



COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

T-ES(2016)RFG-ALB

LANZAROTE CONVENTION

Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse

FOCUSED QUESTIONNAIRE

Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse

ALBANIA

(Replies sent by the State)

Replies registered by the Secretariat on 21 September 2016

DATA (Lanzarote Convention, Chapter III)

Information for this questionnaire was collected from the Ministry of Internal Affairs, the People's Ombudsman, the Commissioner for Protection from Discrimination, the Ministry of Health, the State Social Service and organizations World vision and Terres des Hommes

- 1) How many migrant and asylum-seeking children (accompanied and unaccompanied)¹ are in your country as a result of the refugee crisis?

During the period July 2015 - July 2016, the number of asylum-seeking children is a total of 25.

According to the information received from the Ministry of Interior, during the period 01.07.2015 - 31.06.2016, in the Closed Center for Irregular Foreigners in Karrec, Vore, are accommodated and treated 13 children in total who were accompanied by their parents, while there weren't unaccompanied foreign children

- a) Please provide estimates, if exact data is not available, for the period between 1 July 2015 and 30 June 2016,² and specify how many of these children are victims or presumed victims of sexual exploitation and sexual abuse;

There doesn't result any case of sexual exploitation of immigrants children or asylum-seeking from the period of June 2015- June 2016.

- b) Describe how the victims of sexual exploitation and sexual abuse were identified or describe the challenges faced to identify them. Specify whether a distinction is made between victims of sexual exploitation/abuse prior to the entry on your territory (Group 1) and after entry (Group 2) and provide data/estimates of the two groups of victims. Please also explain how the age is determined in case of doubt;

There haven't been identified/referred cases.

- c) Indicate also how the data collected is used to offer a coordinated response between the different agencies in charge of the protection from, the prevention of and the fight against sexual exploitation and sexual abuse of children;
- d) Identify the institution(s) responsible for the collection of above data.

The responsible institutions for the initial identification of victims of sexual exploitation are:

State Police/General Directorate of Border and Migration,
Department of Asylum,
National Reception Centre for Asylum Seekers Babrru,

¹ Please provide the definition of accompanied/unaccompanied children in your country and, if available, provide separate figures for accompanied and unaccompanied children. If such data is not available, please provide data on migrant and asylum-seeking children.

² If figures for this period are not available, please provide the most recent annual data.

Social State Services,
State Agency for the Protection of Child Rights,
State Inspectorate of Labour and Social Services,
Health Structures,
Child Protection Units.

So far, there is no central institution in charge of collecting these data at national level

PREVENTION (Lanzarote Convention, Chapter II)

- 2) What are the specific measures taken to prevent that children affected by the refugee crisis fall victims of sexual exploitation and sexual abuse?
- a) Highlight in particular the measures (e.g. awareness raising material, specialised training, screening of professionals, etc.) which have proven to be effective;

Awareness of the risk groups, state and non-state agencies, law enforcement structures and civil society is a key preventive policy against trafficking, sexual abuse and exploitation of children. The following awareness raising activities have addressed the issue of prevention of sexual abuse and exploitation of children.

Ministry of Internal Affairs, in collaboration with international partners have developed training for police structures of the border and migration, for the recognition and implementation of operating standard procedures, as well as the treatment of children potential victims of exploitation and sexual abuse.

A National Anti-trafficking Awareness Raising Campaign was organised by Ministry of Internal Affairs during June – September 2015, period when there was an increase in the flux of emigrants, asylum seeker and tourists in Albania.

On October 2015, was organized the "National Anti-Trafficking Month" with the slogan "Together Against Trafficking". Trainings and workshops have been organized for strengthening the capacities the responsible structures at central and local level for the identification of victims/potential victims of trafficking as well as capacity building of structures for the treatment of anti-trafficking issues.

Ministry of Interior Affairs, General Directorate of Anti-Trafficking and Asylum, during the reporting period, in cooperation with UNHCR, international organizations have organized discussion meetings at the border crossing points of Morina and Hani Hotit, in order to monitor the areas where are expected asylum seekers and the first aid is offered. More such meetings have been planned to take place in other crossing points, as in border crossing point of Kakavije, in Gjirokastra and in border crossing point in Kapshtice, Korce.

Regarding the prevention of sexual abuse and exploitation of children affected by the refugee crisis, there was a close cooperation with organizations operating in our country.

UNHCR has mediated coordination meetings with various actors from civil society and institutions with the aim to plan a coordinated intervention concerning sexually abused

children in general. Terre des homes has drafted a contingency plan, with the aim to prevent, support timely intervention in case of an influx of refugees at the Albanian border. It foresees concrete interventions on child protection and it is part of the intervention coordinated by actors within the UNHCR initiative.

On March 31, a 1-day training was delivered by UNHCR on staff approach toward handling a refugee crisis field. There were invited representatives from national and international organizations and participants were introduced with the basic concepts and the differences between the definition of refugees, migrants and asylum seekers. There were simulated hypothetic emergency cases and discussed in groups the illustration to the participants of the necessary measures to be taken in such cases from the staff in this field.

The State Agency for Child Rights Protection, during March-June 2016, organized National Mobilization Plan #1 Protect Children to protect children from all forms of violence. The campaign aimed at raising awareness on different forms of violence against children, including sexual abuse, and the impact this has on children. The campaign called on the public to report as early as possible cases of child abuse. However, this campaign did not address the group of children affected by migration.

The Ombudsman has carried out activities aimed at preventing sexual abuse and exploitation of children affected by the refugee crisis as well as promoting child rights in line with international human rights standards. These include distribution of flyers highlighting the role of the Ombudsman as a promoter and protector of child rights.

People's Ombudsman has drafted a special report "On immigration issues and asylum procedures, asylum seekers from other countries in our country." directed to the Prime Minister, the Minister of interior Affaires and General Director of Border and Migration, where are reflected the encountered problems, including those of unaccompanied children, in accordance with international and national instruments to existing flows of migrants and refugees in Albania.

- b) Underline any lessons learnt from specific challenges (e.g. in raising awareness on sexual violence amidst other urgent priorities, etc.) that had to be faced to improve prevention.

PROTECTION (Lanzarote Convention, Chapter IV)

- 3) Has a coordinated child protection approach been put in place to cater for the specific needs of migrant and asylum-seeking children victims of sexual exploitation and/or sexual abuse?

General approach

All rights and fundamental freedoms of foreign nationals and stateless individuals are the same as for Albanian citizens except some rights that according to constitution are related to the Albanian citizenship. There are also special laws which their field of application is extended also to foreign nationals who live in albanian territory.

Based on Law no. 10347, dated 04.11.2010 "On the Protection of the Rights of the Child" Child Protection Unit, is the responsible body for identifying, evaluation and management of cases of children at risk within the municipality or administrative unit. For foreign and asylum seeking children who live in the territory of the Republic of Albania, are applied the same legal provisions and procedure for protection from violence, abuse, exploitation, neglect, as for Albanian children.

In cases of foreign and asylum seeking children are prey to abuse and exploitation by their parents or their legal guardians, they are placed in alternative care services as Albanian children.

Given the fact that there are no cases of exploitation or sexual abuse of asylum seeking children, accommodated in the centres for asylum seekers, there are applied measures as to any foreign citizen, no specific measures are applied for this category of foreign children.

Specific approach:

UNHCR and UNICEF in collaboration with NGO are part of a Working Group on Child Protection in cases of crisis of refugees and migrants in Albania by supporting setting up a coordinated accountability mechanism to protect children, based on international standards of human rights and the national legal framework. This working group was tasked to coordinate jointly activities in the field with many other organizations (local, national and international) offering different support in emergency case.

- a) Describe the measures taken to address the situation and cater for the children's specific needs (multiple traumas, language/cultural differences, etc.), including with respect to guardianship/placement;

Law no.121 / 2014 "On Asylum in the Republic of Albania", aims to establish procedures for granting and withdrawing of asylum, complementary and temporary protection in the Republic of Albania, the rights and obligations of asylum seekers, refugees and persons under temporary protection. This addresses the special care for unaccompanied children in the highest interests of the child. In the National Reception Center for Asylum Seekers there are employed a psychologist and a doctor, who have adequate capacity to identify and treat the cases of sexually abused children. A translator is provided for all asylum seekers who do not understand the language. A legal guardian is assigned in cases of unaccompanied children.

Ministry of Social Welfare and Youth has drafted the law "On the rights and protection of children", which was adopted by the Council of Ministers and currently is expected to be voted on in parliament. The provisions of this law regarding all the rights of the child and his protection from abuse and exploitation, as provided in the various international conventions where Albania adheres, apply to all Albanian and foreigner children who are in the territory of the Republic of Albania

World Vision Organization, in its intervention plan sought to ensure setting up Child Friendly Space (CFS) where children can be protected and safe, relaxed, enjoy games and through playful, psycho-social and conversational activities undergo emergency

psychological first aid. Furthermore, this is considered to be a safe place to inform children regarding safe migration in order to protect them from being victims of trafficking, sexual abuse, forced labor or any other form of violence.

- b) Indicate also what measures have been taken to protect the children concerned from further exploitation/abuse and to assist the victims in seeking redress (please highlight any differences between Groups 1 and 2 of children as outlined above);

During the reporting period there is no case of sexual abuse of asylum-seeking children.

- c) Underline any lessons learnt from specific challenges (in reporting suspicion of sexual exploitation and abuse, in tailoring assistance to the victims, etc.) that had to be faced to improve protection.

During this period, we are not faced with special challenges because there weren't cases of sexual abuse of asylum-seeking children.

COOPERATION (Lanzarote Convention, Chapter IX)

- 4) Provide examples of successful cooperation with other Parties to the Lanzarote Convention for the purpose of:

The Ministry of Interior Affaires does not have concrete cooperation with parties of the Convention on Lanzarote with regard to the fight against sexual abuse of children affected by the crisis of refugees due to the fact that there have not been any cases of abuse or sexual exploitation of asylum seeking children accommodated in centres in Albania and there has not been presented any special requests on this matter by international partners or police counterparts.

As reported by the Ministry of Internal Affairs there are realized meetings with counterparts from Montenegro, Kosovo, Macedonia, Italy, Greece, etc. for the implementation of cooperation agreements and additional protocols for the identification, referral, protection and assistance of victims/potential victims of trafficking. This is a global phenomenon and requires coordinated measures among the countries of the region and the world.

ANY OTHER ADDITIONAL INFORMATION

- 5) Please provide any other additional information which may be useful to identify areas for targeted cooperation aimed at ensuring that children affected by the refugee crisis are effectively protected from sexual exploitation and sexual abuse and in guaranteeing their human dignity and physical and psychological integrity.