

## **2014 Trafficking in Persons Report - Albania (June 20, 2014)**

### **ALBANIA– Tier 2**

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Albania is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Albanian women and child victims are primarily subjected to sex trafficking within Albania and in Greece, Italy, Macedonia, Kosovo, Belgium, Netherlands, Germany, Switzerland, Ireland, and the United Kingdom. Criminal groups fraudulently recruit women with offers of employment in waitressing, bartending, dancing, or singing in neighboring countries, specifically in Kosovo, Greece, and Macedonia, and subject them to sex trafficking. Victims from the Philippines and Albania were subjected to forced labor in Albania. There is an increasing problem of Albanian children, often of the Roma ethnicity, being subjected to forced begging and other forms of compelled labor in Greece, Kosovo, and within Albania. Some Albanian girls are subjected to sex trafficking or forced labor following arranged marriages. The Government of Albania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In October 2013, the government appointed a new national anti-trafficking coordinator, who in December initiated the development of a special taskforce to improve coordination among police, prosecutors, and judges. Albanian law enforcement improved its understanding of a victim-centered approach to human trafficking, though further training is still needed to improve their operating effectiveness in identifying cases and leading them through prosecution. The government increased the number of victims identified, but prosecuted and convicted a small number of trafficking offenders. The government did not fund the NGO shelters that provided services to victims of trafficking. Victims received inadequate mental health services at the state-run shelter, and medical care staff needed training.

#### **Recommendations for Albania:**

Vigorously investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; ensure victims have access to victim-specific assistance, support and protection including reintegration services such as vocational training and free public health care; provide funding to NGOs for shelters and victim assistance services, including through the Special Fund for Crime Prevention; expand joint mobile units operated by civil society groups and law enforcement to increase victim identification; train prosecutors and judges on recent trafficking-related legal amendments; train state-run shelter medical staff on victim-centered support; further train police and officials at the local level to increase the number of victims identified and assisted; continue to train labor inspectors and other officials on victim identification; train officials in child protection units to increase the identification of trafficking indicators and refer victims to appropriate services; ensure the effectiveness and support for the national anti-trafficking coordinator; and continue to expand efforts to raise awareness of trafficking throughout Albania, including through the use of regional anti-trafficking units.

#### **Prosecution**

The Government of Albania increased anti-trafficking law enforcement efforts over the last year, improved its legislation for criminal offenses, and sufficiently punished convicted offenders. Albania's criminal code prohibits sex and labor trafficking under Articles 110(a) and 128(b), which prescribe penalties of eight to 15 years' imprisonment. These penalties are sufficiently stringent and exceed those prescribed for other serious crimes, such as rape. In 2013, the criminal code was amended to strengthen its anti-trafficking provisions, including by raising the minimum sentence for trafficking of adults from five to eight years' imprisonment and increasing the sentences for trafficking of minors (from seven-15 years to 10-20 years); adding internal trafficking as a criminal offense; and criminalizing facilitating trafficking by forging, removing, damaging, or otherwise manipulating identity documents; as well as benefiting from or using the services of a trafficked person. The Serious Crimes Prosecutor's Office reported investigating 24 suspected human traffickers in 2013, compared with cases involving 11 suspects in 2012, but did not disaggregate data to demonstrate that it made efforts against both sex trafficking and forced labor. One case went to trial during the year in which three alleged traffickers were charged under Article 110(a), which remained pending at the close of the reporting period. The remaining cases were either dropped, are still under investigation, or are in pre-trial procedures. In 2012, the government reported convicting two defendants and dismissing the prosecutions of two others. The Serious Crimes Court convicted two offenders for trafficking in persons, each sentenced to 15 years' imprisonment, the same number of convictions as were achieved in 2012. Prosecutors reopened for investigation a case of two Albanian men who claimed they were trafficked to Equatorial Guinea for forced labor. Albanian law enforcement officials coordinated with police on a trafficking investigation in Italy, Germany, and Switzerland, resulting in the arrest of five traffickers in Albania. During 2013, the government trained 57 judges, prosecutors, and police officers on investigation and prosecution of traffickers, and on victim identification and protection. The government increased the number of judicial police and special prosecutors assigned to trafficking cases from three to seven during the reporting period. In December 2013, the national anti-trafficking coordinator initiated the development of a special taskforce to improve coordination among police, prosecutors, and judges. NGOs reported that police, prosecutors, and judges demonstrated improved understanding of a victim-centered approach to human trafficking, though further training is still needed. Corruption and high rates of turnover continued to be an issue within the police force, which hampered the efficacy of training. The government did not report any investigations or prosecutions of government officials allegedly complicit in human trafficking offenses during the year.

## **Protection**

The government increased anti-trafficking protection efforts by increasing identification and referral of trafficking victims to appropriate services, and by providing financial assistance to victims during the reporting period; however, bureaucratic hurdles prevented victims from accessing free healthcare that had previously been approved by the government. The government did not provide funding to NGO shelters. During the reporting period, the government reported that 95 victims of trafficking were identified in Albania; 92 were identified in 2012. Of these, 55 victims were identified and referred by the government in 2013, compared with 42 victims referred by the government in 2012. A total of 93 victims received care in state-run and NGO shelters; 27 victims were accommodated in the state-run shelter exclusively for trafficking

victims. Of the 95 victims identified, 43 were child victims of trafficking. Twenty-one identified victims were subjected to labor trafficking. The state-run shelter received the equivalent of approximately \$182,000 in government funding. It provided limited services, but worked in collaboration with NGOs to meet the needs of victims. The government allocated the equivalent of approximately \$50,000 to NGO shelters strictly for food expenses, but failed to disburse these funds. NGOs reported improved involvement of civil society partners and the government in the national referral mechanism. In 2013, law enforcement and social worker child protection units increased to 165 from 65 in 2012; the units have a direct role in identifying child victims of trafficking and ensuring their protection. In 2013, the government, in cooperation with police directorates and NGOs, established three joint mobile identification units, each consisting of police and two NGO social workers; the units searched local communities for potential victims of trafficking.

The government allocated and disbursed the equivalent of approximately \$10,000 in financial support to 30 victims of trafficking. Victim advocates and NGOs reported that the state-run shelter lacked human, physical, and financial resources for longer-term care of victims of trafficking, including health, education, and employment services. Victim advocates reported that psychological services offered at the state-run shelter were inadequate and medical staff required further training. NGOs reported that victims were punished as a direct result of being in human trafficking situations. In 2012, at least three victims of sex trafficking were convicted of prostitution. In one case, the court issued both a conviction against the defendant for trafficking in persons, and simultaneously convicted the victim for prostitution. Lack of training and the high rate of turnover among prosecutors was a challenge to progress on this problem. The three shelters that were operated by NGOs provided comprehensive services to include: psychological care, legal assistance, medical care, reintegration services, and assistance for victims' children. Male victims of trafficking were provided with accommodations in apartments. There were no specialized shelters for child victims of trafficking. The government approved access to free healthcare for victims of trafficking in 2012; however, bureaucratic hurdles prevented victims from accessing government-approved free healthcare, and victims or NGOs often had to pay for services during the reporting period. The government encouraged victims to participate in investigations and prosecutions of trafficking offenders by providing victim-witnesses access to social workers and psychologists during trials. The Serious Crimes Prosecution Office in Tirana is the only office that employs a victim-witness coordinator. Victims outside Tirana had access to this service; however, local prosecutors lacked training on how to effectively work with victim witnesses. In 2013, one victim of trafficking was provided with witness protection. As an alternative to removal for foreign trafficking victims, Albania's anti-trafficking law provides a two-year reflection period with temporary residency status, and the opportunity to apply for permanent residency after five years in the country, as well as authorization to work. In practice, the government has yet to grant this status to a victim. There were no reports of victims being detained or otherwise penalized for unlawful acts committed as a result of their being trafficked. Under the new amendments, victims are now exempt from punishment for offenses committed during or as a result of being trafficked.

## **Prevention**

The Government of Albania increased efforts to prevent trafficking in persons during the year. In October 2013, shortly after taking office, the government appointed a new national anti-trafficking coordinator. For the first time, the government designated a separate budget for the national anti-trafficking coordinator's office of the equivalent of approximately \$50,000. The government also allocated funds for the regional anti-trafficking committees to address trafficking issues in local districts. The national coordinator was successful in restarting the 12 previously dormant committees around the country. During the reporting period, the committees were active in addressing trafficking issues in their districts through establishing local action plans and conducting various meetings in cooperation with civil society partners. The government, in cooperation with NGOs, trained regional anti-trafficking committee members, government officials, social service workers, police, school teachers, and labor inspectors on implementing victim identification and referral procedures. Nevertheless, regional anti-trafficking committees and local officials continue to need further training and development. In cooperation with NGOs, the government co-funded educational initiatives to publish and distribute anti-trafficking booklets to police and potential trafficking victims, and published and distributed copies of a novella highlighting the true story of a victim of trafficking to high school students, employers, local civil society representatives, and community members in various cities. The government co-sponsored a workshop for the purpose of sensitizing hotel and travel agency owners to human trafficking and victim identification. The government co-financed a project for the implementation of a mobile device application for use by citizens in reporting suspected trafficking cases and accessing assistance services. The government established a civil society advisory board to improve cooperation with NGOs. The government performed an internal audit of the state shelter. The government continued implementation of its 2011-2013 national action plan. The government demonstrated efforts to reduce the demand for commercial sex acts; however, it did not demonstrate efforts to reduce the demand for forced labor.