

MEETING WESTERN EXPECTATIONS:

ALBANIA AND THE
CHALLENGE OF
HUMAN TRAFFICKING



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Introduction

Albania earned a reputation as Southeastern Europe's center for human trafficking in the 1990s. Beginning in 2002, with intensified efforts after 2005, the Government of Albania (GoA) has taken steps to tackle the trafficking problem via protection and assistance to victims, prevention and prosecution. This research report assesses Albania's fight against human trafficking and offers recommendations to the GoA, the European Union (EU) and the United States Government (USG).

Context

The NCAFP has a long-standing involvement with Albania dating back nearly 20 years. Albania is strategically important to the United States. A stable, peaceful and prosperous Albania with democratic governance and a free market is essential to stability in Southern Europe. On the southeastern flank of NATO, Albania is also essential to US basing and force projection in the region, as well as efforts to counter crime and terrorism that, left unchecked, would have a corrosive affect on democracy and development in the Western Balkans.

The NCAFP believes that the best way to ensure Albania's progress is through its continued integration into Euro-Atlantic institutions. To this end, the NCAFP focused on corruption and good governance in its 2005 report, "Albania's Unfinished Revolution." Its 2008 report – "Albania: From Fragile State to Viable International Partner" – strongly supported Albania's NATO membership in order to consolidate Albania's reform process and galvanize future efforts.

EU membership is the next milestone in Albania's ties to the Euro-Atlantic community. The Stabilization and Association Agreement (SAA) between Albania and the EU, which entered into force in April 2009, was a major step towards candidacy. However, meeting the requirements of the *acquis communautaire* is a daunting task that will take years. Liberalizing the EU's visa procedures, with the aim of visa-free travel to the EU for Albanians, is a realistic goal that can be accomplished in the short term. Human rights, including progress in fighting and preventing human trafficking, is a part of the Visa Liberalization Dialogue. Therefore, the NCAFP has focused its research and analysis on this topic. Ending the scourge of human trafficking has intrinsic value. Progress is also a necessary step on Albania's path to Europe.

Background

Human trafficking in Albania was widespread after the fall of Communism, during the Yugoslav wars of the 1990s, and after the pyramid scheme collapse in 1997-98. Most victims were women and girls aged 15 to 25 who were sold as sex workers. Other victims included those trafficked for forced labor and children who were used for forced begging. Greece was the primary destination for trafficked victims, followed by Italy. Sex workers were also sent to the Balkans and elsewhere in Europe. Criminal organizations turned Albania into a transit country, using speedboats to transport women from countries in Eastern Europe, such as Romania, Bulgaria, and Moldova, across the Adriatic Sea. Widespread internal trafficking was fueled by pervasive poverty. Most victims of child trafficking were Roma.

Progress

The GoA adopted a National Strategy on the Fight against Trafficking (2008-10). Activities are administered by the Office of the National Anti-Trafficking Coordinator (ONCAT), which is part of the Interior Ministry. The national anti-trafficking strategy encompasses (i) protection and assistance, (ii) prevention, (iii) prosecution, and (iv) inter-agency coordination.

Protection and Assistance

The GoA has recently improved its national identification and victim referral systems, partly as a result of improved referrals by local police. There was a five-fold increase in identifying victims (from 22 in 2007 to 108 in 2008) and, reflecting a positive trend in the overall fight against trafficking, the number of identified victims decreased to 94 in 2009.

The national database of victims, launched in September 2008, has enhanced inter-agency coordination and service delivery. The 2009 “Social Assistance Law” mandates the GoA to support reception/shelter centers providing full reintegration packages for short and long term assistance, as well as security. Services include shelter, food, clothing, health care, counseling, legal aid, vocational training, and other forms of assistance aimed at helping victims reintegrate into society. The GoA recently announced that it would pay all food costs of shelters and their staff. It also announced an allowance to victims once they leave shelters (1.5 times greater than assistance to the unemployed). During interviews with the author, independent shelter organizations commended their favorable view of the GoA’s efforts.

In addition to temporary housing and placement in apartments, centers provide health care and psycho-social counseling. Victims suffer from trauma, guilt and anxiety stemming from physical, sexual, and psychological abuse. They often lack self-worth and face difficulties reintegrating into their families and communities. Brothers are usually the most abusive to their sisters who have been trafficked. Many trafficking victims have turned to drugs or alcohol to cope with their trauma. Many women have had unwanted pregnancies. Day care facilities are needed so that mothers of young children can leave the home to work.

Of the 94 trafficking victims identified in 2009, 82 were reintegrated and 38 were given vocational training at Regional Employment Offices. The GoA provides tax breaks to businesses that employ victims. Sponsored by the OSCE-ILO, micro-credit schemes promote economic independence in order to reduce the possibility of victims' being re-trafficked.

Prosecution

Traffickers worked with impunity in the absence of trafficking laws in the 1990s. The GoA adopted its first anti-trafficking laws in 2001. Legislation passed since 2005 has further strengthened the legal framework for fighting trafficking. In addition, the establishment of specialized law enforcement agencies and judicial reform has resulted in more effective prosecution of traffickers. So do measures being taken to crack down on public officials who participate in or facilitate trafficking. The number of trafficking convictions increased from 7 in 2007 to 26 in 2008. 7 persons were prosecuted in 2009, with 11 cases underway.

In 2009, the GoA adopted a new "Witness Protection Law" and upgraded the capacity of the Directorate for Witness Protection. NGOs are also providing legal assistance and protection counseling. Cooperation between the Prosecutor's Office and the police, including data exchange, has improved. Through the "Anti-Mafia Law," Serious Crimes Courts are authorized to seize and confiscate the assets of convicted traffickers. A "Law against Domestic Violence" bans abuse thus discouraging women and girls from fleeing their homes, after which they often find themselves in more vulnerable situations.

Between 2008 and 2009, the number of anti-trafficking police has been doubled. In 2008, approximately 20 female anti-trafficking police officers were assigned to organized crime police units across the country. In 2009, training on identifying victims and interviewing techniques was

provided to 270 police officers, including training in “child-friendly” interviewing techniques. In addition, 200 judges, prosecutors and judicial police personnel also received specialized training. Anti-trafficking units in the Flora, Durrës and Shkoder sections on organized crime in the Directorate General of Police were recently upgraded.

Despite progress, deficiencies in Albania’s judicial system affect prosecution and law enforcement. The GoA has emphasized judicial reform, but more needs to be done lest citizens lose faith in state institutions. Further progress is required in strengthening judicial independence and dealing with corruption. Other problems include instances when victims are reluctant to testify or change their testimony as a result of intimidation. The rule of law would be strengthened by more proactive prosecutors and judges.

Prevention

Senior GoA officials have used their bully pulpit to speak out against trafficking. On a programmatic level, ONCAT works with the Ministry of Education to raise awareness among Albanian youth. Trafficking-related curriculum has been adopted in schools. A national, toll-free, 24-hour hotline for victims and potential victims of trafficking was launched in 2006, with GoA financing beginning in November 2007. Prefect-led regional committees also act as effective deterrents.

In 2007, the GoA outlawed speedboats, the favored transportation for traffickers to transit people out of the country. It is believed that the ban reduced trafficking by more than half, and virtually ended the practice of transiting victims through Albania to Western Europe.

The GoA has prepared a draft “Law for the Protection of Children’s Rights,” which provides safeguards against violence, economic and sexual exploitation. It also establishes national and local institutions protecting and promoting children’s rights, including child protection units at the level of municipalities and communes. Children’s issues are addressed in the National Strategy for the Fight against Child Trafficking that supplements the National Strategy on the Fight against Human Trafficking. Children’s issues are part of the National Strategy on the Fight against Trafficking.

Coordination

ONCAT prepares the National Strategy for the Fight against Human Trafficking and the National Strategy for the Fight against Child Trafficking in close consultation with shelter organizations and other

civil society groups. ONCAT is responsible for operations of the National Referral Mechanism, which identifies, protects and assists victims. It coordinates the National Task Force and Coalition of Albanian Shelters and Regional Committees against Trafficking of Persons. ONCAT also manages the Database for Victims of Trafficking that is part of the Total Information Management System (TIMS), which guarantees case work information for all parties while ensuring the privacy of victims. Though led by a very capable and energetic Deputy Interior Minister, ONCAT only has four professional staff including its director.

ONCAT's costs are absorbed by the Interior Ministry. Other agencies involved in anti-trafficking are the Ministry of Labor, Social Affairs and Equal Opportunities, the Ministry of Education, the Ministry of Foreign Affairs, the Ministry of Health, the Ministry of Justice, the Ministry of Tourism, and the Ministry of Defense. The costs of their anti-trafficking activities are paid by the ministries.

To enhance accountability, the Interior Minister recently delineated responsibilities of involved ministries, including benchmarks and reporting deadlines. Rigorous monitoring also occurs from the bottom up. Instructions from the Directorate General of Police require that local police submit a weekly report on their anti-trafficking activities. These reports are disseminated at a monthly meeting of all senior personnel involved in the fight against trafficking, including the Prosecutor General.

International Cooperation

The EU and the United States are the major anti-trafficking actors. EU involvement occurs within the Visa Liberalization Dialogue, which is undertaken as part of the SAA. The U.S. anti-trafficking classification system measures the performance of countries where trafficking occurs. The EU's visa liberalization and the U.S. classification systems operate independently from one another, although progress with one affects progress with the other.

On January 1, 2008, the EU concluded its Visa Facilitation Agreement with Albania. The agreement's preamble affirms the commitment of both the EU and Albania to work towards a visa-free travel regime in the future. In June 2008, the EU adopted its Visa Liberalization Roadmap with benchmarks to measure Albania's progress. The EU's Visa Liberalization Process considers prevention of and fighting against human trafficking as one of its criteria. In October 2009, a committee of the European Parliament approved a proposal for Albania to be a visa-free state once it met the Commission's criteria. In February 2010, the

European Commission sent an assessment team to Albania. Going forward, the Commission will recommend whether or not to normalize the visa regime later this year. If it recommends liberalization, the European Parliament may ratify the measure as soon as July 2010.

The U.S. State Department recognizes the GoA's anti-trafficking resolve, but classifies Albania as a "Tier 2" country because of shortfalls in its institutional and administrative capacity to implement anti-trafficking activities. The State Department's classification will be reviewed in June 2010.

Regarding assistance, EU support is provided through its Instrument for Pre-Accession (IPA), which emphasizes good governance and institution building. In cooperation with the Council of Europe, the EU supports judicial reform. EU assistance also supports integrated border, migration, and customs management, as well as enhancing the capacity of the police to crack down on organized crime and terrorism.

Regional cooperation is provided via the EU's Judicial Cooperation Unit (Eurojust); Europol; and the Migration, Asylum, Refugees Regional Initiative. The EU Italy-Albania, Greece-Albania, and the Adriatic New Neighborhood Programs assist regional cooperation in several fields, including anti-trafficking. Coordinated Action against Human Trafficking (2003-09), sponsored by USAID, has been the USG's primary instrument for assisting local groups to combat the incidence and effects of trafficking, and to support coordination between the GoA, donors, and NGOs.

Recommendations

To the GoA:

- Vigorously investigate and prosecute trafficking offenders, as well as law enforcement officials who may be complicit in trafficking.
- Continue improvement in cooperation between the local police and shelters via the referral service.
- Disseminate a draft of the new National Strategy for the Fight against Trafficking (2010-13) and seek comments from donors and EU member states.
- Develop a comprehensive ONCAT administrative and program budget that includes the cost of shelter activities, and seek multi-year funding for ONCAT and shelter services from a donor country (or a consortium of donors).
- Convene a "Regional Anti-Trafficking Conference" in Tirana

including prominent U.S. and European policy-makers (2010).

- Coordinate the visit, to targeted European capitals and Washington, of Albanian NGOs working on shelter/reintegration in order to raise awareness of Albania's progress.

To the EU:

- Assist capacity building of ONCAT through its "Twinning Program" that assigns a senior professional from a European country to work side-by-side with Albanian counterparts.
- Intensify training and capacity building assistance programs available through the IPA.
- Liberalize the visa regime for Albanian passport holders (in 2010) as recognition of Albania's progress in combating trafficking, as well as significant steps in other criteria that are part of the Visa Liberalization Dialogue.

To the USG:

- Classify Albania as a "Tier 1" country in recognition of Albania's progress in anti-trafficking.
- Fund ONCAT's turnkey capacity building costs through a grant from USAID.
- Inform Melanne Verveer (Ambassador-at-large for Global Women's Issues) and Maria Otero (Under Secretary of State for Democracy and Global Affairs) of Albania's anti-trafficking activities so that a senior U.S. official can keynote the Regional Anti-Trafficking Conference.

Author's Note

Albania has come a long way since its democratic revolution in 1992. Progress accelerated after elections in 2005. Not only has Albania become a member of NATO: the SAA between the EU and Albania puts Albania squarely on the path to becoming a candidate country and eventually a member of the European Union.

The GoA has ambitious plans. It is developing the country's roads and infrastructure in order to integrate Albania into Europe via travel and trade. It is also embracing state-of-the-art technologies that will usher Albania into the digital age. There are, however, some tendencies Albania must address in order to realize its lofty aspirations. Albania has to move away from confrontational politics. It needs better governance inspired by the spirit of public service. Combating corruption and criminality must continue to be priorities of the GoA.

The fight against trafficking requires more than policies and programs. It will require a fundamental change in the mentality of Albanians, including a shift from the patriarchal social order that exists especially in rural areas. This societal transformation is a generational endeavor. Changing attitudes won't be easy; it will take time. It is, however, a noble cause that will serve the interests of all Albanians and, in the process, make human trafficking a problem of the past.

Methodology

This research report highlights key issues and trends. Information was derived from a variety of primary and secondary sources, including interviews in Albania with shelter organizations (Vatra, Different & Equal, Another Vision, Life and Hope, and the National Referral Center for the Victims of Trafficking), Albanian journalists, and GoA officials. Interviews were also conducted with representatives of the diplomatic community based in Tirana. Secondary source materials included reports of in-country NGOs, documents prepared by the European Union, United Nations, Organization for Security and Cooperation in Europe, and the U.S. Government, as well as press reports.

About the Author

David L. Phillips has been engaged in Albanian issues since 1989 and, for the National Committee on American Foreign Policy, authored "Albania: From Fragile State to Viable International Partner" (February 2008) and "Albania's Unfinished Revolution" (June 2005).



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