and International Organizations (research, reports, analysis, statistics), academic papers and Albanian media. Academic literature on the topic serves as the basis for understanding the problem in the global context, as trafficking does not function and cannot be understood in isolation and from the perspective of one country alone.

This paper also benefits from the knowledge base collected at Shpresa programme through projects and activities carried out with Albanian speaking community in the UK. Compilation of the report entailed examination of data and indicators from various country statistics to gain an objective and balanced assessment of the situation in the country. A full list of resources is appended to the report.

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# Introduction

Trafficking in human beings remains a prominent issue, despite national and global efforts to eradicate it and guarantee a level of safety and wellbeing for those at risk. Women and children are overwhelmingly victims of this crime, as they are typically the most vulnerable in society.

Trafficking of people from Albania after the fall of the communist regime in 1991 was perceived to be related to the social anomie of transition. It increased markedly since the financial crisis of 2007/8, and noticeably in particular in the recent years. This is reflected in growing numbers of UK asylum claims from Albanian nationals.

This presents an apparent paradox to many observers, since the image of Albania is presently one of a more stable, 'European', modernizing country than was evident in the 1990's. While this is certainly the case on the surface, Albania continues to be plagued by a wide variety of issues as the social picture evolves. Political statements are often made to appease recipient countries, and to some degree, by denying the existence of the problem and presenting it instead as an issue of economic migration that can be solved by a visa free regime<sup>2</sup>. However, what these statements do not explain is why would people still risk their lives coming to the UK illegally, when visa free travel and better work opportunities exists in other EU countries such as Germany, where most of regular migration is directed. Indeed, OECD data on asylum seeking applications by recipient country in 2016 show that Germany received the largest 722,360 applications while the UK received 38,380 applications (Statista, 2016<sup>3</sup>). UK Government data on distribution by nationality of asylum applications to the UK in 2015-2016 show that Albanians are 8<sup>th</sup> in the list, after nationals from conflict countries<sup>4</sup>. Dismissing the need to understand why people are being trafficked to the UK also fail to consider that illicit activity of trafficking often hides among the massive migration flows, and therefore what appears to be 'opportunistic' may in fact be an indicator of a more serious issue that organized crime preys on the vulnerable.

Data from EU28 show 70,000 first time applications for asylum seekers from Albania were made in 2015, and almost the same from Kosovo. From those, 54,762 applications in Germany but 99% of those were rejected<sup>5</sup>; thousands were deported back to Albania from Germany and Sweden. Asylum numbers dropped by half in 2016<sup>6</sup> and data for 2017 are yet to be examined.

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<sup>2</sup> IOM, 2017

<sup>3</sup> Statista, 2017

<sup>4</sup> Statista, 2017a

<sup>5</sup> Amnesty, 2016

<sup>6</sup> Eurostat, 2016

There is therefore need to elaborate the country context and complexity of factors that either enable or drive the ‘business’ in trafficking of people. These cover a broad range of issues from individual vulnerabilities such as exclusion and risks to personal, human security, to broad social and structural issues such as human rights, institutional protection and corruption.

The paper aims to meet this need through a non-technical and easily absorbed overview of the major issues. It is organised in two sections dealing first with the nature and extent of trafficking from Albania, and secondly with matters impacting repatriation and reintegration into Albanian society. In looking for root causes and drivers, it presents both demand and supply side factors that underpin the phenomenon, including current socio-economic situation in Albania, the specific vulnerabilities of women, the Albanian trafficking model, public services and institutional provisions, and policy implementation on human rights protection.

# Section One: Trafficking

Trafficking<sup>7</sup> in Persons is defined as 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. Exploitation includes, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery and servitude.

Research literature on the trafficking of persons highlights that many factors affect the existence and perpetuation of it. Because it is certainly also a profit driven crime, then economic incentives need to be removed and risks to engaging in trafficking be evident by introducing heavier persecutions.<sup>8</sup> A major factor is also increasing resources for policies on anti-trafficking so that they do not remain laws and regulations in paper alone. Literature suggests that governments need to understand the crime of trafficking as a criminal business model that preys on the vulnerable people (ibid).

Shelley<sup>9</sup> argues that there is more than one business model of human trafficking and there are enormous variations in different regions of the world. Increase in human trafficking has been linked to economic and demographic inequalities among others. As such, this paper shows that trafficking cannot and should not be seen separate from the socio-economic indicators of individual countries and global trends. Responsive policies need coordinated engagement of all actors, including government, business community, civil society, multilateral organisations and the media (ibid.). Indeed, none of these stakeholders alone can provide meaningful response.

Media in particular is becoming a useful and valid source of evidence especially for real time reporting on the issue of human right protection. This paper makes ample use of media reporting particularly as regards reporting of arrests, prosecution and political statements about trafficking, which provide a test case of the real situation in one country, and reveal more about effectiveness of efforts in place.

## 1.1 UK as a destination for Albanian VoT's

Trafficking in persons from Albania is a major concern at a time when Albania is aiming to become a full EU member country. As a form of slavery, trafficking is a violation of human rights, and as such Government has direct responsibility to find

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<sup>7</sup> UNODC: Article 3, paragraph (a) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons

<sup>8</sup> Human Rights First, 2015

<sup>9</sup> Shelley, 2010



the means to guarantee their citizens are protected from such risks. While the Government of Albania has made anti-trafficking efforts a priority in its institutional interventions and specific action plans, there seem to be still a cause for concern as the trend of trafficking of people is on the increase.

UK data shows that the number of Albanian citizens claiming asylum in the UK has been on the increase over the last decade and into 2017. Earlier reports show that ‘Albanian and Balkan crime groups specialize in trading humans’<sup>10</sup>. According to NRF end of year report 2016<sup>11</sup>, Albanian, British and Vietnamese nationals are the most commonly reported potential victims of trafficking. The number of people referred to the NRM<sup>12</sup> has increased from 1746 in 2013 to 2340 in 2014<sup>13</sup>. In 2014 out of 2340 people referred, 316 were Albanian nationals, and 230 of these were recorded as having been trafficked for sexual exploitation.

Most of Albanian victims of trafficking have arrived in the UK from another EU country, rather than having been trafficked to the UK in the first instance. Surely the UK’s reputation as a safe country with comprehensive and capable legal and police protections is a factor here that as a sanctuary for victims of trafficking it produces a ‘high risk of doing business’ for traffickers<sup>14</sup>.

In many cases victims of trafficking have been assisted to escape their situation and have been advised or even helped to some degree to find their way to the UK. Evidence from statements of victims of trafficking show that in some cases victims may have paid to be smuggled or agreed to upon hoping to obtain employment and subsequently pay back the smugglers but in the process they have become trafficking victims. Literature from international research on trafficking shows that many of the illicit migrants pay smugglers, and cannot be considered victims of trafficking, however, all too often they become victims of trafficking along the way or on arrival<sup>15</sup>.

Certainly, trying to escape from traffickers is typically loaded with risk, and with the prospect of reprisal if they returned to Albania, trafficking victims find ways to get to the UK as a place where they can establish themselves more safely. This is evidenced in testimonials given by victims of trafficking. However, it needs noting that is not that they are always without fear of being found or of reprisals even while in the UK. In reflection of Shpresa’s experience of working with victims of trafficking, it can often be the case that individuals may not take up necessary or essential support due

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<sup>10</sup> In Shelley 2010, pg.10.

<sup>11</sup> National Crime Agency

<sup>12</sup> National Referral Mechanism

<sup>13</sup> NCA, 2014

<sup>14</sup> Compared to other ‘demand-side’ countries such as Italy, Greece and Germany.

<sup>15</sup> Shelley, 2010

to fear of being traced through contacts made through Albanian communities in the UK.

The comparatively much larger numbers of irregular migration and asylum claims in Germany and then also in the rest of the EU<sup>16</sup>, indicate that victims of trafficking very seldom, if ever, take the route to the UK simply for better economic conditions like migrants, but rather come to the UK to seek refuge, escaping from the fear of persecution from the traffickers in the first country they were trafficked to, or from returning to where they were originally trafficked from in Albania.

## 1.2 The extent of Trafficking from Albania

Trafficking of women and girls for sexual purposes is an urgent national issue in Albania. This paper covers especially trafficking of women and girls from Albania because as it is also noted in literature on transnational crime statistics<sup>17</sup>, they are significantly and disproportionately represented, mainly due to their vulnerability.

The US State Department in its 2017 TIP, the same as in the 2016 TIP<sup>18</sup> concludes that ‘the Government of Albania does not fully meet the minimum standards for the elimination of trafficking<sup>19</sup>’ while also acknowledging that it is making significant efforts to do so. Albania remains a source and destination country for trafficking of men, women and children subjected to sex trafficking and forced labor, this being the case in the last 5 years as reported by consecutive US TIP reports since 2011.

The European Commission (EC) 2016 opinion considers that Albania is still ‘among the top five non-EU countries of citizenship for registered victims of human trafficking’ following from the EC 2015 report that ‘Albania is a source, transit and destination country for trafficked people’. The UK Government also considers Albania as a country of origin for victims of human trafficking.

US State Department highlights in its trafficking of persons 2016 report that Albanian women and children are primarily subjected to sex trafficking within Albania, a conclusion also reached by the IOM (2010) stating that Albania has among the highest numbers of internal trafficking cases. This is reinforced in the TIP 2017 noting internal trafficking of ‘Albanian women and children especially during the tourist season’.

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<sup>16</sup> First time Albanian citizens asylum applications in EU countries in 2016: In 2016

Albanian asylum seekers in France make the 1st group with 6850 applicants, 3rd in the Netherlands with 1665 applications, 5th in Greece with 1300 applicants, in Iceland they made the second biggest group with 230 applicants, 2nd in Luxemburg and 3rd in Ireland with 220 applications each and 4th in Lichtenstein with 5 applications, 3rd in Estonia with 10 applications.

<sup>17</sup> ILO, 2005

<sup>18</sup> USSD, 2016

<sup>19</sup> USSD, 2017

Trafficking of Albanian children and women continues to bordering Kosovo, Macedonia, Montenegro, and Greece<sup>20</sup> Italy and the UK<sup>21</sup>. Majority of identified victims of trafficking in the EU originate from South Eastern European countries, including Albania, and account for 29.1% of all identified victims<sup>22</sup>. Researching the data by identified groups at risk shows that girls remain vulnerable to child sex trafficking.<sup>23</sup>

## 1.3 Reasons behind trafficking

In order to explore reasons why Albanian nationals are trafficked, first attention must be drawn at who is being trafficked and how.

As acknowledged in the Albania country case guidance<sup>24</sup>, it is not possible to set out a typical profile of trafficked women from Albania: trafficked women come from all areas of the country and from varied social backgrounds. However, girls and women with socio-economic vulnerabilities, typically without family support, are more likely to be victims of such violence<sup>25</sup>. Around half of all Albanian trafficking victims are under age of 18<sup>26</sup>. According to National Coalition of Anti-Trafficking Shelters, the majority of identified victims of trafficking (62%) lived in poverty prior to being trafficked<sup>27</sup>. Poverty continues to be one major indicator that increases vulnerability, and traffickers prey on the vulnerable. Poverty on the other hand increases the push to try and aspire for a better life<sup>28</sup>, which traffickers exploit. TIP 2017 states that false promises of employment and marriage continue to be the main methods used by traffickers.

The major reasons for the trafficking of persons from Albania are for sexual and labor exploitation. However, Shpresa programme has noticed an increase in the trafficked women and girls that are either pregnant, having cohabitated with someone in Albania prior to arrival in the UK or those that have been forced into marriage, and have fallen victim to trafficking while trying to escape oppressive relationships.

Trafficking can take many forms and can be operated by an individual or a network involving many people sometimes at various international locations. Trafficking is

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<sup>20</sup> USSD, 2016

<sup>21</sup> USSD 2017

<sup>22</sup> Rusev, 2013

<sup>23</sup> USSD TIP 2016

<sup>24</sup> UK upper Tribunal 2010 and 2016

<sup>25</sup> Balkan Insight, 2013

<sup>26</sup> EC, 2014

<sup>27</sup> NCATS 2011

<sup>28</sup> White, 2014

detrimental to the victims, yet very profitable for the traffickers, the latter having over the years 'combined illicit practices with strong business and technical skills'.<sup>29</sup> Human trafficking earns profits of roughly \$150 billion a year for traffickers, where \$99 billion are from commercial sexual exploitation according to the ILO.<sup>30</sup>

Trafficking flourishes in times of economic depression and anomie of structures in place that are meant to counter this phenomenon, including a breakdown of the system of values, where institutions are not performing and corruption as a coping mechanism is prevalent among individuals in institutions of power, if not, their *modus operandi*.

In view of understanding the context of trafficking from Albania as a post-communist country, it is important to consider that as well as undermining traditional concepts of human rights, trafficking also represents a new form of authoritarianism. Shelley (2010) argues that during communist time authoritarianism was based on state monopoly of violence, whereas the new form resulting in coercion of individuals does not originate from the state. As this paper also shows, in its new form, individuals in state authorities, for their own personal gains, while not being the direct perpetrators of authoritarianism, they quite often are the facilitators, allowing for the trafficking to be carried out. All European states affirm their opposition to any form of trafficking by being signatories of the UN protocol against trafficking. They have no deliberate policy to traffic their citizens although some, through inaction, complacency, or even pure denial to face the facts, facilitate trafficking (ibid.). Quite often victims of trafficking end up going back to their traffickers even after having been liberated from them. That may be because they have a debt pending, and as the state cannot guarantee protection of trafficking victims from national or international networks, they fall back into vulnerability.

#### *What is the Albanian model of trafficking?*

Despite Government and civil society efforts via national campaigns over the years<sup>31 32 33</sup> to raise awareness of the trafficking and the hidden and luring ways it operates, numbers of women and girls being trafficked from Albania has not lowered. On the contrary, the number of Albanian victims of human trafficking and modern slavery referred to the Salvation Army in the UK has grown "exponentially", according to Anne Read, director of Anti Trafficking and Modern Slavery<sup>34</sup>. As stated earlier, traffickers exploit the vulnerability of potential victims, being that an escape from

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<sup>29</sup> Europol, 2015

<sup>30</sup> Human Rights First, 2017

<sup>31</sup> GoA, 2016

<sup>32</sup> GoA, 2016a

<sup>33</sup> VoA, 2014

<sup>34</sup> BBC, 2017

poverty (ibid.) and hope for a better life, escaping forced marriages<sup>35</sup> or domestic abuse<sup>36</sup>.

NCATS<sup>37</sup> reports that the majority of victims of trafficking were promised marriage or work before being trafficked (2011), while Different and Equal, a local NGO in Albania, reported that in 2013, 6% of the trafficked victims were forced into marriage and that sexual exploitation continues to be the most common form of risks women face: “62% of cases are sexual exploitation, meanwhile labor and begging is 16% and 13% respectively. Additionally, Different & Equal has discovered many cases of forced marriage or luring of better work opportunities where ‘girls are treated as slaves and mistreated or forced to do different kind of jobs. Moreover, girls suffered from a lack of nutrition and other basic human rights’<sup>38</sup>. It needs noting that such data are only fragmented and collected from victims of trafficking that use the services of NCATS. The real numbers of trafficking of persons are not known and it can only be estimated that there are other trafficked persons that are not known to the NCATS or other organisations.

The business model of trafficking from Albania seems to have moved from coercion by force in the early years of transition, to, as noted and persistent in the recent years, promises of marriage and better life abroad. USSD TIP 2017 states that traffickers use false promises such as marriage or employment offers to force victims into sex trafficking. Albanian women and children are subjected to sex trafficking. As national anti-trafficking campaigns have reached to get the message across – people are aware, the fact that trafficking numbers remain high, shows that traffickers are adjusting their methods accordingly. False promises of marriage and employment show that the nature of vulnerability to trafficking in 2017 remains very much related to social and economic conditions of potential victims. They may originate from the need for income in the face of high unemployment and insecure job market, the need to escape arranged marriage or domestic situations that may be abusive.

The majority of trafficking is to other European countries via national border crossings with Kosovo and Greece, and across the Adriatic to Italy. Sometimes victims are trafficked internally<sup>39</sup> before arriving in the destination country or even trafficked in several countries.<sup>40</sup> Evidence from testimonies of trafficking victims shows that traffickers routinely confiscate the passports of those trafficked, or even get them fake passports to cross the border but never hand those to the trafficked, as a way to restrict the trafficked person chances to escape. If the person trafficked

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<sup>35</sup> *The Guardian*, 2014

<sup>36</sup> *EU Observer*, 2016

<sup>37</sup> *National Coalition of Anti-Trafficking shelters*

<sup>38</sup> *D&E*, 2014

<sup>39</sup> *The Guardian*, 2015

<sup>40</sup> *EU Observer*, 2016

escapes, while having no legal documentation, investigation will be made via their country's embassy to establish their citizenship (Shelley, 2010). It can only be understandable that victims would fear such investigation in the first place, as corruption among police force means they can be traced by the traffickers. This also helps to explain why asylum seekers from Albania come to the UK and economic migrants tend to go to Germany. In Germany, and for that matter in any Schengen country victims of trafficking would be easily found by traffickers as they can travel visa free, whereas it would be more difficult for the traffickers to obtain visa to come to the UK. Therefore asylum seekers who come to the UK are indeed trying find the safest route out of trafficking or other forms of persecution by non-state actors.

## 1.4 Trafficking: enablers and drivers

It can be useful to understand trafficking as being driven by two kinds of factors:

- *Individual: including individual vulnerabilities and socio-economic disadvantages*
- *Social and Institutional: such as demand for prostitution and forced labour, inadequacies in state protections and the operation of trafficking networks.*

### 1.4.1 Socio-economic vulnerabilities

Trafficking, as shown in this paper, is bound up with many issues covering a broad range of socio-economic disadvantage. One particular enabler in the case of Albania is the unequal and low social and economic status of women, which is accompanied by general acceptance of high levels of gender based violence.<sup>41</sup> This is both a structural and an individual factor. Socio economic problems that followed in early post-communist transition left many people at risk of poverty, and in the face of an underdeveloped social protection system that was unprepared for the collapse of the economy, which then led to massive and sudden unemployment.<sup>42</sup> The social protection system was designed therefore as an emergency solution, and later failed to escape the original scheme, but rather patched and added to it over the years (ibid.).

Faced with a step back from communist emancipation and guaranteed employment to sudden unemployment and disappearance of the safety net, women withdrew at home<sup>43</sup> which increased their dependency on the family breadwinner, in most cases that being the father or the husband. Women took on full, unpaid household responsibilities. Withdrawal of previously provided free of charge childcare facilities, lack of employment opportunities, and insecure income resources for the family created a classic case of feminization of poverty<sup>44</sup>. This however, was not reflected in the data<sup>45</sup> for a long time, albeit careful consideration of the welfare statistical

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<sup>41</sup> Tahiraj, 2016; Tahiraj, 2013

<sup>42</sup> Tahiraj, 2007

<sup>43</sup> Tahiraj, 2008

<sup>44</sup> ibid.

<sup>45</sup> Tahiraj 2001

publications started to show a tendency for women constituting the biggest number of those that lose jobs and join the social assistance scheme since 1998 (ibid.).

Literature shows that impoverished women and children in post-communist countries from the Balkans to Vietnam became trafficking victims, as they lacked protection from their governments and were vulnerable to powerful and venal transnational crime groups.<sup>46</sup> Accompanied by other social factors such as anomie, as a breakdown of social norms and values<sup>47</sup> as well as rural to urban migration which undermines traditional values by destroying well-established communities,<sup>48</sup> long standing discrimination against women and girls has been amplified by the global economy (ibid.), and local determinants such as the reverse to old customary laws<sup>49</sup>.

The direct relation between a country's socio economic situation and trafficking has also been recognized in the National Strategy Against Trafficking 2014-2017 (NSAT, 2014:9).<sup>50</sup> Research has shown that poverty is a determinant and vulnerable girls from poor backgrounds are more at risk of falling prey to trafficking. Trafficking, camouflaged in the form of work opportunities or proposals to marriage is seen as a way out of poverty and isolation for girls in both rural and urban settings.

Poverty and exclusion increase vulnerability and the trend in Albania since 2008 has been an increasing one (MSWY, 2014<sup>51</sup>). Poverty is strictly related to lack of income and employment. The Albanian economy, with an employment rate of just 50%, has been extremely weak at creating sufficient jobs (NSSI, 2015)<sup>52</sup> with females being and consistently remaining one of the groups mostly affected. As a result, large numbers of people have left the country in search of work abroad. The trend is on the increase. A Gallup public opinion poll shows that in 2016 more than half of the Albanian nationals (56%) express desire to migrate compared to just 36% in 2012<sup>53</sup>.

From 2009 to 2012 the employment rate followed a slightly increasing trend as the economy was growing, but in 2013, as economic growth slowed the employment rate fell, and there was a corresponding increase in the registered unemployment rate to 16.1%. Therefore, in recent years there has been an increase in exclusion from the labour market, particularly affecting women and young people. As economic growth slowed over the last few years the unemployment rate increased further to 18.3% at the end of 2013 and has remained equally high till the last quarter of 2015 at 17%<sup>54</sup>.

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<sup>46</sup> Shelley, 2010

<sup>47</sup> Tahiraj, 2007

<sup>48</sup> Shelley, 2010

<sup>49</sup> Tahiraj, 2016

<sup>50</sup> National Strategy of the Fight Against Trafficking of Persons (NSAT) and Action Plan 2014-2017.

<sup>51</sup> Ministry of Social Welfare and Youth, (MSWY).

<sup>52</sup> National Strategy for Social Inclusion (NSSI).

<sup>53</sup> Gallup, 2017

<sup>54</sup> National Bank of Albania (NBoA). This information is derived from the Labour Force Survey.

The 2011 Census<sup>55</sup> recorded an unemployment rate 28.2% for men and 31.4% for women<sup>56</sup>. Significant gender differences exist in the labour market in Albania with women experiencing far lower employment rates than men across all age groups. On average, the gap is around 15 percentage points, as the employment rate for women between the ages of 15-64 years is 40.7% compared to 55.4% for men, and total of 53.7% (NSSI, 2015). Gender gaps to labor market participation persist well into 2017 with men participation rate at 74,1% versus 59,3% for women. INSTAT 2017 reports that Albanian women are more qualified but less paid than men by 6.3%<sup>57</sup>. As a result also of a difficult socio-economic climate, the position of women in society is increasingly difficult.

#### 1.4.2 Situation of women

Clearly, men in Albania enjoy significant economic power compared to women. It is therefore difficult for women to become self-sufficient due to a number of different factors including gender discrimination and time-consuming family responsibilities. Since men are the ones who traditionally inherit property within the family, very few women own any land, real estate or capital to be able to capitalize on it and achieve independence. Literature suggests that trafficking of women and girls mostly occurs in societies where women lack property rights, cannot inherit land, and do not enjoy equal rights and protection under the law<sup>58</sup>. Trafficking also occurs in countries where women have legal rights and access to education but face discrimination in obtaining jobs, decent wages and access to capital (ibid.).

Shelley argues that demographic changes and rising costs of public health care also have direct relation to trafficking as they put stress on families that need to be find ways to afford these costs. As a result, increase in family violence towards women and female children has been acknowledged in the post-communist societies. Domestic violence against women and girls, while acknowledged as a negative phenomenon, is usually blamed on difficult economic conditions<sup>59</sup>.

The socio-economic picture shows modern Albania to be a country still bound by traditional norms of status<sup>60</sup>, which manifest as deeply rooted prejudices and social, economic and cultural discrimination. The prevalence of patriarchal mores is a major factor in the widespread gender-based discrimination and women operate among norms and social organization in both the Albanian family and society that consider

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<sup>55</sup> Albanian Institute of Statistics (INSTAT). 2012

<sup>56</sup> It should be noted that different methodologies are used to measure unemployment in the Census.

<sup>57</sup> INSTAT, 2017

<sup>58</sup> Shelley, 2010

<sup>59</sup> Tahiraj, 2016

<sup>60</sup> Tahiraj, 2008



them as inferior and subordinate to men<sup>61</sup>. Today as much as ever, the man is the head of the household and has the responsibility of ensuring the financial well-being of the family, while the woman is destined to look after children and run the home<sup>62</sup>. It is difficult for a woman to enjoy autonomy even within the scope of a family structure since “men have significant economic power compared to women. It is difficult for women to become self-sufficient due to a number of different factors including gender discrimination, time-consuming family responsibilities and a lack of childcare.”<sup>63</sup>

The Government of Albania (“GoA”) has reported that “in rural areas in particular married women report needing to seek their husband's permission before leaving the house (except in cases of medical emergency)”<sup>64</sup>. Freedom of movement is also not assured, as Freedom House reported in 2015 ‘Albanians generally enjoy freedom of movement and choice of residence or employment, although criminal activity and practices related to traditional honor codes limit these rights in some areas’<sup>65</sup>. The Albanian government and international organisations recognize some categories of women in Albania as being particularly vulnerable and at greater risk of being subjected to violence and threats, including among others, women with disabilities and women in rural areas. Exploited women, people with disabilities (mental and physical), the unemployed, and internal migrants are recognized as groups at risk of poverty, social exclusion and discrimination.

#### 1.4.3 Domestic and Gender Based Violence

UNDP in Albania notes that ‘in recent years Albania has improved the status of women and promoted gender equality. However, the country still faces many challenges in terms of fully displaying and utilising the women’s potential in the labour market and economy, increasing participation in decision-making and eradicating the widespread violence against women, particularly in the family realm. In addition, the country still needs to strengthen its legislative and institutional framework pertaining to gender equality and non-discrimination, improve monitoring and accountability of public offices towards women as well as ensure gender mainstreaming in public policies’.

Gender-based violence (GBV) is widespread and is seen as being a cause of trafficking of women for sexual purposes. Indeed, GoA considers GBV to be ‘not only a precursor to trafficking, but it also continues during trafficking’ (NSAT: pg.9). GBV is an important issue in itself, but more so in the absence of disaggregated crime

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<sup>61</sup> *USSD, 2014*

<sup>62</sup> *INSTAT, 2007*

<sup>63</sup> *Kvinna, 2015*

<sup>64</sup> *CEDAW, 2014*

<sup>65</sup> *Freedom House, 2015*

statistics as it is a proxy for levels of violence against women more generally. Both issues continue to remain largely hidden, however, even though a third of women in Albania reported to Amnesty having experienced some sort of physical violence<sup>66</sup>, while survey data showed as many as 60% of women have been subjected to physical or non-physical domestic violence<sup>67</sup>; 59.4% of women reported “ever” experiencing domestic violence in their marriage or intimate relationships, and 53% were “currently” experiencing domestic violence (within the 12 months prior to the interview). Almost one quarter (24.6%) of women “ever” experienced both physical and sexual violence, and almost one in six (16.2%) were “currently” experiencing both physical and sexual violence in their marriage or intimate relationships.<sup>68</sup> Violence against women is tolerated sometimes even by women themselves.<sup>69</sup>

There have been legislative improvements and support for initiatives to tackle GBV in particular. New amendments to the Criminal Code better address gender-based violence and bring Albania closer to the CEDAW. In 2014 an online system to track multidisciplinary response to domestic violence was installed at both central and local level. The number of reported cases of violence in 2014 grew to around 900 compared to 400 in 2013. Victims of domestic violence and their families reported 3000 cases to State Police in 2015<sup>70</sup> and in the first half of 2016, women made 74.2% of the victims of domestic abuse.

However, there is still not a wide level of awareness among the general public and even public agencies of the measures the Albanian Government has taken to address trafficking in human beings, such as the establishment of the national referral mechanism (NRM) at the Ministry of Interior at the local level<sup>71</sup>. This is because both politically and culturally, human trafficking receives less attention than contraband and the drugs trade. This is readily apparent from the regional picture: the European Commission estimates 120,000 women and children are trafficked from and through the Balkans annually. Albania is a major route for this trade in human beings and it is well established that Albanian individuals and groups operate within local, regional and international trafficking networks. It is also evident at the regional level where technical round tables have ‘become talking shops at a time that trafficking is no longer seen as a particular enforcement concern of the Police’<sup>72</sup>. TIP 2017 reports that ‘police continue to illustrate limited understanding of human trafficking and failed in some cases to identify trafficking victims among individuals involved in forced prostitution or domestic servitude’. Albanian women and girls are subjected to sex

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<sup>66</sup> *Balkan Insight*, 2013

<sup>67</sup> *INSTAT*, 2013

<sup>68</sup> *NSSI*, 2013

<sup>69</sup> *Tahiraj*, 2016; *Tahiraj*, 2013

<sup>70</sup> *UNDP*, 2016

<sup>71</sup> *UN*, 2014

<sup>72</sup> *UN*, 2014:24

trafficking or forced labor following arranged marriages in Albania and abroad<sup>73</sup>.

Local and national media handling of trafficking and domestic violence remain often reflective of prevailing cultural norms: problematically insensitive to the individual, or the gravity of the situation, without respect for due process, confidentiality, generally unprofessional and hastily judgmental (UN, 2014.). A media monitoring report by UN Women and EC on how Albanian media presents news on VoTs found it to be rather superficial. ‘Ethical reporting and professionalism of the journalists remains a challenge’<sup>74</sup>. Hence, Government and NGO’s have focused on addressing the issue and raising awareness of trafficking.

Efforts however remain very much bound to the supply-side, rather than addressing prosecution. Equally, policy and administrative procedures remain insensitive to the needs of victims or the vulnerable, a situation unlikely to improve without representation from vulnerable groups themselves<sup>75</sup>. As a result, resources are poured into capacity building rather than closing implementation gaps or ensuring policies address real needs. For example, 93 victims were identified in 2013 but only a small number of trafficking offenders are prosecuted and convicted<sup>76</sup>. In 2016, police investigated 69 cases with 69 suspected traffickers in 2016, but the government did not disaggregate law enforcement data in order to distinguish between forced labor and sex trafficking.<sup>77</sup>

#### 1.4.4 Blood feuds and Honour Codes

Statements of trafficked girls and women from Albania show that in some cases trafficking is related to the old customary law, otherwise known as Kanun. A lot has been written about Kanun of Lekë Dukagjini<sup>78</sup>, yet little seem to be known or understood about it, especially how it is applied in modern day Albania. Furthermore little research has been done to understand why are we noticing this reverse to an old law.

Kanun is a written code covering twelve aspects of social life: Church, Family, Marriage, House, Livestock and Property, Work, Transfer of Property, The Spoken Word, Honor, Damages, Law Regarding Crimes, Judicial Law, Exemptions and

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<sup>73</sup> USSD Tip 2016

<sup>74</sup> Reporter, 2016

<sup>75</sup> UN, 2014

<sup>76</sup> USSD Tip, 2014

<sup>77</sup> USSD TIP 2017

<sup>78</sup> Kanun takes its name from the Albanian Prince Lekë Dukagjini (1410-1481) who together with Gjergj Kastrioti, the national hero, led the Albanian fight against the Ottoman occupation. While not authored from Lekë Dukagjini himself, Kanun bears his name because he agreed to surrender to the Turks only when they promised to acknowledge the Albanian law (Hasluck, 1954). Kanun of Lekë Dukagjini was to cover the north and its provisions were written down in 1913 by the priest Shtjefën Gjeçovi. There is also a Kanun of Labëria (of the south).

Exceptions. It is a code based on honor, and honor of the men in the family in particular. As an honor code, the nature of the offence may sometimes bear little relation to the gravity of revenge exacted: blood may be taken for honor to be restored if a man even feels only affronted (by, for instance, having been overtaken in a car on the road). Then a man may be ‘justified’ in reasserting himself through killing. This opens up the feud, however, since family of the deceased now have the ‘right’ to retribution and take ‘blood for blood’. The blood feud continues until both parties make peace, and honor having been satisfied. Kanun offers three ways to avenge murder: by paying money to the family of the deceased, by securing the forgiveness of the church or by killing the one who killed in the first place.

The content of the codified Kanun is, in some critical aspects, both different and less clear, than most people assume. The gap between the written text and the practice of blood feuds quite often reflects a criminal act rather than a Kanun abiding act of honor. While Kanun mandates the taking of blood revenge on the perpetrator of a crime or insult, to the honor of a family, the contemporary understanding in parts of northern Albania is, that, revenge can be taken against any of the relatives of the perpetrator<sup>79</sup>.

This particular interpretation of the Kanun has serious implications as it means that revenge can be taken against minors for offenses committed by adult relatives. As a result of this, families involved in blood feuds often hide their children at home, refusing to let them outside, due to the very real fear that children might be the objects of revenge<sup>80</sup>. Both male and female children are sequestered at home, even though girls should be exempt from the blood feud according to any interpretation of the text.

There are both implicit and specific injunctions against including women in blood feuds. Albanian society is patrilineal and women are outside of the line of descent, therefore they cannot be involved in the absolution of an offence upon the family honour. The Kanun also makes it absolutely clear that “A woman does not incur blood.” According to Kanun, if someone/or a family is in blood all males from the patrilineal family will be in blood. According to Kanun, ‘the woman is untouchable, even sacred, and if a man is accompanied by a woman outside the walls of the house, he cannot be shot at’<sup>81</sup>. However, as many reported cases have shown, rules of blood feud in Kanun have changed to achieve the purpose: restore honor. Blood revenge, even though against rules of Kanun, has not spared priests<sup>82</sup>, girls<sup>83</sup>, women and adolescents<sup>84</sup> in the past<sup>85</sup>. Also, cases have been reported where blood feuds can

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<sup>79</sup> Mustafa and Young, 2008

<sup>80</sup> AP, 2013; Miller 2013

<sup>81</sup> Rukaj, 2012

<sup>82</sup> Stiller, 2013

<sup>83</sup> Rukaj, 2012

<sup>84</sup> Kuntz, 2014

brew for 20 years until revenge is taken<sup>86</sup>, and even serving a prison sentence for the killing may not 'appease' the other family until revenge/ 'his death' is done<sup>87</sup>. As such, no one can know when a blood revenge can strike, or awaken, nor which member from the threatened family might be targeted.

In the past decade women have been killed to atone for family honor. A 17 years old girl was killed in Northern Albania to avenge a blood feud.<sup>88</sup> In addition to being tragic this case demonstrates not only a lack of understanding with regard to the appropriate conduct of a blood feud under codified customary law, but also confusion with regard to who is part of the lineage. This confusion is more likely to be as a result of a need to use personal interpretation to justify an act of crime. Indeed, so much so that 70% of murders and violent deaths in Albania in 1997 were attributed to Kanun.<sup>89</sup> In this regard, acts of crime attributed to Kanun in modern day Albania are open to interpretation, and its application is inconsistent and unpredictable.<sup>90</sup>

Fear of life from Kanun related retaliation forms another ground found in a considerable number of Albanian UK asylum claims. Its relation to trafficking is through the continuing custom of arranged or forced marriages for (typically) young girls. As recently as June 2017, a group of children from a village school in Lezha raised concerns after seeing girls as young as 14 taken out of school by their families who were arranging for them to get married. 'Parents decisions to take girls out of school and get them into arranged marriages were understood to originate from the fear that many girls in the village couldn't get married passed high school, in addition to marriage being a solution to get out poverty and high unemployment'.<sup>91</sup> In arranged marriage, the man pays a dowry for the girl, who thereafter 'owns' her. If a girl decides to go against such an arrangement, she is at triply at risk:

- from her own family for bringing 'dishonour' and
- from the groom
- and if she tries to leave during the long period of betrothal she can potentially fall prey to traffickers. (They may try to lure a girl with the chance of freedom, or at least a much more appealing choice such as romantic interest, a new life in the capital Tirane, and a job opportunity abroad as elaborated earlier in this paper).

A UN study on attitudes to violence against women and girls in Albania showed that

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<sup>85</sup> Joireman, 2014

<sup>86</sup> Bota sot, 2015

<sup>87</sup> Davies, 2016

<sup>88</sup> Cohen, 2012

<sup>89</sup> UNDP, 1998

<sup>90</sup> Joireman, 2014

<sup>91</sup> Report TV, 2017

respondents from the northern areas of Albania in Diber, lead life according to Kanun, namely in laws that regulate marriage, property, inheritance and even extended community relations.<sup>92</sup>

#### *Data on Blood Feuds*

Quoting a reconciliation mediator, Foster (2016) reported that there were ‘36 revenge murders already in 2016’. The executive director of the House of Justice, a reconciliation organization, reported in 2015 that ‘there are about 200 or so families in self detention, and another 100 that live in the fear of blood feud’<sup>93</sup>. Quoting People’s Advocate earlier reports, in 22 year of transition, over 6,000 people have been killed and over 10,000 families have been self-isolated, with majority of killing taking place in Tirana where families in blood have migrated.<sup>94</sup>

Such data are often disputed by Albanian authorities that claim that real numbers are much lower. Unofficial reports from government institutions state that by 2014 there were 60 families in self-isolation, consisting of 143 persons in total and among those 40 children. The State Police web page contains no statistics, nor can one find information on activities of the police post August 2014<sup>95</sup>. Indeed pages of Albanian government institutions are updated on plans and strategies, but there is little evidence published on implementation and statistics. ‘The police reported four blood feud killings during the first six months of the 2014. Other NGOs reported higher numbers, but data were unreliable’ and ‘incidents of societal killings, including both “blood feud” and revenge killings, occurred during the year. Such killings at times involved criminal gangs. Although long-standing traditions surrounding blood feuds prohibit killing children or women, nongovernmental organizations (NGOs) reported cases in which perpetrators intentionally targeted minors or women’.<sup>96</sup>

The European Commission states that ‘as regards the right to life, blood feuds remain a problem, albeit on a limited scale’.<sup>97</sup> USA Today (2013) reports that police figures show 225 feud killings over the past 14 years, though charities advocating an end to the practice say the true number is much higher, with many slayings misreported as ordinary murders. The Ministry of Interior reports 67 families, accounting for 155 people to be currently living in hiding across the country. Some charities operating in the field say the actual number is closer 6,000 people, including hundreds of women and children living in isolation (ibid.). In February 2017 police were reportedly able to identify one of the authors of a blood feud case started in 2015 that led to 5 killings

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<sup>92</sup> Tahiraj, 2016

<sup>93</sup> VoA, 2015

<sup>94</sup> Telegrafi, 2013

<sup>95</sup> ASP, 2014

<sup>96</sup> USSD, 2014

<sup>97</sup> EC, 2015

and 7 injured<sup>98</sup>. Police capacities as regards those affected by blood feuds extend mainly to recording of conflicts, but fall short of providing meaningful protection.

Despite inconsistencies in the reporting of the real scale of the blood feud related crimes, one thing is indisputable: people have lost their lives and many more lives are affected by interminable isolation from conflicts that are perpetuated as blood feud and Kanun related. Furthermore, crimes are carried out in the name of Kanun and because of its deviation from the original text, unlike the text, in practice, revenge is unexpected, unannounced, unceremonial, and can affect any member of the immediate or larger family.

#### 1.4.5 Human Rights Issues

Acknowledging that women are especially vulnerable in Albanian society, the government has taken public steps to be seen to strengthen women's rights in Albania. These include ratification of the Convention on the Elimination of All Forms of Discrimination against Women (UN), becoming signatory to the Convention of the Council of Europe against Traffic of Human Beings, in March 2015 and development of laws and action plans for gender equality and against gender-based violence. The European Commission's 2015 opinion states that "Regarding the fight against trafficking in human beings, the Office of the National Anti-Trafficking Coordinator (ONAC) has revitalized the national referral mechanism, with an intensification of activities in the area of prevention and awareness-raising, and the national strategy and action plan for 2014-2017. In 2014 ONAC was endowed with its own budget for the first time. Three mobile units were established in Tirana, Vlora and Elbasan, resulting in increased identifications of victims and potential victims. A special helpline for victims of trafficking became operational in March and, since November 2013, victims are able to obtain legal aid with a reduction of 30% in lawyers' fees."<sup>99</sup> TIP 2017 states that government increased funding to ONAC and regularly convened stakeholders of the national referral mechanism and national anti-trafficking committee. However, the government did not meet minimum standards in several key areas. The government investigated two victims and punished one victim for unlawful acts committed as a result of being subjected to trafficking, although the law exempts victims from punishment for crimes committed as a result of their exploitation.

The Council of Europe considered that more measures need to be taken to combat stereotypes and neglect towards groups vulnerable to trafficking and that the Albanian authorities should also continue to raise public awareness on the question of equality between women and men and the principle of non-discrimination. These groups are perceived as being different by society and are treated as such. Both the CoE (2014)

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<sup>98</sup> *Operazione Colomba*, 2017

<sup>99</sup> *EC*, 2015

and OSCE<sup>100</sup> make an explicit connection between the marginalisation of groups, poverty and vulnerability to trafficking. They also identify measures such as increasing access to education and jobs for vulnerable groups, particularly women, as trafficking prevention measures.<sup>101</sup>

The EC<sup>102</sup> drew attention for Albania to strengthen the threat and risk assessment capacities to proactively identify victims of trafficking. In 2016 the EC again reports that Albania needs to step up efforts in preventing human trafficking, paying particular attention to unaccompanied children and child victims of trafficking, especially among children in street situation. ‘The number of related convictions remains rather low. Police reported 69 cases of human trafficking in 2015 (compared to 34 in 2014) and 38 in the first half of 2016. Most of the referrals involved adults, while reportedly child trafficking is on the rise. In 2015, 21 people received final convictions for human trafficking, and only two in the first half of 2016’.<sup>103</sup>

Police often have neither the training nor the capacity to deal effectively with trafficking, potential trafficking or violence cases. For example, rape is a crime, but the government cannot enforce the law effectively. Victims rarely report spousal abuse, and officials do not prosecute spousal rape as it’s not yet well established and the authorities and the public often do not consider it a crime. ‘All too often, the police take no action and fail to take the situation seriously on the grounds that violence in the home is a private matter in which they should play no part’.<sup>104</sup> More recent research on attitudes to violence against women reveal that the situation has not changed much<sup>105</sup>, and acceptance of spousal violence is tolerated and accepted even by girls. This of course has implications, because reporting statistics won’t reflect the real scale of violence when girls and women consider violence justifiable. Anyone bringing a concern may face the police themselves as an obstacle. Implementation standards in policing remain largely inconsistent and routinely go outside that set out in the police code (BSHM, 2014). Brazen instances of police officers being verbally abusive and physically aggressive toward women in public have been broadcast in the national media.<sup>106</sup> It has also been noted specifically that there are insufficient guarantees that the reception of returnees in Albania offers dignified treatment in terms of access to law and public services.<sup>107</sup>

Recent visa liberalisation measures has made it easier in some ways for traffickers to

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<sup>100</sup> Shqiperia, 2015

<sup>101</sup> COE, 2014

<sup>102</sup> EC 2014b

<sup>103</sup> EC, 2016:74

<sup>104</sup> UNICEF, 2006

<sup>105</sup> Tahiraj, 2016

<sup>106</sup> Balkanweb, 2015

<sup>107</sup> Dedja, 2012



take their victims to EU Schengen countries. For traffickers, this means that ‘once a trafficker brings a woman or a forced laborer into one EU country, that person can reach different markets without detection’<sup>108</sup>. It has become evident that human trafficking increasingly overlaps with forced labor and irregular migration.<sup>109</sup> However, the impact is hard to gauge as there is no public data on levels of identification of potential victims of trafficking before or at Albanian borders.

## 1.5 A Model of Trafficking from Albania

### 1.5.1 Trafficking and organised crime

#### *Border Security*

Albanian borders are notoriously porous and the country remains an important conduit for contraband. Trafficking of people and of drugs are commonplace, with constant daily reportage in the Albanian media of seizures of contraband.

The director of the centre against trafficking at the Belgian Federal Police, Didier Dochain states that Albanian ‘traffickers go back home where they know people and they can corrupt the system’<sup>110</sup> and high ranking police officers of the border guard have been involved in trafficking.<sup>111</sup> The latter published evidence may be old, but we should be mindful that reforms have had limited impact. A recent BBC documentary in February 2017 highlighted the increasing numbers of girls being trafficked from Albania.<sup>112</sup> And while the fight against trafficking of people and drugs has been the focus of the current Government, in early 2017, 8 tons of drugs were uncovered by Italian police in a lorry after having just passed through the Albanian border, and a further 2 tons originating from Albania were seized in April 2017.<sup>113</sup> Numerous reports are published daily on media about the scale of drug growing and trafficking across the border, indicating continuing high levels of illicit border activity.

#### *Trafficking networks*

Albanian organised crime is thought to be active in the trafficking of human beings in the EU<sup>114</sup>, as well as in other parts of the world such as MENA. In 2013, 2016 and 2017 for example, the Italian police arrested a number of suspects who were involved in drug trafficking. Links to trafficking in human beings for sexual exploitation were located in Italy, Belgium, the Netherlands, France, Switzerland and Albania. The targeted organised criminal group was predominantly composed of Albanian

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<sup>108</sup> Shelley, 2010

<sup>109</sup> OSCE, 2013

<sup>110</sup> Balkan Insight, 2015

<sup>111</sup> ACPD, 2008

<sup>112</sup> BBC, 2017

<sup>113</sup> Shqiptarja, 2017

<sup>114</sup> Lindstrom 2004

nationals, with leading members active in Italy, the Netherlands and Belgium.<sup>115</sup> Trafficking networks are also known to be active throughout the country, including the capital, Tirana, and major ports including Durrës and Vlorë<sup>116</sup>. These towns serve as both source and transit hubs in international trafficking situations, and as destination points in internal trafficking. Over the years trafficking networks become sophisticated and their methods of coercion change as does ability to hide their activity. Shelley (2010) argues that military and police personnel assume key roles in trafficking rings of former communist states and current police are involved. Former security personnel were present in approximately one quarter of identified Balkan trafficking rings<sup>117</sup>. In recent years fake promises of marriage and employment seem to be the case in majority of cases of human trafficking to the UK.

Many stories have emerged of former VoTs<sup>118, 119, 120</sup> and their journeys of abuse and violation. IOM states that most trafficking experiences initially start as promises for marriage or better jobs. They are promised a better life abroad. In the face of difficulty that is geographical, economic, social and cultural it is only understandable that a young girl would take the opportunity of being able to lead a better life.

While Albania remains a country of origin for trafficking of human beings, it has also become a country of destination and internal trafficking has in recent years become a mounting concern. The EC notes about Albania that: “Trafficking in human beings, both international and internal, remains a serious challenge, calling for more emphasis on a holistic approach of prevention, protection and prosecution”<sup>121</sup>.

Internal trafficking in Albania first received attention in 2005 when the NGO Vatra published a report exposing a national network where women from north Albania were trafficked to the south and central parts of the country, while those from the southern and central regions were trafficked to Tirana, Vlorë, and Durrës. Internal trafficking lacks a standard definition in Albanian law, but it is often viewed as synonymous with prostitution. The distinction between a sex worker and someone who has been internally trafficked lies in the attribution of victimhood to some and punishment for those who would consent to engage in what the law understands to be acts against morality and dignity.

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<sup>115</sup> Trace, 2014

<sup>116</sup> Campbell, 2013

<sup>117</sup> Leman and Janssens, 2007.

<sup>118</sup> Shekulli, 2014

<sup>119</sup> Zeri, 2014

<sup>120</sup> Trafikimi në Shqipëri, 2012

<sup>121</sup> EC, 2014

Internal trafficking cases are also becoming increasingly prominent in the national media. A newspaper article highlighted the story of a girl called Xhoi under the headline: ‘How I escaped prostitution in Italy, but not in Albania’. The returned VoT was forced through hardship to resort to prostitution upon return to Albania after failing to find employment and regular income to enable her to rent a flat to live with her daughter. After 7 years she still hadn't been able to earn enough money to get her daughter out of the children's centre and into a home with her.<sup>122</sup>

### 1.5.2 Trends: Why are trafficking numbers so high?

Trafficking has been on an upward trend since 2011<sup>123</sup> and NGOs report an increase in the number of Albanian children subjected to forced labor in Kosovo and the United Kingdom<sup>124</sup>. Traffickers are likely to be persons close to the victim who may be friends, colleagues or boyfriends that take advantage of a vulnerable person<sup>125</sup>. Liberal visa regimes, enjoyed in Albania since 2010, have effectively lowered the risk for traffickers of moving victims across borders and this has been taken advantage of by organised crime groups to adapt their operations to rely more often on deceiving the victims, rather than to simply coerce<sup>126</sup>. Indeed, as elaborated in this paper, the current model of trafficking from Albania is initially by way of invitation to women and girls in vulnerable situation, to get married or employed, but later transformed into coercion. Cultural mores also feed into this, enabling patterns of trafficking whereby Albanian women and girls potential VoTs are recruited at some point along a rapidly escalating continuum that runs from initial promise to terror - feigned friendship, to false proposals of marriage or offers of employment, to kidnapping, abuse and coercion into prostitution, or even intimidation by threatening to hurt family members<sup>127</sup>.

In conclusion to this part, the Albanian model of trafficking shows sophistication over the years in the luring of potential victims of trafficking. This is another approach from what once was the Violent Entrepreneur model of the Balkan Crime groups (Shelley, 2010). This model in particular focuses on trafficking of women. These groups operate in family groups and maintain control across several neighboring countries. Lack of political will, Shelley argues, explains the persistence of trafficking. Organized trafficking cannot take place or persist without corruption, indeed it has been argued that trafficking in persons would not be as prevalent and widespread if it was not for the leverage supplied by the corruption at different levels

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<sup>122</sup> Lapsi, 2016

<sup>123</sup> IOM, 2015

<sup>124</sup> USSD2016

<sup>125</sup> IOM, 2015. pg. 31

<sup>126</sup> Rusev, 2013

<sup>127</sup> Ivanove, 2013

of engagement<sup>128, 129</sup>.

## Section Two: Repatriation

Repatriation is elaborated here as consisting of two essential stages:

1. Return, whether voluntary or not,
2. Reintegration into society

that results in sustained full social and economic inclusion in the country.

### 2.1 Is repatriation an option?

Why Albanian asylum seekers are not willing to be repatriated is an important question that naturally calls to an examination of what risks and disincentives exist or are perceived to exist.

Research conducted by ECRE<sup>130</sup> (2014) in 15 European countries shows that EU Member States have divergent opinions as to which countries should be considered as safe countries of origin for the purpose of the examination of an asylum application. A brief examination of the situation in Albania shows that although the macro picture of the country being safe has foundation, the micro view shows a more fluid picture that is highly contingent on personal circumstance.

An important question is what level of awareness is there of available state mechanisms for protection - such as the Government or NGO operated shelters? Albania Country Guidance on trafficked women 2016 states that *'trafficked women would have very considerable difficulty in reintegrating into their home areas on return but also will affect their ability to relocate internally'*.

#### 2.1.1 Risks of Repatriation

In considering disincentives to repatriation, factors necessary for sustainable return leading to successful re-integration need examining. Factors that drive trafficking such as situation of women and human rights issues elaborated earlier in this paper, are relevant here, along with others that pertain across many dimensions including,

1. Risks to person, including
  - a. personal/physical security
  - b. risks of trafficking and re-trafficking,
  - c. risks of discrimination.
2. Risks of hardship including

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<sup>128</sup> OECD, 2015

<sup>129</sup> OECD, 2016

<sup>130</sup> European Council on Refugees and Exiles (ECRE).

- a. social exclusion
- b. health and welfare
- c. income & living standards

Potential hardship is no doubt an unwelcome prospect. The position of many asylum seekers is already one of hardship, which can seriously diminish the probability of successful reintegration into society. Risks and challenges are typically mitigated by the availability of necessary support, including family and kinship networks as well as public benefits and services.

Typically a Victim of Trafficking returning from abroad will not have extensive family support, mainly because of the shame brought on the family, and is likely to face hardship and isolation without adequate long-term state or charitable support. Family members play a crucial role in the successful reintegration of trafficking victims.<sup>131</sup> This is acknowledged in the HO Country Guidance for Albania 2015: “A returnee’s ability to access sufficiency of protection from authorities is dependent upon individual circumstances including but not limited to the following: strength of informal support networks in the form of family, extended family, friends and community; the social status, economic standing ... the woman’s state of health, particularly her mental health.” The 2016 Country Guidance also reiterates the importance of family and networks in the process of return and reintegration.

Typically a young woman returned from abroad as a former victim of trafficking would be considered to have brought shame to the family, and without close family ties, she is widely seen as someone of lower standing and less worth by the community. Rather than being perceived as vulnerable they are likely to be blamed, as perhaps being the cause of the problems leading to them being abandoned by family/husband. This would be true whatever standing the family has due to the cultural importance of blood ties. A UNDP studies in 2013 found that boys and girls as well as their parents ‘consider that a good woman should bear some degree of violence for the sake of keeping the family together’<sup>132</sup>. No noticeable change to this perception was noticed in a repeat study in 2016<sup>133</sup>, on the contrary hints of reversion in perception to the power of Kanun and the role of women as ‘obeying the man’ were expressed.

#### *Risks of Social Exclusion*

Returnees are challenged on multiple levels in trying to re-establish themselves in the country. Family, kinship and social networks are a vital component of the “informal safety net” in Albania, assisting a person in addressing hardship, finding employment

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<sup>131</sup> Brunovskis et al., 2012

<sup>132</sup> Tahiraj, 2013

<sup>133</sup> Tahiraj, 2016

and providing inclusion in community. In a largely informal economy (which offers the surest route into employment with over 30% of GDP in 2013<sup>134</sup>) and poor public service provision, family is the fundamental source of personal, financial and social security in Albania<sup>135</sup>. Barriers to access essential public services, even for what would appear to be straightforward matters such as transport can derive from lack of family support, the latter typically assured when being part of an extended family.

As noted by the UK Home Office, trafficked women and girls are perceived by society as being different, and are socially and materially treated as such<sup>136</sup>. Coming from abroad with no 'roots', as one without family or kin network would be considered, is likely to make return increasingly stressful, which will be further exacerbated by fear of persecution from traffickers. Comparatively poor material and social circumstances compared to other Albanians, who can draw on existing resources and have established formal and informal support networks, could lead to forms of discrimination and/or social exclusion that increases risks to the person. Family support on return is an important consideration because family, kinship and social networks are the fundamental source of personal, financial and social security in Albania. This stands in contrast to the UK, or other advanced economies, where state support is more comprehensive. They are vital to avoiding destitution due to poor public services including health<sup>137</sup> and education<sup>138</sup>.

Lack of family support therefore puts returnees at risk of severe poverty, which exacerbates the risks of again falling victim to trafficking.' Re-trafficking is a reality'<sup>139</sup>.

#### Re-trafficking and Risks of Harm

Personal risks in Albania arise not from state institutions *per se*, but from individuals and organised crime - information on the exact activities of which is obviously scarce, qualitative, rather than quantitative, and largely anecdotal. However, it should be plain that women and returnee VoT's are among those with an elevated risk from these, especially given reported increased levels of re-trafficking.

It has previously been considered that a trafficked woman may be reasonably likely to suffer from the same risks from her previous traffickers<sup>140</sup> and that "previous trafficking remains a key vulnerability factor<sup>141</sup>; There are particular concerns about

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<sup>134</sup> EC IPA 2013

<sup>135</sup> Tahiraj, 2007

<sup>136</sup> HO Country guidance for Albania, 2015:8

<sup>137</sup> GoA Healthcare

<sup>138</sup> OECD, 2015a

<sup>139</sup> HO Country guidance for Albania, 2015

<sup>140</sup> UK Upper Tribunal, 2010

<sup>141</sup> NCATS, 2011

levels of re-trafficking, especially in circumstances where vulnerabilities remain through individual and family circumstance<sup>142</sup>. Around half of all Albanian trafficking victims are under age of 18,<sup>143</sup> meaning half are above 18 years of age, therefore risks to vulnerable girls and women from trafficking are real. They are sometimes attendant to those in pursuit of irregular migration. Demand for both undocumented and authorized migration out of the country has recently reached highs not seen since the social collapse of the 1990's and trafficking networks have been increasingly active in recent years.

## 2.2 Human Rights Protection

Former VoTs are able to seek protection and assistance from state authorities in the face of a potential threat. Research suggests however that, they rarely seek assistance<sup>144</sup>. Reasons for this are multiple. In Albania, risks of poor treatment by police (or at the least the concern not being taken seriously) exist, and there remains a lack of recourse to law through the justice system in any case. The extent of the failings of the Albanian Government in terms of policy and implementation, alongside the weakness of civil society, the cultural mores and norms and corruption all serve to undermine any pretense to full guaranteed state protection. These would be severely aggravated by the low socio-economic standing of a returnee without family.

## 2.3 Shelters and State Protection

### *National Referral Mechanism*

VoT identification procedures and links into the National Referral Mechanism have been established at Border Controls across Albania. However, NRM is based on self-referral, which may present a barrier of access for some. Return entails passing through an established bureaucratic process, beginning with assessment by Border police at Migration Counters on arrival, for consideration as a Victim of Trafficking (VoT). This would necessitate *self-identification with the authorities as a VoT*, with the authorities' decision based on supporting evidence and documentation, with referral to other agencies for further support.

The status of 'Victim of Trafficking' is decided after a formal interview with State Social Service and the anti-trafficking police of the District where the returnee presents. Formal identification must take place within seven days. The status of "potential Victim of Trafficking" means that there are indications of trafficking, but anti-trafficking police have not yet formally identified the individual as a 'Victim of

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<sup>142</sup> IOM, 2015b

<sup>143</sup> EC, 2014

<sup>144</sup> Shelley, 2010

Trafficking’. Preliminary identification of ‘potential Victim of Trafficking’ may also involve other institutions and agencies depending on the case.

### *Shelters*

Significant risks exist given shortfalls in support available to VoTs, including capacity issues that may be in place at the time of return, limitations to protection from potential trafficking, poor prospects for reintegration. Albania has taken steps to create the legal framework in place, however the implementation and guarantee of the protection of human rights remain an issue; the social picture has not improved much due to an increasingly fragile economy and attendant increases in crime levels.

A People’s Advocate report states that location of shelters and ‘often even names of VoTs’ are made public by the media<sup>145</sup> and are certainly known to those involved in organised crime and trafficking. There are not enough protection workers available to guarantee that vulnerable young women are protected once they try to lead daily activities outside the centre.<sup>146</sup>

## 2.4 Legal protections: police and justice

Since the organisations shaping national anti-trafficking initiatives link victimhood to international migration, border and international migration specific identification methods play a key role in defining who is being trafficked. As such, women moving outside the country to engage in sex work are victims lacking in agency, while those engaging in sex work inside the country are understood to be engaging in crimes ‘against morality and dignity’<sup>147</sup>. Subsequently, we might expect women who are at risk of internal trafficking to have even less recourse to law than those who have been trafficked out of the country.

There is a great deal of evidence of complicity in trafficking at all levels in border police and of many kinds, from turning a Nelsonian eye to active engagement. These include the testimony of girls and women former VoT’s as well as objective evidence from state and independent media, NGO’s in the country and International organisations such as the OSCE, and also the EU and US Government, who reiterated that “*Official complicity in trafficking crimes remains a significant concern.*”<sup>148</sup>

Albania has made many advances to creating the legal framework of protection of rights, yet implementation and guarantee of the protection of human rights remain problematic. Implementation of legal and policy frameworks have been a challenge for GoA and its institutions as commitments on paper are not always translated into

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<sup>145</sup> PA, 2014.

<sup>146</sup> Interviews with shelter staff 2015 & 2016.

<sup>147</sup> Campbell, 2013

<sup>148</sup> USSD TIP 2015a



practice<sup>149</sup>. In April 2015, the EU pressed the Government for further measures to tackle domestic violence and to address the chronically inadequate access to justice for women<sup>150</sup>. Equally, many people still do not know that protective laws exist, while several recent laws are still not close to being enforceable.<sup>151</sup> While the law prohibits discrimination the government does not effectively enforce these prohibitions.<sup>152</sup> The law prohibits sexual harassment although officials rarely enforce it. NGOs believe that sexual harassment is severely underreported.<sup>153</sup>

*Corruption is a barrier to access to justice*

Recourse to law and policing are two major areas of weakness in human rights implementation. The biggest problem relating to human rights is corruption, which is “spread in all government branches, but especially in the court system and health service and discrimination against women”<sup>154</sup>. Corruption<sup>155</sup> in the courts and police is endemic. The US Ambassador in Albania has repeatedly called for corrupt and criminal individuals working in the judiciary system to be fired and prosecuted<sup>156</sup>. Endemic corruption in the courts and police is a major impediment to social development and successful Vetting reform of removing corrupt judges has become a conditionality for EU to open negotiations with Albania, following parliamentary elections of 2017.

The OSCE found that “the corruption cycle begins with police officers who accept cash to destroy evidence, and prosecutors who accept between € 1,000 and € 2,000 not to press charges”<sup>157</sup>. An expert panel summoned by parliament's Commission on Justice Sector Reform stated that corruption is endemic and considered a “normal” way to deliver justice at all levels of the system, from police to prosecutors and judges. The report states that Justice Police Officers often accept bribes to botch evidence, while prosecutors take bribes to dismiss criminal proceedings and judges take bribes to cause unnecessary delays.<sup>158</sup>

On December 23, 2016 The Minister of Interior at the time, highlighting the efforts undertaken to fight the problem of corruption and abuse among the police, declared that about 23% of the police force were under investigation and penal procedures. Equally, the judiciary is a closed door even to NGO's: ‘Whenever we try to get

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<sup>149</sup> UNDP, 2014

<sup>150</sup> EWB, 2015

<sup>151</sup> Kvinna, 2015

<sup>152</sup> USSD, 2015

<sup>153</sup> USSD, 2013

<sup>154</sup> Balkan EU, 2015b

<sup>155</sup> GoA, 2015

<sup>156</sup> Shqiptarja, 2015

<sup>157</sup> GoA, 2015

<sup>158</sup> PARL, 2015; Balkan Insight, 2015

information while assisting a domestic violence or trafficking case, or even for research purposes, we have been facing serious difficulties in accessing the court decisions.’ They are supposed to be public and published in the webpage of the court.<sup>159</sup> ‘The prosecutor’s’ office only responds when they need something from us’.<sup>160</sup>

*Prosecution and enforcement rates remain low*

ECRE ranked Albania the lowest of all of the 25 countries surveyed in terms of serious crime prosecution.<sup>161</sup> Perpetrators of violence are still very rarely punished and authorities do not operate to a victim sensitive or victim centred code: “criminal proceedings were slow and courts violated procedural deadlines for reviewing protection orders and issuing decisions in cases of domestic violence. Some 3,094 incidents of domestic violence were reported to the police by the end of September 2016, with women accounting for the majority of the victims. Just over a third (1,292) of these reports resulted in criminal proceedings. By the end of September, 1,882 women had sought protection orders in civil proceedings; however, in Tirana District Court, more than two-thirds of applications for protection orders were withdrawn or discontinued.

Where protection orders were issued they were often not enforced”.<sup>162</sup> Following court release of several criminals, the Minister of the Interior stated that “A bigger enemy than criminals on the street, are the judges!” and “the work of the police is difficult when we have to fight twice. First, the crime in the street, and secondly the judges that let free the criminals that the police arrest”<sup>163</sup>. This is indicative of some of the major institutional and political issues, which hinder the operation of justice in Albania.

Inefficiencies, lack of access to jurisprudence and consistent evidence of corruption (country guidance 2015) at all levels in the courts and police, and complaints to police not taken seriously mean it is completely unrealistic to consider that any lone woman without the most senior public standing in Albania could expect to benefit from recourse to the law.

Beyond the institutional barriers, there is widespread evidence that the police routinely fail to take a request for protection seriously. For example, during the UN 16 days of activism against gender based violence December 2016, some of the experts reported growing concerns that women in situations of domestic violence lodging complaints and requests for protection are not taken seriously by police. Even VoT’s with officially recognised and established risks are not afforded adequate

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<sup>159</sup> UN, 2014

<sup>160</sup> service provider, IOM, 2015

<sup>161</sup> Balkan EU 2015c

<sup>162</sup> Amnesty, 2015

<sup>163</sup> Lapsi, 2016C

protections: “In some cases we have tried to negotiate with State Prosecutors to admit them in programs of witness protection but they have not accepted this” (A social service provider).<sup>164</sup>

## 2.5. Return and reintegration

Many factors limit the likelihood of successful reintegration into a country of origin: from low-levels of awareness of supports in Albania, to limitations in its capacity, availability and efficacy that are a major factor in continuing low rates of reintegration.

The ‘majority of returnees (60.3 per cent) report that lack of adequate services and an inadequate health system (56.2 per cent) are two key problems faced by them upon return to Albania’<sup>165</sup>. Below, an examination of the state services for victims of trafficking based on analysis of documentation and personal visit to state shelter offer a general view of the existing schemes and their effectiveness.

### 2.5.1 Resources & supports for reintegration of victims of trafficking

The state provides very limited specific support for Victims of trafficking upon return. These take the form of the agencies such as internal and border police and local social services mentioned previously, which through the NRM direct beneficiaries into either a national state operated shelter based in Tirane or to NGO shelters that are part state funded.

#### *Shelters*

Admission for victims of trafficking in residential centres is based on standardised criteria and referral from a qualified agency. Those with the status of victim of trafficking may apply for accommodation and services in one of four residential centres that form the National Coalition of Anti-Trafficking Shelters (NCATS, established in 2007), which is composed of:

- a. The National Reception Centre for VoTs, Tirana (State operated)
- b. Vatra, psycho-social Centre, Vlorë
- c. ‘Another Vision’ Elbasan
- d. ‘Different & Equal’, Tirana

Victims of trafficking can stay up to a maximum of 1 year in the state shelter<sup>166</sup> and up to 2 years in the NGO centres. The number of women sheltered naturally varies greatly, based on demand. For instance, in July 2015 the centres were over capacity, in April 2016 the total number of women in the four shelters was 46<sup>167</sup> while as of

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<sup>164</sup> IOM, 2015, pg. 35

<sup>165</sup> INSTAT, 2013b

<sup>166</sup> Information obtained from meeting with Director of state shelter, April 2016.

<sup>167</sup> The number of VoTs sheltered in the 4 NCATS centres as of April 2016 and was obtained via information from the Ministry

November 3<sup>rd</sup> 2016 this number was down to 26.

There are significant risks given shortfalls in support available to victims of trafficking, including capacity issues (at times of massive returns) that may be in place at the time of return, limitations to protection from potential trafficking, poor prospects for reintegration. Capacities to accommodate children are severely limited: as of November 2016 there were 2 children sheltered, while 6 girls were under the age of 18. While they are safe inside the shelters, and are accompanied when going out for example to take vocational training courses, location of shelters is publicly known.

Services offered at shelters vary widely in extent and in standard. For example, the state run shelter of Linza is equipped only for rehabilitation support, whereas the NGOs offer rehabilitation and re-integration. All shelters offer pathways for beneficiaries into state benefits such as cash benefits and public health.

#### *Financial assistance*

Cash benefits are available to “Victims of trafficking, upon exit from social care institutions until the moment of their employment; whereas for Victims of domestic violence, for the period of validity of the protection order or the immediate protection order.” For victims of trafficking, access to financial aid is conditioned by their stay in social care institutions: victims/potential victims of trafficking, as well as victims of domestic violence, who have no incomes and are placed in public residential institutions (i.e. NRCVoT<sup>168</sup>). Once they leave the centre (as an adult), they can receive ALL 3,000 per month (Just under £18). To get an idea of how minimal this assistance is, the minimum wage in Albania (which is considered the lowest in Europe and not reflecting real needs in the country) is ALL 24,000<sup>169</sup> equivalent of £161/month and average rents even in outskirts of Tirana are £100 or more per month.

#### *Medical assistance*

Assistance for health is offered in all residential centres and by law victims of trafficking should be provided free health care where they live. Women in shelters receive medical examinations and treatment’ typically refers to simple dispensing of medicine and often funds allocated to pay for their medical expenses are not released, resulting in out of pocket expenses. Equally, widespread corruption within the state health system does mean that nominally free services and subsidized medications may not be accessible without out-of-pocket payments being necessary, as well as payments ‘under the counter’ to both medical specialists as well as to administration staff.

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*of Interior, as well as a personal visit at the state shelter.*

*168 National Receiving Centre for the VoTs.*

*169 Council of Ministers decision of May 3rd 2017*

### *Health and Psychological services*

All centres offer 'psychosocial' counseling services, but these services offer very basic provision that may fall short of the individual mental health needs of a trafficker person in terms of both length of support, appropriateness and quality. Indeed, treatment is often limited to the prescription of anti-depressants and, where available, counseling is conducted by shelter staff who have no formal training in psychiatry or psychology.

### *Professional training*

According to the National Employment Service, victims of trafficking who register as unemployed job seekers are eligible to benefit from Vocational Training free of charge through the Regional Public Vocational Training Directorates. However, training outcomes do not translate into meaningful employment. There are no available data to distinguish outcomes of professional training for trafficked persons, as compared to other cohorts. We may only expect these outcomes at best to be at same level as the national average, which means they do not lead to employment.

### *Employment*

Support into employment is available for the registered unemployed. However, this support is geared towards advice rather than effectively finding a job for the applicant. In the current climate of increasing unemployment as elaborated earlier in the paper, chances of finding gainful employment are weak. Chances of a trafficked person finding employment cannot be expected to be better than for other unemployed people, which are very low.

### **3.6.2 Resources & Supports for reintegration for other Returnee Migrants**

Victims of trafficking face serious risks and issues not faced by other returnees due to their specific vulnerabilities. However, as well as this, they do also face a similar set of hindrances to reintegration as any other returnee. Indeed, they experience these to the maximum degree, as unlike most others they return with neither resources nor familial supports. The experiences and available supports of return migrants, whether forcible or voluntary return from regular or irregular migration highlight the enormous challenges faced by those in a more 'mainstream' return scenario.

### *Housing:*

- Private accommodation is in oversupply, especially in the capital Tirane. It tends to be poor quality, with scant regard for building standards. The mayor of Tirana has called on private landlords to lower the rates of their properties as there are many people in need that can not afford to rent. On September 23, 2016<sup>170</sup> the GoA, recognising the increasing concern of limited social housing versus the increasing number of families in need, announced that some legislative changes

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<sup>170</sup> Shqiptarja, 2016

are to be made to allow for more social houses be accessible.

*Employment:*

- Returnees face particular challenges in this economic climate with over 50 per cent of migrants who have returned to Albania remaining unemployed. “They face an uphill battle to re-enter the local labour market<sup>171</sup>.”
- During the third quarter of 2015, youth (aged 15-29 years) national labor force participation rate<sup>172</sup> was 45.0% and youth unemployment rate was 69.6%<sup>173</sup>.
- Current employment opportunities are extremely few either for regular or casual work, in contractual employment and in the informal labour market. People engaged in the informal economy cannot benefit from social security, and are vulnerable to income insecurity and exploitation.
- Some 70% of all workers in the informal sector are under 25. Mobility between the official and informal labour market is generally low and therefore the risk is high that young people employed in the informal sector will not succeed in changing to the official labour market. Given the fact that the average age of the Albanian population is 31 years this specific vulnerable group on the labour market is significant<sup>174</sup>.
- In work, “labour rights for women are lacking. A majority of women work informally and there is much exploitation. In addition, discrimination of Roma women, rural women, single mothers and women with disabilities is severe”<sup>175</sup>. Women also face a large gender pay gap and unequal access to entrepreneurship and credit<sup>176</sup> with recent data of 2017, as discussed earlier in this paper, show persistence of gender pay gap. With many graduates ending up unemployed or underemployed, or in non-vocational work<sup>177</sup>, the market is unforgiving for someone with no family connections and networks for support.

*Vocational Educational opportunities:*

- The VET system in Albania consists of nine public training centres located in the main cities (Tirane, Durres, Elbasan, Vlore, Shkodra, Kavaje and Tepelene) providing training for about 8,300 people. They provide short-term courses (from 6 weeks up to 4 months) in foreign languages, computer skills, tailoring, hairdressing, plumbing and secretarial tasks.
- The Government of Albania provides free of charge vocational education and training (VET) for all girls and women from 18-25 years old, to improve access to

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<sup>171</sup> ILO, 2014

<sup>172</sup> Either employed or looking for work.

<sup>173</sup> INSTAT, <http://www.instat.gov.al/en/Home.aspx>

<sup>174</sup> WEF, 2014

<sup>175</sup> Kvinna, 2013

<sup>176</sup> EC, 2014

<sup>177</sup> Tema, 2016

employment for women, as over 50% of the Albanian women remain excluded from the labour market<sup>178</sup>. However, it is yet too early to assess how fully the scheme might be implemented, whether existing VET centres have capacities to cover demand in the country or whether the market can accommodate acquired skills.

- VET itself though is not fit for purpose according, and no guarantee of a pathway into formal work. Historically VET schools have been not responsive to market needs, resulting in very low rates of direct long-term employment. Many VET programs are of short duration and suffer from a lack of funding and certified teachers or instructors. The absence of recognised certification hampers their ability to promote trainees for employment. The majority of public VET providers have been assessed as under-performers. Training is almost non-existent in many VET providers, with practice classes often limited to instructor led demonstrations due to lack of materials, tools and equipment.
- NGO assistance is short term, project based and typically targeted to categories of people and not at the level of providing individual living support. Social and education support is not generally available, excepting sporadic NGO projects.

#### *Public Health Services*

The Government of Albania is aware that the public health care service is one of the worst public services delivered to Albanian citizens, and that it fails to effectively prevent, diagnose, treat and rehabilitate<sup>179</sup>.

- Many people have had problems in accessing state health care services. Common complaints include having to make out-of-pocket expenses, absence of basic supplies or equipment, scarcity of medicines, and lack of qualified medical staff. Medical equipment is often inaccessible to women with disabilities who need to use wheel chairs<sup>180</sup>. Vulnerable groups remain unprotected against 'under the counter' payments to health care staff and policy measures have not reached the most deprived regions of the country (NSSI).<sup>181</sup>
- Mental health problems can be a factor that reduces the prospects of meaningful reintegration into society and in leading a good quality of life without intensive family support. Individuals suffering from mental illness and/or disability are marginalised, stigmatised, and ultimately discriminated against in societal realms such as education and employment.<sup>182</sup>
- It should be noted that individuals in Albania with mental health problems are likely to experience "societal discrimination and stigmatisation due to mental health

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<sup>178</sup> Kospiri, 2015

<sup>179</sup> Government Program: Public Services: <http://www.kryeministria.al/en/program/public-service>

<sup>180</sup> National Strategy on Gender Equality and Reduction of Gender Based Violence 2011 - 2015, 2011, p. 30-31

<sup>181</sup> National Strategy for Social Inclusion

<sup>182</sup> Kleinman, 2009

problems”.<sup>183</sup>

#### *Mental health services*

- “Mental health system reform in Albania has largely attempted to recreate European mental health infrastructure locally. Unfortunately, this system is functioning well below its intended capacity in the Albanian context. The network of Community Mental Health Centres—based on the Italian model—is a particularly stark illustration of the ways “innovative” services in Albania replicate treatment as usual: a top-down, medical model which disempowers the consumer. Paradoxically, it appears that Europe-driven aid and initiatives have stunted local capacity. As European investment and the physical presence of foreign advisors decreases, Albania's most fragile service sector lacks the tools and experience to sustain reforms and continue to improve upon them”.<sup>184</sup>
- The number of mental health professionals is very low, with 3 psychiatrists per 100 000 population, and with large regional variance (compared with OECD averages of 30 per 100 000 in Switzerland and 26 in Finland for example).<sup>185</sup>

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<sup>183</sup> EC, 2014

<sup>184</sup> AGH, 2014

<sup>185</sup> WHO



# Conclusion

This paper highlighted the facts and evidence in regard to the complex conditions that affect trafficking of people from Albania to the UK. Social, economic, political and demographic conditions seem to play an important role in the trends of such activities. Weak Government institutions, lack of effective protection even when the laws exist, corruption among police and judiciary are grounds that explain why programs of voluntary return are not successful. Added to these are the effects of global conditions such as the financial crisis, liberalization of visas, and other international conditions that favor increase in the trafficking of people business. The Albanian model of trafficking seems to have moved from early methods of coercion of seemingly luring by offers to marriage or better employment opportunities abroad, praying on the vulnerabilities linked to the traditional position of women and girls in Albanian family and society as well as limited employment opportunities overall.

The short and the long term impacts of trafficking are detrimental to the victims who are vulnerable before being trafficked. Return and reintegration requires careful consideration, as the former may have devastating effects on the person trafficked, and the latter is not even existing. Little attention has been paid in research, in considering future chances of establishing and leading a successful life for a victim of trafficking. These include, but, not only, education, employment, housing, social networks and kin. Trafficking leaves emotional and psychological scars. Sadly, little attention is paid to this, amid the bureaucratic NRM procedures of Victims of trafficking return and provision of short term assistance.

Government reporting on the state of protection for the victims of trafficking needs examination of the application in practice, as while the legal framework and policy design may be in place, it is implementation in practice that fails vulnerable individuals, former or potential victims of trafficking. Despite numerous campaigns and many policies and strategies, anti-trafficking efforts remain inadequate and as of 2017 Albania does not fully meet the minimal standards to eliminate trafficking of persons. Reasons for this need to be examined in the deep-rooted poverty, low status of women in family and society, a climate of political and institutional corruption that hamper protection of victims, lack of faith in national institutions, all of these issues elaborated in this paper. Trafficking of people, and in particular of women and girls continues despite political statements of its denial.

Idiosyncratic circumstances need to be considered in particular when it comes to understanding the individual cases of asylum seekers victims of trafficking. This also draws the attention on reviewing country guidance on victims of trafficking to allow for better in-country research to inform CPINs with current evidence.

There is ample field evidence and media reporting on the issue of trafficking of persons from Albania. However, academic evidence is weak. Research is needed to uncover the hidden causes, process and consequences of trafficking from Albania to the UK. Data and policy reports need to be corroborated in academic writing too. Evidence from academic research and community work findings need to articulate recommendations to influence policy making. This paper, is a contribution to understanding trafficking of women and girls from Albania so that no person should be left vulnerable to falling victim of trafficking or living in fear of persecution.

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