

## **INFORMATION REGARDING THE DRAFTING OF THE REPORT ON TRAFFICKING OF WOMEN AND GIRLS**

*August 1, 2022-April 30, 2024*

The fight against human trafficking continues to be one of the key priorities of the Albanian government and all other structures with duties and responsibilities in this regard. The Ministry of the Interior is the main institution for the coordination of anti-trafficking efforts at the country level and beyond, in the direction of 4 main pillars: prevention, protection and assistance to victims/potential victims of trafficking, criminal prosecution of traffickers and persons involved in it, as well as partnership between state institutions, independent state institutions, local organizations and international organizations, and active partners in anti-trafficking efforts.

During the reporting period, anti-trafficking actions were mainly focused on the revitalization and strengthening of national structures for the identification and referral of victims/ potential victims of trafficking at the central and local level; control of internal trafficking, mainly of children and women; improving the standards of victim identification and protection; the intensification and development of activities for prevention and increasing the public awareness and that of the personnel working with the aid services. Specifically,

### ***In terms of improving the legal framework and its implementation:***

In 2021, with DCM no. 670, dated 10.11.2021, the National Action Plan (NAP) for the fight against human trafficking 2021-2023 was approved. The plan expresses the commitment of the Albanian government, state and non-state institutions and anti-trafficking actors working in public and non-public structures, to minimize the phenomenon of human trafficking. The implementation of this action plan was based on the generally accepted principles regarding the fight against organized crime, serious crimes, human trafficking and, in particular, on the principle of state responsibility to take measures to respond to the situation of trafficking in a timely, effective and comprehensive manner, respecting human rights as a primary consideration, as well as providing support and protection to victims and potential victims of trafficking, especially women and children. The plan has foreseen concrete measures and activities for children, women, girls and groups from the Roma and Egyptian community, etc., with the aim of their protection, support for employment, counseling, professional training, etc.

For the unification of judicial practice, the Criminal College of the Supreme Court has issued unifying decision no. 00-2022-1679 Decision (217) dated 27.07.2022 regarding human trafficking, which, among other things, provides for the concepts of "vulnerability" and "abuse of the position of vulnerability", emphasizing that the courts and the prosecution must have attention that people living in a social or family environment with economic, financial, personal or psychological problems should be treated very carefully, as potential victims of trafficking. So, in the Albanian criminal legislation, as well as in the unifying decision of the Supreme Court, the abuse of the vulnerable position is foreseen as one of the ways traffickers use to achieve their goal.  
<https://www.gjykataelarte.gov.al/sq/vendimet-e-gjykates>

With the law no. 13/2022, Albania has ratified Convention no. 190 "On the prohibition of violence and harassment in the workplace". With the aim of the interaction of the parties in the fight against discrimination and inequality at the workplace, on 22.02.2023, the Cooperation Agreement was signed between the State Inspectorate of Labor and Social Services (ISHPSSH) and the Commissioner for Protection from Discrimination (KMD).

The Decision of the Council of Ministers no. 646, dated 05.10.2022 "On the procedures, criteria and rules for implementing professional training programs with financial support provided, according to competition procedures, for professional training courses organized by formal, public or private professional institutions". In the selection of subjects for inspection, ISPHSH acts on the basis of a risk analysis, where risk indicators are also the sectors or subjects where minors, women and foreigners are employed. PSIHS carries out awareness campaigns for the implementation of employees' rights, with a focus on women, children and persons with disabilities, who enjoy special protection in labor legislation. The labor inspector informs and advises subjects on the implementation of labor legislation for all employees without discrimination. In addition, a cooperation agreement has been concluded between ISPHSH and the Commissioner for Protection from Discrimination to combat discrimination in the workplace.

With the aim of further guaranteeing and consolidating the reform in criminal justice for minors, the Ministry of Justice has drawn up the second strategy for justice for minors, approved by the decision of the Council of Ministers no. 892, dated 27.12.2022, "On the approval of Intersectoral Juvenile Justice Strategy 2022-2026, action plan and indicative passport". The Strategy has been drafted taking into account several important international and regional documents related to child-friendly justice, the progress reports of the European Commission for Albania and the suggestions given by the co-drafting institutions of this Strategy. This strategic document constitutes the policy document of the Albanian government that describes the basic pillars of the reform in juvenile justice and aims to promote a friendly and restorative justice for minors in conflict with the law, increasing the capacities and specialization of the main actors in justice to minors by consolidating full access to an effective and professional justice, according to good standards set for every minor. Juvenile-friendly justice includes access to standard support services, accessible at all times and for every child.

In September 2022, Instruction no. 174, of the Minister of the Interior "On the procedures for the treatment of foreigners with irregular stay in the territory of the Republic of Albania", which regulates all standards and processes of identification and registration of migrants in the territory of Albania, or at the border points, as well as includes the preliminary screening of irregular migrants. The selection process is carried out at the border or within the territory and aims to determine the category of the foreigner, classifying him as:

- subject to refusal of entry;
- applicant for international protection;
- possible victim of trafficking;
- irregular immigrant;

- unaccompanied minor.

The instruction stipulates that if in the selection procedure elements are found that raise suspicions about a trafficking victim or potential trafficking victim, the local authority for the treatment of foreigners, in application of the Standard Action Procedures for the protection of victims and victims of possible trafficking (VKM no. 499, dated 29.08.2018), immediately notify the anti-illegal trafficking structures in the Local Police Directorate and hand over the foreigner against the handover report.

On December 14, 2022, the Prime Minister of Albania, Mr. Edi Rama and the Prime Minister of the United Kingdom, Mr. Rishi Sunak signed the joint communication Albania - the United Kingdom "Deepening bilateral cooperation in areas of common interest", where they agreed to deepen cooperation in three areas of common interest: a) security issues and internal affairs (especially in the fight against organized crime and illegal immigration); b) economic growth and investments; c) innovation, youth and education, to further improve the monitoring and supervision of illegal migration and also, the two governments agreed to work with the Expert Group for Action against Trafficking in Human Beings. (GRETA), to guarantee independent reporting on the implementation of the measures. <https://www.kryeministria.al/newsroom/komunikate-e-perbashket-shqiperi-mbreteri-e-bashkuar-thellimi-i-bashkepunimit-dypalesh-ne-fushat-me-interes-te-bashket/>

Pursuant to the National Action Plan for the Fight against Human Trafficking 2021-2023 (approved by DCM no. 670, dated 10.11.2021), on June 26, 2023, the Cooperation Agreement for the Operation of the National Referral Mechanism of Victims and Potential Victims of Human Trafficking (NRM). The agreement includes 15 state and non-state institutions. The main focus of this agreement is the victim and her protection, examining each situation case by case and building some standards accepted by all for how the whole process of identification, referral, protection, assistance and reintegration of the victim of trafficking takes place. In addition to victims of trafficking, this agreement also protects potential victims of trafficking, thus aiming to exercise preventive protection for those persons who may be potential victims of trafficking. This is the most important instrument in terms of identification, referral, protection and assistance to victims/potential victims of trafficking. In order to increase the role of labor inspectors in the initial identification of potential victims of trafficking and addressing the "victim-centered" approach, through education and professional training, the State Inspectorate of Labor and Social Services and the National Agency of Employment and Skills. Meanwhile, the Ministry of the Interior, in addition to the General Directorate of the State Police, is also represented by the Seized and Confiscated Assets Administration Agency. Based on the area of responsibility, the Ministry of Justice has also been included in the NRM, as the supervisor of legal aid and compensation for victims of trafficking.

Pursuant to measure 2.1.10 of the National Action Plan for the Fight against Trafficking in Persons 2021-2023, the Ministry of the Interior drafted the document for the revision of the Instruction "On the establishment of the Responsible Authority for the identification, referral, protection and reintegration of victims and potential victims of trafficking". Joint Instruction No. 132, dated 08/09/2023 "On the establishment of the Responsible Authority for the identification, referral,

protection and reintegration of victims and potential victims of trafficking", was signed by the Minister of the Interior, the Minister of Education and Sports, the Minister of Health and Social Defence, the Minister of Finance and Economy and the Minister for Europe and Foreign Affairs. The instruction clearly defines the general tasks as well as the specific tasks of the Responsible Authority, among which are: coordination of the process of identification, referral, leading the implementation of the National Referral Mechanism in relation to all cases of identified victims/potential victims of trafficking and referred to on the basis of this mechanism in accordance with the Standard Operating Procedures, as well as the specific tasks for each institution/organization, in this instruction, for which they must commit to carry out within the capacities they have.

Based on the data that is processed every year by the Responsible Authority, it turns out that there is a significant number of children, referred to as being used for begging and forced labor. As a result, a representative from the State Agency for the Protection and Rights of Children and the State Inspectorate of Labor and Social Services in AP joined the Responsible Authority. Also, a very important factor in the reintegration of victims and potential victims of trafficking is their professional training and employment. For this reason, the Responsible Authority was supplemented with a representative from the National Employment and Skills Agency. Due to the situation created by the pandemic and with the aim of preventing online trafficking, a representative from the Cybercrime Sector in the State Police joined the Responsible Authority.

The Ministry of the Interior, with the support of the OSCE, in October 2023, started the process of preparing the new National Action Plan for the Fight against Human Trafficking 2024-2025. On October 26, 2023, the draft Plan was presented to the members of the NRM, who forwarded comments and suggestions regarding the activities that will be foreseen in it. The National Action Plan (NAP) is based on the vision of the Strategy against Organized Crime and Serious Crimes and, in particular, aims to ensure that the Albanian government and all state and non-state actors are committed to preventing and combating human trafficking in persons and to ensure the protection of individuals and vulnerable groups from trafficking, taking effective legal measures against the perpetrators of the crime of trafficking in persons, as well as protecting and respecting the rights of victims/potential victims of trafficking and, especially, women and children.

The NAP is a clear expression of the will of the Albanian Government to take all the necessary institutional, legal and budgetary measures to respond in a coordinated manner to human trafficking. The main priorities and objectives defined in the NAP remain:

- Addressing the fight against human trafficking considering the 4 main pillars (prevention, prosecution, protection and coordination).
- Improving the legal/institutional framework;
- Improving coordination, exchange of information, organization of meetings and raising the capacities of professionals;
- The "victim"-centered approach;
- Increasing community awareness through sensitization campaigns;
- Intensification of regional and international cooperation.

The draft was finalized in December 2023 and every activity envisaged in the document is accompanied by a financial cost. Also, on February 27, 2024, the Ministry of the Interior organized a joint meeting with members of the NRM and with representatives of international organizations and diplomatic missions accredited in our country, where the specific objectives and concrete measures of the Albanian government for the fight against trafficking were presented, especially the trafficking of women and children, as well as the political addressing of the recommendations of international reports. It is currently sent to line ministries for consideration and will soon be approved by the Council of Ministers.

The Ministry of the Interior has just approved the National Strategy for Migration and its Action Plan, covering the period 2024-2030. The main strategic goal is "Effective governance of migration in Albania, through addressing and managing the problems and challenges arising from migratory movements, aiming to increase the impact of migration on development, for the benefit of migrants and Albanian society". The political goals referring to the forecasts of the National Strategy for European Development and Integration (SKZHIE) and the assessments of political achievements in the migratory field are four, which constitute the four main pillars of the new strategic document, as follows:

- Guaranteeing the strategic governance of migration in Albania;
- Development of effective policies for migration for employment reasons, increasing the positive impact of migration on national/local socio-economic development;
- Promotion of regular migration, protection of migrants' rights and their integration into Albanian society.
- Strengthening the international protection system, guaranteeing the rights of asylum seekers and refugees and providing sustainable solutions".

***In terms of protection and assistance for victims and potential victims of trafficking:***

Protection and assistance to victims/potential victims of trafficking is provided in shelters set up for victims of trafficking as well as in the community. for children) that provide direct and reintegration services for VT/PVT. All four shelters offer a full package of reintegration services . Reintegration services include: accommodation, security and reintegration plan ; medical assistance; psychological assistance; psycho -social assistance ; mediation/facilitation with the country of origin; assistance in education and school attendance; legal aid; professional training; employment training, counseling and employment support; social activities Four centers operate in Albania: the National Reception Center for Victims of Trafficking (state), the organization "Vatra", "Different and equal" and the organization "Tjeter Vizion" (which is a center only, counseling; service for economic empowerment, including grants for micro-business ; assistance for children of victims of trafficking; financial support and long-term accommodation; information on services available in the community and relevant contact information; continuous monitoring and supervision of program beneficiaries.

For years, the Ministry of Health and Social Protection has been financing from the state budget 3 non-state reception and reintegration centers ("Vatra", "Different and Equal" and "Other Vision") for the payments of social workers who provide services in residential centers and for food fund for victims of trafficking.

For 2022 and 2023, the fund was released from the state budget for the payments of 30 social workers who provide services in residential centers and for a food fund for victims of trafficking, through non-public entities, "Tjetjer Vizion" "Vatra" and "Different & Equal" Associations. Specifically, for the year 2022, 50013555 ALL have been allocated from the state budget for food fund and salaries for 30 employees, for 4 centers . Meanwhile, for the year 2023, 54027553 ALL have been allocated from the state budget for food fund and salaries for 30 employees, for 4 centers.

Law no. 111/2017 "On legal aid guaranteed by the state", is one of the laws approved in the framework of the new reform in justice, which led to the drafting of a package of by-laws that regulate in detail every process for legal aid guaranteed by the state. Article 11, letter "b" provides that potential victims of trafficking/trafficking victims are provided with direct access to justice by specifying them as a special category that benefits from free legal aid in three forms:

- Primary legal assistance, which consists in providing information about the legal system of the Republic of Albania, the normative acts in force, the rights and obligations of the subjects of the law and the methods for exercising these rights in the judicial and extrajudicial process, providing advice on mediation and alternative dispute resolution procedures, providing assistance in drafting and compiling documents necessary to set the state administration in motion or to seek secondary legal assistance, representation before administrative bodies and providing all other forms of necessary legal support that do not constitute secondary legal aid.
- Secondary legal aid (free lawyer), "Secondary legal aid" consists in the provision of legal services, for the compilation of the necessary acts to set the court in motion, the provision of advice, representation and defense before the court in administrative, civil and criminal cases, for which mandatory protection does not apply, according to the provisions of the criminal procedural legislation.
- Exemption from the payment of court fees and expenses (expert, psychologist, etc.) and exemption from the obligation to prepay the fee for the execution of the enforcement order.

From the administration and monthly analysis of the register of requests and self-declarations for primary and secondary legal aid for the number of cases treated for victims of trafficking related to the benefit of free legal aid, for the period 2022-2023, 136 victims/potential victims of trafficking have benefited from primary legal aid and 1 has benefited from secondary legal aid.

In February 2023, the "Vatra" organization applied for a project at the Ministry of Justice, following the call for proposals that the Ministry opened for organizations authorized by the Ministry to provide primary legal support to victims. After the approval of the project, the Ministry of Justice financed the Vatra project with a fund of ALL 1,026,224.

For all victims supported by the National Coalition of Anti-Trafficking Shelters, legal assistance and counseling is provided by professional lawyers of these organizations. The organizations "Vatra" and "D&E" are authorized by the Ministry of Justice for the period 2022 - 2024 to provide free legal assistance. All victims are informed about their rights, the legislation and also, for those

cases where they have denounced their traffickers, they have been assisted throughout the process of reporting to the police, during interrogation at the prosecutor's office and in court.

The safety of children online is a new issue in Albania that has received increased attention in recent years. In harmony with the amended EU Directive 2018/1808, in May 2023, in Albania, important changes in law no. 97/2013 "On audiovisual media in the Republic of Albania", amended. These changes further strengthened the powers of the Audiovisual Media Authority (AMA), increasing its role in encouraging actors and broadcasters towards media literacy.

Also, on July 10, 2023, the new Broadcasting Code was approved by AMA Decision no. 60, dated 10.07.2023. The Code contains 11 sections, compared to 8 sections of the previous Code, of which a part is specifically dedicated to the regulation of the transmitted image of the child in audiovisual media. Specifically, Section 4 of the Code (Children in Audio and Audiovisual Broadcasting – with subsections : Media serving the best interests of the child, Prohibition of identifying the child, Interviewing the child, Advertisements and children, Cultural, entertainment, educational programs, films and children, Warning signs for the protection of children in audio and audiovisual programs), regulates in detail the cases when a child is part of a broadcast audio or audiovisual content, or when this content is not suitable for the physical, mental and moral development of the child. The section focusing on children was revised to update the Code with the highest standards of child protection, but also to address the protection of the best interests of the child in all types of broadcasting.

***In term of the coordination and strengthening of partnerships: :***

The Ministry of the Interior considers the coordination of efforts between international organizations working in the field of anti-trafficking to be very important . Given the international interest and the continuous support provided by several foreign governments and other entities, the Ministry of the Interior, on October 27, 2022, organized the coordination meeting of donors who operate in the field of trafficking. The meeting was attended by representatives of the European Delegation, the Council of Europe, the American Embassy, the English Embassy, the Dutch Embassy, the UN, OSCE, IOM, GIZ and UNICEF, as well as representatives of the Ministry of the Interior. Donors participating in this meeting got acquainted with the priorities of the Albanian Government in the field of trafficking, focusing on strategic goals and specific objectives, according to DCM no. 670, dated 10.11.2021 "For the approval of the National Action Plan for the Fight against Trafficking in Persons 2021-2023". The meeting discussed the strengthening of cooperation between international organizations and state structures, which have in their field of responsibility the fight against human trafficking, the coordination of actions in the realization of the priorities and objectives of the Albanian government, as far as the implementation of measures is concerned, of the anti-trafficking action plan, as well as the support and cooperation of donors through the implementation of projects and their financial support , which will be an added value for current and future program interventions.

Cooperation between law enforcement agencies has been strengthened and the capacity building of state structures for the identification and referral of victims/potential victims of trafficking has been strengthened. In cooperation with international partners, such as: UNODC, ICMPD, OSCE,

IOM, UNICEF, reception and integration centers for victims of trafficking, meetings, trainings and workshops were held with police officers, state social services, defense officers of children, health, education, civil society, etc.

From April 22-26, 2024, GRETA experts (Group of Experts for monitoring the implementation of the European Convention on Combating Trafficking in Persons) held meetings in Albania with representatives of state institutions, independent institutions, international and national organizations that operate in the anti-trafficking field. GRETA's monitoring visit was organized in cooperation with the Ministry of the Interior, in the capacity of the responsible coordinating institution of the anti-trafficking activity.

During 5 days, meetings were held with representatives of the Ministry of Justice, the Ministry of Health and Social Protection, the Ministry of Education and Sports, the Ministry for Europe and Foreign Affairs, the Ministry of Finance, the Ministry of Economy, Culture and Innovation, the Minister of State for Youth and Children, the National Business Center, the National Agency for Electronic Certification and Cybersecurity, the General Prosecutor's Office, SPAK, the State Police, the Supreme Council of Justice, the Supreme Court, the State Inspectorate of Labor and Social Services, the State Social Service, General Directorate of Development for Migration and Asylum and Reception Center for Asylum Seekers.

They also held meetings with the Ombudsman, the Commissioner for Protection from Discrimination, representatives from the Assembly, members of the Durrës Regional Anti-Trafficking Committee, as well as visited the National Reception Center for Traffic Victims in Linza , the closed Karreç Center , the "Zyber Hallulli" Orphanage ” and the Durrës Moving Unit. On April 26, GRETA experts held a closing meeting, where they conveyed positive assessments of the work done in the fight against human trafficking by all institutions, as well as presented some issues for addressing, which will be translated into action plans by our structures, in cooperation with national and international partners.

***In term of increasing public awareness of the community:***

In the framework of the European Anti-Trafficking Day (October 18), the Ministry of the Interior, during the reporting period (October 2022 and October 2023), in cooperation with partner organizations and state institutions, organized the "Month of the Fight against Trafficking in Persons" during the month of October. In the 12 regions of the country, sensitization and awareness-raising activities were held for the prevention of human trafficking. The activities were intended to bring to the attention of all state and non-state structures , the importance of undertaking a joint commitment in the fight against human trafficking, as well as to convey messages about the dangers of trafficking, the ways to increase awareness of the public, especially vulnerable groups . Thus, based on the National Calendar, which was drawn up with the proposals of state structures, national and international organizations, they were developed throughout the month of October. The activities throughout this month were mainly focused on:

- forums and discussion groups with professionals, students and community representatives;



- awareness activities/information sessions with high school and middle school students, students, representatives from the community, from state and non-state structures , psychologists, social workers;
- regional exhibition with works of high school and middle school students;
- awareness meetings for the prevention of human trafficking and irregular migration with police officers, state social service workers, municipal social service workers, education and health system workers, psychologists, social workers, representatives from the Roma and Egyptian community, representatives from business , etc.;
- awareness marches in the districts;
- distribution of informative and awareness-raising materials related to the phenomenon of trafficking.

On the initiative of the Minister of the Interior, in December 2023, in cooperation with AKEP and the 2 telephone operators (ONE and VODAFONE), the free National Line 116006 was activated and moved from the operating room of the General Directorate of the State Police near the Anti-Traffic Sector to Ministry of the Interior. A staff member handles and receives only incoming calls to the number 116006. In order to promote the Line and raise community awareness of the phenomenon of trafficking, on January 23, 2024, the anti-trafficking communication campaign "Truth in the Light " 116 006 was presented. The main goal of this campaign is to reduce human trafficking in and from Albania through the prevention of the phenomenon, protection and services for the reintegration of survivors, as well as the strengthening of coordinated anti-trafficking partnerships. <https://mb.gov.al/prezantsohet-fushata-e-komunikimit-antitrafik-e-verteta-nndrit-116-006/>

Since 2019, UNICEF Albania, with funding from the Government of the United Kingdom within the Modern Slavery Fund, in cooperation with the Ministry of the Interior, is implementing the program "Transformation of the National Response to Trafficking in Human Beings in and from Albania" in cooperation closely with its implementing partners. Since its inception, the Program has aimed to improve the implementation of human rights of the most vulnerable population groups in Albania, in accordance with the principle of non-discrimination . All activities are carried out with the aim of guaranteeing the best interest of the child, non-discrimination and gender sensitivity, as well as the participation of children in every decision-making process. It is evident that gender sensitivity has been integrated into the planned activities and interventions, with the aim of promoting gender equality and empowering women and girls who are beneficiaries of the Program.

Another important contribution of the "Transforming the National Response to Human Trafficking in and from Albania" program is the publication of research studies on various trafficking topics, which improve research in the country and beyond. A good source of information on the results of the program can be found at: <https://endhumantrafficking.al/>