



G R E T A

Group of Experts on Action
against Trafficking in Human Beings

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Reply from Albania to the Questionnaire for the evaluation of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Parties

Third evaluation round

Thematic focus: Access to justice and effective remedies for
victims of trafficking in human beings

Reply submitted on 20 June 2019

Introduction

In accordance with Article 38, paragraph 1, of the Convention on Action against Trafficking in Human Beings ("the Convention"), GRETA evaluates the implementation of the Convention following a procedure divided into rounds. At the beginning of each round, GRETA selects the specific provisions on which the evaluation procedure is based.

The first round of monitoring of the Convention provided an overview of its implementation by State Parties. The second evaluation round of the Convention examined the impact of legislative, policy and practical measures on the prevention of trafficking in human beings (THB), the protection of the rights of victims of trafficking, and the prosecution of traffickers, paying particular attention to measures taken to address new trends in human trafficking and the vulnerability of children to trafficking.

GRETA has decided that the third evaluation round of the Convention will focus on trafficking victims' **access to justice and effective remedies**, which is essential for victims' rehabilitation and reinstatement of rights and reflects a victim-centred and human-rights based approach to the fight against human trafficking. A number of provisions of the Convention establishing substantive and procedural obligations are relevant to this topic. Moreover, victims of trafficking, by virtue of their status as victims of human rights violations, are entitled to effective remedies under the European Convention on Human Rights. Access to justice and effective remedies must be guaranteed, in a gender- and age-sensitive manner, to all victims of trafficking subject to the jurisdiction of State Parties, irrespective of their immigration status or presence on the national territory and notwithstanding their capacity or willingness to co-operate in any criminal investigation.

Access to justice and effective remedies is contingent on the fulfilment of a number of preconditions, including prompt and accurate identification of victims of trafficking, the provision of a recovery and reflection period, the availability of material, psychological, medical and legal assistance, regularisation of the victim's stay, the right to seek and enjoy asylum, and the application of the principle of *non-refoulement*. These preconditions, corresponding to different provisions of the Convention, have been examined at length during the first and second evaluation rounds of monitoring of the Convention. Consequently, GRETA has decided to ask each State Party for an update on the implementation of GRETA's previous recommendations on selected topics, through a separate country-specific part of the questionnaire, rather than including once again questions related to the same provisions in the general questionnaire for the third evaluation round.

States Parties are requested to transmit to GRETA a reply to this questionnaire **within four months** from the date it was sent. The reply to the questionnaire should be submitted in one of the official languages of the Council of Europe (English and French), and preferably also in the original language. Where appropriate, in order to avoid unnecessary repetition, the reply may refer to information contained in the report submitted by the national authorities on measures taken to comply with the Committee of the Parties' recommendation concerning the implementation of the proposals made in GRETA's second evaluation report. States Parties should provide links, copies or extracts of relevant legislation, regulations, national action plans and case law mentioned in the reply to the questionnaire, in the original language and, wherever possible, also in one of the official languages of the Council of Europe.

A variety of stakeholders and civil society representatives should be effectively consulted in the preparation of the reply to the questionnaire, to ensure that the information provided is as comprehensive as possible.

Part I - Access to justice and effective remedies

1. Right to information (Articles 12 and 15)

1.1 How, at what stage and by whom are presumed victims and victims of THB informed of their rights, the relevant judicial and administrative proceedings, and the legal possibilities for obtaining compensation and other remedies, in a language that they can understand? Please provide copies of any information materials developed to inform victims of THB, including any materials specifically developed for child victims, in the languages in which they exist.

The new legal framework of criminal justice gives particular importance and treatment to subjects with crime victims and juveniles.

Article 68 of Law No.97 / 2016 "On the organization and functioning of the Prosecutor's Office in the Republic of Albania" provides for the obligation of the prosecutor's office to guarantee the necessary services for the treatment of subjects gaining special status.

On the other hand, on January 1, 2018 came into force the law no.37 / 2017 "Criminal Justice Code for Juveniles", which aims at meeting the standards of human rights in juvenile justice.

Likewise, in the framework of judicial reform, in the Code of Criminal Procedure fundamental changes were made, where the position of the victim in criminal matters was significantly improved.

Article 9 /a¹ of the General Provisions of the Criminal Procedure Code (amended by Law 35/2017) provides that public bodies should ensure that victims of crime are treated with respect for their human dignity and are protected from contagion, while exercising the rights provided by this Code.

Among the primary rights of the victim of the offense listed in point 1 of Article 58² of the Criminal Procedure Code is the right to information which is one of his / hers essential rights, which enables him or her to have access to the criminal process. This right of the victim is related to the obligation of the

¹ 1. During the criminal proceedings, the victim has the rights provided by this Code.

2. Public bodies shall ensure that victims of the offense are treated with respect for their human dignity and are protected from being violated during the exercise of the rights provided by this Code.

²1. The victim of a criminal offense shall be entitled to:

a) require the prosecution of the guilty;
 b) to receive medical care, psychological assistance, counseling and other services provided by the authorities, organizations or institutions responsible for assisting the victims of the criminal offense;
 c) to communicate in her language and to be assisted by an interpreter, sign language interpreter or facilitator of communication for persons with disabilities in speech and listening;
 ç) to appoint a defense counsel and, where appropriate, to receive free legal aid, according to the legislation in force; d) to request at any time information on the state of the proceedings, and to be acquainted with the acts of evidence, without prejudice to the principle of investigative secrecy;
 f) to request the taking of evidence, and to file other requests before the proceeding authority;
 e) to be informed about the arrest of the accused and his release under the conditions set forth in this Code;
 ë) be notified of the non-initiation of the proceedings, the dismissal of the case, the commencement and termination of the trial;
 f) Appellate in court against the decision of the prosecutor not to start the proceedings and the decision of the prosecutor or the judge of the preliminary hearing to cease the charge or the case;
 g) seek damages compensation and be accepted as civilian plaintiffs in the criminal process;
 gj) to be excluded, under conditions determined by law, from the payment of any expenses for obtaining acts and court fees for the filing of the claim related to the status of the victim of the criminal offense;
 h) to be summoned to the preliminary hearing and at the first hearing;
 i) be heard by the court, even when none of the parties has requested her as a witness;
 j) Exercise other rights provided by this Code.

2. The proceeding authority shall immediately notify the victim of the rights referred to in paragraph 1 of this article and shall keep a record of their notification.

3. A victim who has no capacity to act exercises his or her rights through his or her legal representative or guardian, unless this is not in the victim's interest. When it notes the incompatibility between the interests of the victim and those of the legal representative or guardian, the court appoints a special guardian, in accordance with the provisions of the Family Code.

4. The heirs of the victim shall have the rights provided for in paragraphs 1, 2, 3, 4, 5 and 6 of this Article. If the heir of the victim is a minor, he is represented by the legal guardian.

prosecutor to make available the requested information, unless the principle of investigative secrecy is violated. This right is further detailed in Article 279 / a³, point 1 of the Criminal Procedure Code.

The right to seek evidence and to submit further requests to the proceeding body aims to guarantee its access to the criminal process and is related to the right to receive information at any time.

The victim of a criminal offense has the right to be informed about the arrest of the person suspected of committing the offense and his release. The victim of a criminal offense has the right to have information on the conduct of the investigation and the trial. This right is also reflected in the other provisions of the Criminal Procedure Code, in which the lawmaker has determined the obligation of the appropriate proceeding authority to notify the victim of the commencement, continuation and termination of the criminal proceeding. Thus, in Article 291, paragraph 2 the law provides for the obligation of the prosecutor to immediately notify the victim of his offense of non-initiation of the proceeding. Article 326, paragraph 3 provides for the obligation to notify the victim or the person who has made the denunciation, the decision to suspend the investigation. Likewise, in Article 328, paragraph 2, the lawmaker has provided for the obligation of the prosecutor to notify within five days of the victim of the offense his decision to dismiss the charge or the case in the case when the offense is committed. These decisions are appealable in court.

On the other hand, the court has the obligation to notify the victim of the criminal offense of attending as in the preliminary hearing (Article 332/a point 1) and in the trial of the case (Article 333, item 2), and communicate the final decision when the victim is not present at trial.

For the minor victim and the victim of trafficking, the Code of Criminal Procedure, in addition to the rights listed in Article 58, has provided for additional safeguards provided for in Articles 58/a and 58/b⁴. On the other hand, as set forth above, the Juvenile Justice Code has provided guarantees for the juvenile victim or witness.

Article 38 provides that if the minor is a victim or witness, the proceeding authority shall take all necessary measures to inform the minor either directly or through his / her legal representative and in such a way that the information is appropriate and understandable, including cases of the juvenile's disability.

In accordance with and in line with the legal provisions, the General Prosecutor on 25 October 2018 has adopted the General Guideline No. 5/2018⁵, which aims to ensure the unified understanding and implementation of the provisions of the Criminal Procedure Code relating to victims of criminal offenses and on the other hand to determine the prosecution's policies regarding their treatment. The guidance is also

³ 1. For legitimate reasons, the victim, legal representative or his or her defense counsel have the right to request information on the state of proceedings, and to be recognized and to obtain copies of the acts and evidence found in the prosecutor's file.

2. The prosecutor may refuse the request when:

a) the interest of maintaining confidentiality of the investigation exceeds the victim's interest;
b) the interests of the defendant exceed the victim's interest;
c) The victim was not yet questioned as a witness.

3. The victim, his legal representative or his or her defense counsel shall have the right to request information regarding the placement, continuation, replacement or removal of security measures against the defendant, unless notification of these facts could endanger the life or health of the defendant.

⁴ Article 58 / The rights of minor Victims (Added to Law 35/2017)

1. In addition to the rights provided for in Article 58 and other provisions of this Code, as well as special legislation for juveniles, the juvenile shall be entitled to: a) be accompanied by a person entrusted to him by him; b) to preserve the confidentiality of personal data; c) seek, through the representative, that the trial takes place without the presence of the public.

2. The proceeding authority shall treat the juvenile victim of the criminal offense, taking into account the age, personality and other circumstances, in order to avoid harmful consequences for its future development and education. 3. If there is a possibility that the victim is a minor and the age of the victim is unknown, it is presumed that she is a minor. 4. The juvenile victim shall be asked without delay by specialized persons for this purpose. Whenever possible and appropriate, the conversation is recorded by audio-visual equipment, as provided for in this Code. This census may be used as evidence in criminal proceedings and assessed together with other evidence, according to the criteria provided for in paragraph 4 of Article 361 / a of this Code. When the juvenile is under 14 years of age, the conversation takes place in environments tailored to him.

Article 58 /b Rights of a Sexually Abused Victim and Victim of Trafficking in Human Beings (Added to Law 35/2017)

In addition to the rights provided for in Articles 58 and 58 / a of this Code, the sexually abused victim and the victim of trafficking in human beings are also entitled to: a) be asked without delay by a judicial police officer or prosecutor of the same gender; b) refuse to answer questions related to private life, which clearly has nothing to do with the offense; c) seek to be heard through audio-visual media, as provided for in this Code.

⁵ http://www.pp.gov.al/web/udhezim_dhe_deklarata_1418.pdf

accompanied by some annexes that are unified models of acts necessary for the implementation of the instruction and work of prosecutors. Likewise, an information brochure⁶ on crime victims was issued, distributed to the prosecution offices of the first instance and published on the website of the General Prosecutor's Office.

This Guideline details the role of the prosecutor in providing the conditions for the effective exercise of the rights by the victims⁷, the disclosure of information by the prosecutor, the judicial police officer and / or victim co-ordinator, regarding the rights it guarantees law⁸ as well as forms of notice⁹. Here we highlight the proactive role that we have received in providing a victim's rights letter, as per Annex 1 attached format.

Law 18/2017 "On the Rights and Protection of the Child" provides in its Article 14 "Right to Information":

1. The child has the right to seek or receive any kind of information regarding his / her well-being, education and physical and psychological development, according to the legislation in force.
2. Child has access to all registers where data is kept.

Based on the new laws approved and updated as part of the justice reform and the New Decision of the Council of Ministers No. 499, dated 29.08.2018 "On the approval of standard operating procedures for the protection of victims of trafficking and potential victims of trafficking" (SOPs) there is foreseen and clarified by who and in what stage to inform the presumed victims and victims of THB. The victims are informed for their rights since the first contact of their identification and formally by Laws enforcement agencies (Police officer or Prosecutor) as a formal obligation – Article 58/2 of CPC, including the right of compensation. Considering the fact that some laws are amended recently there is a need for capacity building and trainings for the law enforcement and other agencies, who deals with THB and the protection of victims of THB.

With the entering in the program, all the cases that have collaborated with justice institutions, and have denounced traffickers, perpetrators, are intermediated and assisted by centre's lawyers during all the process, from the denouncement, investigation and in the court till the end of the court procedures. centre's staff also (lawyers), assist victims during their civil cases, such as compensation claim, legal custody for children, divorce, property issues, etc. Lawyers and Psychologist accompany victims for resolving their issues in all institutions: Police, Prosecution, Court, Execution office, etc.

All categories of victims of trafficking are treated in our criminal legislation as harmed by the offense and the nature of the offenses committed to their detriment, this category is characterized by their weakness. To overcome the weakness of their position and to prevent the misuse of this position, victims of trafficking are questioned in the presence of a psychologist and when they are juveniles they may be questioned in the presence of a parent or legal guardian.

- 1.2 How is the obligation to provide translation and interpretation services, when appropriate, met at different stages of the legal and administrative proceedings by different agencies?

Article 58 of the Code of Criminal Procedure provides for the right of the victim to communicate in its language and to be assisted by a translator, sign language interpreter or facilitator of communication for

⁶ http://www.pp.gov.al/web/publication2_1435.pdf

⁷ Article 8 of the instruction

⁸ Article 24 and 47 of the Instruction

⁹ Articles 45, 46 and 47 of the Instruction

persons with disabilities in speaking and hearing. In article 22 of the instruction no. 5/2018 of the General Prosecutor is provided for language assistance. Specifically, the provision stipulates that the victim who does not know Albanian uses her language or a language that he / she knows and, with the translator, has the right to speak and to be informed about the evidence and acts as well as the conduct of the proceedings. The records are kept in Albanian. People who do not listen and do not speak have the right to use the sign language. The prosecutor or judicial police officer assigns an interpreter as soon as they become aware of the need for it even in those cases where the prosecutor or judicial police officer knows the language to be translated. Translation and interpretation costs are paid by the state¹⁰.

Decision of the Council of Ministers Nr. 111, dated 6.3.2019 On the Procedures and Rules for Returning and Repatriating the Child in the Second Chapter, Section 13 provides that "Obtaining information from the child is done with the assistance of a psychologist or an adult who knows well the nature of the child or who has his trust, and in the language he understands, through the provision of interpreters, in accordance with his age and ability to understand. The Agency shall notify the full list of translators and psychologists available to the CPU throughout the territory of the Republic of Albania. "

Also, centres provide translation for foreign victims of trafficking who are beneficiaries of its program, in terms of services provided by centres or agencies to the victim. In the case of legal proceedings, the state has the obligation to provide translation and interpretation of a victim to law enforcement institutions.

The rights of ensuring translation and interpretation it is foreseen in DCM No. 499, dated 29.08.2018 "On the approval of standard operating procedures for the protection of victims of trafficking and potential victims of trafficking" SOPs.

2. Legal assistance and free legal aid (Article 15)

2.1 How, by whom and from what moment is legal assistance provided to victims of trafficking? How is legal assistance provided to children?

- Legal aid is guaranteed by the state. Human trafficking have been included as eligible legal aid category since May 2013.

On December 14, 2017, the new law no.111 / 2017 "On granting state aid guaranteed by the state" was adopted, which entered into force on 1 June 2018.

Article 11 of the law, which deals with the special categories of legal aid beneficiaries, regardless of their income or wealth, includes victims of trafficking in human beings at every stage of criminal proceedings as well as minor victims and minor in conflict with the law, at any stage of criminal proceedings.

The type of assistance provided is related to primary and secondary legal aid. Primary Legal Aid is:

- Providing information on the legal system of the Republic of Albania, normative acts in force, rights and obligations of law subjects and methods for exercising these rights in the judicial and extra-judicial proceedings;
- counselling;
- providing advice on mediation procedures and alternative dispute solution;
- providing assistance in drafting and drafting the necessary documents to initiate state administration or to seek secondary legal assistance;
- representation before the administrative bodies; and

¹⁰ Article 8 of the CPC

- the provision of all other forms of necessary legal support that do not constitute secondary legal assistance.

Secondary legal aid consists in providing legal services during the drafting of the necessary acts to put the court in motion, offering counselling, representation and defence to the court in administrative, civil and criminal matters for which no mandatory defence is applied, according to the definitions of criminal procedural legislation.

In addition, the amended Criminal Procedure Code¹¹ provides that the victim of a criminal offense has the right to seek, at any time, information on the state of the proceedings and to be acquainted with the acts and evidence, without prejudice to the principle of investigative secrecy, to be informed for the arrest of the accused and his release under the conditions set by this Code¹². It is the obligation of the prosecutor or judicial police officer to inform the victim of the above categories for the right to free legal aid and provide information on the process of benefiting from this assistance¹³.

Also, the Minor Criminal Justice Code, approved by law no. 37/2017, guarantees the right to inform the minor victim of the criminal offense, defining mainly in Article 34.

If information is not directly provided to the minors by the competent body, this obligation shall be fulfilled, as appropriate, by the legal representative, the procedural representative or the minor's defence counsel. The minor's notice is made in such a way that the information is appropriate and understandable to him.

2.2 Do all presumed victims of THB have access to legal assistance, irrespective of immigration status or type of exploitation?

- According to the legislation in force, all victims (including foreign victims) have the same access to legal assistance, regardless of their status or type of exploitation.

2.3 What are the conditions for access to free legal aid for victims of THB, including children? For which types of proceedings is free legal aid available? Is free legal aid available to help victims claim compensation and execute compensation orders? Please provide the text of the relevant provisions.

- Refer to 2.1.

2.4 Are there lawyers specialised to provide legal aid and represent victims of THB in court? What regulations, if any, are applicable to the provision of such legal aid/representation?

- Each year, the National Chamber of Advocacy adopts a list of lawyers providing free legal aid services and submits it to the Ministry of Justice. In drafting this list, the National Chamber of Advocacy takes into account, as far as possible, the involvement of lawyers of all specialties and levels and respect for gender equality. Each of them links an annual service contract with the Free Legal Aid Directory. This list is published on the official website of the National Chamber of Advocates. (article 8 law no.111 / 2017)

2.5 How is the provision of legal assistance and free legal aid for victims of THB funded? Do victims have to pay a fee to obtain legal assistance or start a procedure, or are there other financial barriers in place? If yes, please specify the amount(s).

¹¹ The last amendment of the CPC are approved by law no. 35/2017, dt.30.03.2017

¹² Article 58 (Rights of the Victim of Criminal Offense) of the Criminal Procedure Code, as amended

¹³ The request for primary legal assistance is presented before the offices, organizations or legal aid clinics, and the request for secondary legal assistance is submitted to the competent court for the examination of the case on the merits.

- The legal aid provided by the state is provided with funds allocated to the Ministry of Justice under the annual project budget submitted to the Ministry of Finance. Amendments of the Criminal Procedure Code, Article 58 / gj, have recently provided the right of the victim, to be exempted from the payment of any expenses for obtaining court acts, and fees for filing a lawsuit, related to the status of the victim of a criminal offense. The victims' access to justice is an important right, which is relevant to the European Union legislation, and should be treated as a right that is implemented directly by the institutions and not as a right that is obtained by the victim's request. In order to benefit from this right, the victim should submit parallel with lawsuit also the request to be exempted from payment of the court fees.

3. Compensation from the perpetrators (Article 15)

3.1 What measures are in place to enable courts to award compensation to victims of THB, including children, from the perpetrators as part of criminal proceedings? What is the role of prosecutors in this respect?

The national legislation on the right to compensation for victims of trafficking in persons is regulated in the same way as for other victims of criminal offenses. The right of the victim to seek damages compensation and admission as a civil claimant in the criminal proceedings has been provided for in Albanian legislation even before amendments to Law No.35 / 2017.

The right to receive compensation is provided in the Criminal Procedure Code, and the legal provisions are amended by law no. 35/2017 specifically:

- Article 58/1 / g (Victims of Criminal Offense) "The victim of a criminal offense has the right to seek compensation for damages and to be admitted as a civilian plaintiff in criminal proceedings";
- Article 61 "Anyone who has suffered damage from a criminal offense or his heirs may file a civil action in the criminal proceedings against the defendant or the civil defendant, to request the return of the property and the compensation of the damage";
- Article 59/1 "1. Anyone who has been harmed by the offenses provided for in Articles 90, 91, 92, 112, first paragraph, 119,119 / b, 120, 121, 122, 125, 127 and 254 of the Criminal Code has the right to file a claim with the court; to participate in trial as a party to substantiate the charge and seek the reward of the dam ";
- Article 63 "Provision of civil lawsuit 1. In order to ensure property restitution and compensation of damages, at the request of the civil plaintiff, the proceeding authority may decide to sequester the property of the defendant or the civil defendant. This measure remains until the conclusion of the case".

Regarding the issue of compensation of victims, our criminal procedural legislation (Article 61) provides for the possibility of filing a civil lawsuit in the criminal proceedings, in order to seek appropriate compensation from the victim of criminal offenses or its heirs. The request for reimbursement is sent to the prosecutor's office that, in addition to the request for trial of the criminal case in court, at the same time, also submits the victim's request for reparation. If we refer to the provisions of the Criminal Procedure Code, it results that this law provides that the interests and rights of the victim / victim are represented and protected by the prosecutor. However, even in these cases, the injured party has the right to file a claim for compensation for damages and to be accepted as a civil claimant in the criminal process (Article 58, point 1, letter "g").

K.Pr.P., provides for the victim of a criminal offense as a criminal offense, the parties in the process are only the prosecutor, who represents the indictment in the name of a public interest and the defendant, who can defend himself or through the defendant or predetermined, as the person to whom the trial takes place. Consequently, the participation of a victim in the criminal justice process, having the opportunity to exercise the rights provided by law, does not give it the quality of the party in the process. An exception to this rule is the case when the victim of the criminal offense intervenes in the process with the quality of the civil plaintiff, seeking compensation for the damage caused and the case when the victim of the offense assumes the role of the accused victim, participating as a party in the process followed the private charge. In this latter case, the accused victim assumes the role of the prosecutor at trial.

Also Article 63 of the Code of Criminal Procedure provides for the provision of a civil lawsuit where, in order to secure property restitution and compensation for damage at the request of the victim, the proceeding authority may decide to sequester the defendant's property, which remains at the end of the case.

Article 37 of Law No.10192, dated 3.12.2009 "On the prevention and fight against organized crime and trafficking through preventive measures against property", updated by law no. 70/2017, dated 27.4.2017, it is envisaged the establishment of a special fund for the prevention of organized crime.

Article 37/2 letter (ç) provides for the use of this special fund for compensation of victims of organized crime and trafficking of victims to the value determined by court decision. Article 32 of this law deals with the "use of movable property and money" confiscated as the first compensation for victims of organized crime and victim trafficking.

So, as far as possible, domestic legislation recognizes victims / victims of criminal offenses the right to claim the compensation of the criminal offense, even in civil cases, outside the criminal process. However, there is currently no specific law to regulate the right to financial compensation for victims of violent criminal offenses or their heirs, decision-making authorities, and the procedures for realizing the right to compensation in local and cross-border situations.

Regarding the right of remuneration or compensation of juvenile victims, the Juvenile Justice Code (Law No.37 / 2017) provides as follows:

- Article 44/2 "2. The competent body shall inform the juvenile in conflict with the law, the legal or procedural representative and, as the case may be, the defense counsel of the minor for the possibility of seeking compensation for and compensation in court if the implementation of the restorative justice program is not realized ";

- Article 45 (Right to Compensation for Damage) "1. Juvenile victims of the criminal offense as well as his / her legal representative are communicated and explained the court decision regarding the respective offense, in the most appropriate way for the age and level of comprehension. 2. The court shall, if applicable, inform the juvenile victim of the offense and his / her legal representative regarding the right to compensation for the damage caused. ";

- Article 63/4 /b 4. The restorative justice program provided for in paragraph 1 of this Article may provide that juveniles shall be required to: b) to compensate for the damage caused to the victim, the community and / or the society. "

3.2 How is the amount of compensation calculated and are there specific criteria or models for calculating it? What types of injury/damage and costs are covered? Are there any circumstances/conditions that would lead to a reduction of the amount of compensation?

Article 61 of the Code of Criminal Procedure includes the right to civil lawsuit in criminal proceedings, which means that the victim of trafficking or of his heirs may bring civil lawsuits in the criminal process to claim property restitution and reimbursement of the damage. The claim for reimbursement of damages is sent to the prosecutor's office that, in addition to the request for adjudication of the criminal case in court, at the same time, it also submits the victim's request for damages. In order to secure property restitution and compensation for damage at the victim's request, Article 63 provides for the provision of a civil lawsuit, so the proceeding authority may decide to sequester the defendant's property, which remains at the end of the case. Articles 61 to 68 of the Criminal Procedure Code provide for the legitimacy, deadlines and dispositions of civil lawsuit in criminal proceedings. This lawsuit can be raised within the criminal process or in a separate process.

During the trial of the lawsuit for compensation, experts such as a psychologist and / or a forensic expert are invited during the process. The psychologist prepares an act of expertise to assess the moral damage and the forensic expert for the assessment of physical damage. Experts have specific forms to determine the amount of damage caused to the victim. Also based on articles 640-647 of the Civil Code, compensation schemes, compensation claims, ways and criteria for the assignment of civil liability and immaterial damage are foreseen.

Albanian legislation allows the seizure and confiscation of criminal offense products, means of commission, and other preventive measures against property. Specifically, the confiscation of the means of committing a criminal offense and the proceeds of a criminal offense is given by the court in accordance with Article 36 of the Criminal Code and relates to obtaining and passing in favor of the state: a) of things that have served or are assigned as means for committing a criminal offense; b) Criminal offense products, including any kind of property, as well as legal documents or instruments certifying titles or other interests in property that derives or is derived directly or indirectly from committing a criminal offense; c) remuneration, given or promised, for committing the criminal offense; ç) any other property the value of which corresponds to that of the proceeds of the offense; d) the objects, production, use, possession or disposal of which constitute a criminal offense, even when no punishment has been given. During the criminal process, the power to decide on seizure of evidence and objects related to a criminal offense shall be given to a court or prosecutor under Articles 208 to 221 of the Criminal Procedure Code. While Articles 270 to 276 of the Criminal Procedure Code provide for the possibility of imposing a conservative seizure (at the request of the prosecutor and the civil plaintiff) with a court decision and preventive seizure (at the request of the prosecutor), which may also be imposed on items, products of criminal offense and any kind of property that is allowed to be confiscated under Article 36 of the Criminal Code.

Also, anti-mafia law no.10192 / 2009, "On the prevention and fight against organized crime, trafficking and corruption through preventive measures against property", as amended by law no. 70/2017, the purpose of which is to prevent and combat organized crime, trafficking and corruption by confiscating the property of people who have an unjustified economic level as a result of a suspected criminal activity, seizure / confiscation under conditions and concrete criteria. The procedure for designating and implementing preventive measures under this law is autonomous from the state, degree or outcome of criminal proceedings. Pursuant to Article 37, paragraph 2, letter d) of this Law provides for the use of the confiscated property fund for the compensation of victims of organized crime and trafficking to the extent determined by a court decision, so I give them a discretionary ruling on the measure compensation. Also Article 37 paragraph 2 letter c) has a special fund for social purposes, including the rehabilitation and integration of victims of trafficking, while Article 37 point 3 letter b) provides that this fund also benefits NGOs by including shelters.

3.3 How are compensation orders/verdicts enforced? What measures are in place to guarantee and ensure effective payment of compensation?

Based on Law 70/2017 "On the Prevention and Fighting of Organized Crime, Trafficking, Corruption and Other Crimes Preventing Measurement of Property", Article 29, assets confiscated by a court decision, according to this law, are transferred to state ownership. The decisions of the court for the compensation of victims of trafficking are realized by the sale of movable or immovable property owned by plaintiffs who were previously seized and proceeds secured by their sale at auction. The final decision on confiscation of property is sent immediately to the Agency for the Management of Confiscated Assets. When a confiscation order exists, the state becomes irrevocably the legal owner of this property. The Seized and Confiscated Assets Agency is the institution responsible for the administration of sequestered and confiscated property. According to the functional duties of this agency, these revenues derived from the alienation of confiscated assets go to a) state budget b) special fund for the prevention of criminality c) accounts of the Agency for the Management of Confiscated Assets. Fund allocation is done through the instruction of the Minister of Finance.

In addition to written laws, in practice, there are no cases that have ended with an effective compensation payment to victims of trafficking. There are only two cases with a decision Court in favor of the victim: The first decision was taken at Tirana District Court no. 1202, dated 19.02.2010. According to this decision, the victim for the quality of the civil lawsuit has received the right of compensation in the amount of 40,000 euros as a result of the non-proprietary property damage. There is also a recent case assisted by the Court by Different and Equal Organizations in cooperation with the Center for Civic Initiatives, which ended with a decision in favor of the victim, the decision of the Tirana District Court no. 4432 dated 16.05.2018.

According to the decision, the victim has the right to be compensated in the amount of € 44,000. The process started on 31.08.2016 and ended in the first instance on 16.05.2018. . The matter has been appealed by the perpetrator's lawyer and still continues at the Court of Appeals.

The Agency for Sequestered and Confiscated Assets Administration has proposed legal amendments to Law No. 10192 "On the Prevention and Fighting of Organized Crime, Trafficking and Corruption through Preventive Measures against Assets", as amended, to include compensation of victims where through the creation of a special special fund, which has passed the advisory committee of the inter-institutional experts on the fight against organized crime in November, it is intended that within 2019 there will be a special fund for compensation of victims of trafficking.

3.4 When foreign victims of THB are removed from or choose to leave the country where the exploitation took place, what measures are in place to enable them to obtain compensation and other remedies?

Refer to the question about compensation of victims of trafficking in human beings.

3.5 What procedures are in place to ensure effective access to compensation for victims of THB for the purpose of labour exploitation? Can such victims bring civil claims for compensation and/or recovery of unpaid wages and social contributions on the basis of tort, labour, employment or other laws? Please specify the relevant measures. Can victims of THB working in irregular employment or without a contract claim unpaid wages and other compensation and if yes, how is the amount of unpaid wages and other compensation established?

For the compensation or remission of unpaid wages by the employee, the victim of trafficking or not, when the latter is not counted based on Law No. 7961, dated 12.07.1995 of the Labor Code of the Republic of Albania (as amended) in Article 119, "Calculation of payment" paragraph 2 states that: "When the wage is not calculated on time, the employer is obliged to provide the necessary information to the employee or, in his place, to a particular expert in agreement between them and in the opposite case from the court He authorizes the employee or the expert to consult the books and the necessary documentation to the extent that this control requires it In relation to the amount of remuneration or compensation received by the employee, this is decided by the court Also in Article 122 " free salary "is defined as:" It is invalid giving and pledging of future wages, except when the employee how to implement a court decision, which should not affect the intact wage. 2. The employer may compensate the wage with a loan to the employee if the intangible salary is not affected. Liabilities arising from a deliberate damage are offset without any restriction. 3. It is forbidden to grant fines by the employer, with the exception of fines set forth in the collective agreement. 4. Arrangements for the use of wages in the employer's interest are void.

The victim may also file a civil lawsuit during the criminal proceedings or a separate civil lawsuit to claim redress, moral damage and lost profit. It is difficult for a person who does not have a regular job contract to prove the existence of a job relationship and to demand payment for the work he has performed and unpaid insurance. When the employment relationship is proven, for the calculation of unpaid wages, salaries for the same position in the same sector will be used as a reference to calculate compensation and unpaid social security.

3.6 What training is provided to build the capacity of relevant professionals, such as lawyers, law enforcement officers, prosecutors and judges, to enable victims of THB to obtain compensation and other remedies?

During 2015, Vatra Center, in cooperation with the Ministry of Internal Affairs / Office of the National Anti-Trafficking Coordinator, has organized 3 trainings with the participation of 75 police officers from the Police Directorates of Fier and Vlora, in order to increase their knowledge and information legislation , implementation of SOPs, etc.

During 2017-2018, the Vatra Center in cooperation with the Ministry of Interior / Office of the National Anti-Trafficking Coordinator organized 8 trainings organized with 160 specialists, respectively 37 prosecutors, 41 police officers and 82 employees of the local police directorates in the Vlores regions of Tirana , Berat, Gjirokastra, Kukes, Fier, Durrës, Shkodra, to increase the knowledge and skills of law enforcement agencies. Anti-trafficking legislation, particularly new laws adopted in the Criminal Procedure Code and the Criminal Code, as well as in relation to the NRM and the SOP.

These activities focused on the practical aspects of the actions and the role of each actor in providing assistance to victims of trafficking, including the procedures applied, the position of victims in the courts and all legal remedies and applicable standards in favor of victims of criminal offenses, particularly victims of trafficking. During the trainings, law enforcement did not show a clear understanding of the content of the new laws mentioned above. It has been proven that most of the judicial police and state police officers are not familiar with the new changes made, especially with the Criminal Procedure Code. Prosecutors and judicial police officers in most cases had a skeptical attitude regarding the implementation of these changes, considering: the small number of human resources in district prosecutors, the lack of capacity to investigate this type of criminal offense, the lack of infrastructure in the District Courts as well as at the First Instance Court of Serious Crimes and the difficulties encountered in international co-operation with responsible entities, intelligence structures, etc.

During 2018-2019, 5 trainings focused on the rights of victims of criminal offenses, especially for victims of trafficking, including the right to compensation. This training was attended by representatives from law enforcement agencies, prosecutors, judges, police, bailiffs, attorneys, prefects' institutions and representatives of NGOs providing legal services to victims of criminal acts. During 2018-2019, D & E organized 4 trainings of anti-trafficking committees in Elbasan and Korça, focusing on the rights of victims of criminal offenses, especially for victims of trafficking with a special focus on juveniles, including the right to compensation. This training was attended by representatives from the prosecution, police department, anti-trafficking department, state social services, child protection units, NGO layers, social workers.

Regarding capacity building, based on the provisions of Law 115/2016 "On Justice System Governance Bodies", prosecutors directly direct the training needs at the School of Magistrates. The school has organized training activities on the topic "Civil lawsuit in criminal proceedings". "The novelties of the Code of Criminal Procedure regarding civil lawsuit in criminal proceedings". "The issue of judicial practice regarding civil lawsuit in criminal proceedings".

An important contribution to the prosecution institution has been given and continues to provide international projects / missions. Thus, OPDAT has organized in cooperation with the School of Magistrates a series of roundtables on the topic of "Victims of Crime Victims". Likewise, representatives of the prosecutor's office participated in activities related to the protection of victims of organized crime by OPDAT Croatia.

During 2018, the OSCE Presence in Albania supported Albanian institutions in addressing trafficking issues by focusing on child exploitation and trafficking issues, increasing institutional capacities for investigating and adjudicating criminal offenses of trafficking, and addressing the phenomenon of trafficking in the context of migration. Based on a commentary on "Criminal Offenses of Trafficking in Human Beings - Victims of Trafficking Victims during Criminal Proceedings", published by the OSCE Presence following amendments to the Code of Criminal Procedure in 2017, the Presence in co-operation with The School of Magistrates organized three training sessions for about 60 judges and prosecutors in the districts of Tirana, Vlora and Shkodra regarding the rights of victims of trafficking in the criminal process.

In cooperation with the US Government Department of Security, the OSCE Presence in Albania organized for September 2019 for the first time in Albania the training "Use of Information and Communication Technology in the Fight against Trafficking in Human Beings" for police officers state and staff of the National Anti-Trafficking Coordinator at the Security Academy.

Pursuant to the Law No.10192 / 2009 "On the Prevention and Fighting of Organized Crime, Trafficking and Corruption through Anti-Money Laundering Measures", as amended, have benefited funding for

projects related to the support and improvement of preliminary criminal investigations organized crime, law enforcement institutions, and organizations / centers that provide support and assistance to victims / potential victims of trafficking.

Thus, on 04.01.2017, the NCPCT received the project from the Agency for the Administration of Sequestered and Confiscated Properties. The purpose of this project is to rehabilitate victims of trafficking to better improve the quality of life through educational and occupational activities at home and abroad. The value of the project is 2.200.000 new Lek with VAT and continues until February 2019.

The School of Magistrates of Albania is a state institution, which carries out the professional training of judges and prosecutors. The handling of anti-trafficking issues is part of both vocational training programs at the Master's School. It is part of the initial training program, which provides training for candidates for judges and prosecutors, as well as part of the ongoing training program, which provides training for serving judges and prosecutors.

For the period January-December 2018, in the framework of the Continuous Training Program for Judges and Prosecutors in Service, the School of Magistrates has organized 6 (six) trainings focusing on the fight and prevention of trafficking in human beings, and specifically:

- On 12 January 2018, training was organized on the topic "Prevention and Punishment of Organized Crime, Trafficking in Human Beings, Corruption and Other Criminal Offenses." In the meeting participated 40 participants: 11 judges, 28 prosecutors and 1 inspector The Supreme Court.
- On 7-8 February 2018 training was organized on "Prevention and Fight Against Trafficking in Persons", attended by 22 participants, 1 judge, 19 prosecutors and 2 inspectors of the High Court.
- On March 28, 2018, the training on "Prevention and Punishment of Organized Crime, Trafficking in Human Beings, Corruption and Other Criminal Offenses" was organized. Participation was attended by 34 participants, 3 judges and 31 prosecutors.
- On 1-2 November 2018, training was organized on the topic "On Amendments to Law No. 10192, dated 3.12.2009" On the Prevention and Punishment of Organized Crime, Trafficking in Human Beings, Corruption and Other Crimes through Measures 29 people, 15 judges and 14 prosecutors participated in the meeting.
- On 12-13 November 2018, training was organized on the topic "Law Enforcement no. 10192, dated 3.12.2009, "On the Prevention and Punishment of Organized Crime, Trafficking in Human Beings, Corruption and Other Crimes through Anti-Proliferation Measures" and its innovations. The meeting was attended by 22 participants, 7 judges and 15 prosecutors.
- On 3-4 December 2018, training was organized on the topic "Juvenile Victim in the Criminal Process." Juvenile as a Victim of Criminal Offenses of Sexuality The novelty of the legal changes in the Criminal Procedure Code as well as the Criminal Justice Code for Minors "The meeting was attended by 28 participants, 16 judges and 12 prosecutors.

During the reporting period, trainings were held on "Improving the implementation of the NRM for the identification and referral of VT / VMT and Standard Operating Procedures", including representatives from the Center "Different and Equal" and trainings such as "Investigations proactive "," Trend of Trafficking in Human Beings ", attended by 132 employees from Illegal Trafficking Investigation Structures in the DVP and Sector for Investigation of Illegal Trafficking, as well as representatives from the Prosecution for Crimes serious.

Out of the Department for Border and Migration, in total there were trained 41 employees for anti-trafficking trafficking where 23 employees participated in the training on "Fight against Trafficking in Human Beings" organized by FRONTTEX and the Security Academy and 18 employees have taken part in the training on "Identifying vulnerable groups in mixed migration flows" organized by IOM.

During 2018, important activities on "Challenges of Organized Crime and Especially Trafficking in Human Beings" took place in France and the Netherlands, where attended by representatives of the General Prosecutor's Office. Also, in February 2018, 1 Prosecutor of the Serious Crimes Prosecution in Tirana

participated at the International Summit against Trafficking in Persons, Modern Slavery, Organized Crime and Employment for Work in Europe.

During 2018, the "Different and Equal" center has organized 4 one-day trainings in the districts of Tirana, Fier, Elbasan and Korça to increase the knowledge and skills of law enforcement agencies in relation to anti-trafficking legislation, new ones adopted during the implementation of the justice reform. These activities focused on the practical aspects of the actions and the role of each actor in providing assistance to victims of trafficking, including the procedures applied, the position of victims in the courts and all legal remedies and applicable standards in favor of victims of criminal offenses, particularly victims of trafficking.

With the support of the American Embassy, ONAC, in cooperation with the Psycho-social Center "Vatra", held in Durres, Fier, Shkodra and Kukës training on "Respecting the rights of victims of trafficking by local law enforcement institutions". The training was attended by representatives of the General Prosecutor's Office, Fieri's Local Directorate of Police and representatives of ICITAP.

On 23-24 October, a two-day training course on "Standardized Uniform Action Procedures (SOPA) for International Cooperation in Case Management" was held in cooperation with Terre des hommes. The training was attended by 30 persons: members of AP, PMF and employees of SSS from the regions of Kukes, Korça, Shkodra, Tirana, Elbasan.

4. State compensation (Article 15)

4.1 Do the eligibility criteria for State compensation schemes for victims of crimes exclude some victims of THB (e.g. due to irregular residence status, nationality, nature of the offence)? Does access to State compensation depend on the outcome of the criminal case and on failure to obtain compensation from the offenders?

- All victims of trafficking have the right to a claim for compensation and this right does not depend on the outcome of the criminal case. Anti-mafia law no.10192 / 2009, "On the prevention and control of organized crime, trafficking and corruption through preventive measures against property", as amended, provides in Article 37/2 / ç, the use of funds confiscated for compensation of victims organized crime and trafficking to the extent determined by a judicial decision. The right to compensation for victims is also provided in point 1, letter "g" of Article 58 of the Criminal Procedure Code.

The Article 61 of the Criminal Procedure Code includes civil lawsuit in the criminal process, which means that the victim of trafficking or its inheritors, may bring civil lawsuit in the criminal process to claim property restitution and reimbursement of the damage. The request for the reimbursement of the dam is sent to the prosecutor's office that besides the request for the adjudication of the criminal case to the court at the same time also provide the claim of the victim for reparations.

Articles 61 to 68 of the Criminal Procedure Code provide for the legitimacy, deadlines and dispositions of civil lawsuit in the criminal process. This lawsuit can be raised within the criminal process or in a separate process.

4.2 How is the amount of State compensation calculated so as to address the gravity of the harm endured by the victim?

- Refer 4.1

4.3 Is it possible for foreign victims of trafficking to submit claims for State compensation in your country after being returned or repatriated to their countries of origin? Please provide examples of any such cases and indicate the measures stipulating such a possibility.

- According to the legislation in force, all victims (including foreign victims) have the same access to the State compensation schemes. During the reporting period there have been no cases.

4.4 Are victims seeking State compensation liable for lawyers' costs and fees? Are State compensation awards subject to taxation? Does the receipt of compensation have consequences for access to social security or other benefits?

- Refer 2.5

5. Sanctions and measures (Article 23)

5.1 Please describe the legislative and other measures adopted by your country which allow to: i) confiscate or otherwise deprive perpetrators of the proceeds of criminal offences, or property of an equivalent value to those proceeds; and ii) identify, trace, freeze or seize rapidly property which is liable to confiscation, in order to facilitate the enforcement of a later confiscation. Do these measures allow the identification, tracing and seizure of property into which the proceeds of illicit activities have been converted?

- Albanian legislation allows the seizure and confiscation of criminal offense products, means of commission, and other preventive measures against property. Specifically, the confiscation of the means of committing a criminal offense and the proceeds of a criminal offense is given by the court in accordance with Article 36 of the Criminal Code and relates to obtaining and passing in favour of the state: a) things that have served or are assigned as means for committing a criminal offense; b) Criminal offense products, including any kind of property, as well as legal documents or instruments certifying titles or other interests in property that derives or is derived directly or indirectly from committing a criminal offense; c) remuneration, given or promised, for committing the criminal offense; ç) any other property, the value of which corresponds to that of the proceeds of the offense; d) the objects, production, use, possession or disposal of which constitute a criminal offense, even when no punishment has been given.

During the criminal process, the power to decide on seizure of evidence and objects related to a criminal offense shall be given to a court or prosecutor under Articles 208 to 221 of the Criminal Procedure Code. While Articles 270 to 276 of the Criminal Procedure Code provide for the possibility of imposing a conservative seizure (at the request of the prosecutor and the civil plaintiff) with a court decision and preventive seizure (at the request of the prosecutor), which may also be imposed on items, products of criminal offense and any kind of property that is allowed to be confiscated under Article 36 of the Criminal Code.

According to the law no. 10192, dated 03.12.2009 "On the prevention and control of organized crime and trafficking through preventive measures against property", as amended, the purpose of which is to prevent and combat organized crime, trafficking and corruption by confiscating the property of people who have a unjustified economic level as a result of a suspected criminal activity, seizure / confiscation can be performed according to concrete conditions and criteria. The procedure for designating and implementing preventive measures under this law is autonomous from the state, degree or outcome of criminal proceedings.

5.2 In what way do victims of THB benefit from seized and confiscated assets of perpetrators of THB? Do the confiscated assets go directly to victims, to a compensation fund or scheme for victims of trafficking or to other programmes for the assistance or support of victims of THB? Please provide information on seizures and confiscations of assets in THB cases and how they were used.

- Refer to 4.

5.3 Is it possible to use plea bargaining or some other form of settlement in cases of THB? If yes, please provide the relevant provisions. What protections are in place for victims of THB to ensure that their right

of access to justice and effective remedies is not compromised by the plea bargaining or settlement in the legal process?

- The plea bargaining provided by articles 406/d to 406/f of the Criminal Procedure Code is not permitted for criminal offenses of trafficking in human beings. In the second paragraph of Article 406/d of the Criminal Procedure Code it is stipulated that the agreement is allowed for criminal offenses for which the law provides a maximum sentence of no more than 7 years of imprisonment. Articles 110/a and 128/b of the Criminal Code, which penalize trafficking in human beings, provide to maximum sanctions ranging from 15 years to life imprisonment.

5.4 What is the average duration of court proceedings in THB cases? In which circumstances are such cases given priority? Do you have a system to fast-track human trafficking-related prosecutions in order to improve the trial process and reduce the burden on victims and witnesses, including children? What safeguards are in place to ensure that judges deal with cases of THB without undue delay?

- The average length of court proceedings is an annual indicator which includes all court litigation and not separate articles.

5.5 How do you ensure that sanctions for THB offences are effective, proportionate and dissuasive?

- Criminal sanctions are provided in the Criminal Code by guaranteeing and respecting the rights of citizens, as well as through monitoring, reports, inputs, etc

6. Ex parte and ex officio applications (Article 27)

6.1 What is the procedural position of a victim of THB in criminal proceedings? What steps are taken to assist victims of THB, including children, to enable their rights, interests and views to be presented and considered during the criminal proceedings against offenders? Who is entitled to assist victims of THB in court? Can victims of THB be represented by NGOs in criminal proceedings?

The criminal procedural law has given the status of the subject of criminal proceedings to the victim of the criminal offense, but a special status that recognizes a position and rights that substantially differ from all the other participants in the process.

The Code of Criminal Procedure has recognized the victim's right to participate in the process and to be represented with defenders as well as to receive free legal aid in accordance with law 111/2017. In accordance with this law, primary legal aid is provided by specially trained employees, non-profit organizations and legal firms at higher education institutions, while secondary legal assistance is provided by attorneys included in the list approved by the National Chamber of Commerce advocacy.

Victims of trafficking supported by centres, are assisted in all the instance of a criminal proceeding by the lawyers of the Centre. All the victims (including victims under 18 years old) are informed before and during the preceding about their rights and steps. For children, the psychologist of the centre, also, accompany the victims during sentences.

The analysis dealt with in point 1 also serves to justify this point.

6.2 If the authorities fail to discharge their obligation to effectively investigate and prosecute suspected cases of trafficking, what possibilities for redress exist for victims of THB and their families? To what extent have victims of trafficking, including children, access to complaint mechanisms, such as Ombudsman institutions and other national human rights institutions?

Regarding the right of appeal in case of dismissal of the case by the Prosecutor or a Judge under Article 58 of the PCC (amended by Law No. 35/2017, dated 30.3.2017), victims of criminal offense (including here the victims of trafficking) have the right to appeal to the Court. Specifically, Article 58, point 1 a, f states: 1. The victim of a criminal offense has the right: a) to seek the criminal prosecution of the perpetrator; ... - f) to sue the court against the decision of the prosecutor not to initiate the proceeding and the decision of the prosecutor or the judge of the preliminary hearing to cease the charge or the case.

According to paragraph 4 of Article 58 of the CPC, the victim's right of appeal is the following: - The heirs of the victim have the rights provided for in letters "a", "e", "ë", "f", "g" and "J" of paragraph 1 of this Article. If the heir of the victim is a minor, he is represented by the legal guardian.

Regarding the services received by victims of trafficking, the right of appeal is regulated by DCM no. 195, dated April 11, 2007 "Standards for Services in Residential Centers for Victims of Trafficking". Specifically, in this document in Standard 3, point 4 states: - There is a complaint handling procedure that is open to all, beneficiaries and staff. The procedure contains the deadlines of the response and the bodies / persons handling the complaint. If the beneficiaries are not happy with the handling of complaints then they can address other instances according to issues such as the regional and central social service inspectorate, the social service sector in the municipality, the district etc.

Regarding the right to complain about the status of victim identification as a victim of trafficking, there is no specific provision or complaint mechanism in the case of a victim being trafficked.

Ombudsman Institution, as an institution for the promotion, prevention and protection of human rights violations in general and children in particular, constitutes an integral part of the control and balance system, which is today a basic principle of democracy throughout the civilized world.

Ombudsman Institution is a constitutional guarantee for the protection of the rights and freedoms of the individual, Albanian citizens, foreigners, regular or non-regular residents, refugees and stateless persons who are in the territory of the Republic of Albania, by unlawful and irregular acts or inactions of public administration bodies.

Ombudsman Institution, in order to prevent any case of human rights violations and to protect them, including children, besides the classic process of guaranteeing the right of citizens to complain to the institution, has worked firmly in terms of finding the right and proper mechanisms, to ensure and guarantee in this case a proactive approach of all citizens. Such we can mention: online portal, phone, smartphone application, real-time complaint / request, and postal service.

Likewise, to be inclusive and with a wide geographical spread, Ombudsman Institution operates seven regional offices in our country, which promote human rights, as well as contact with citizens to identify violations of their rights from bodies of the state administration.

Also, the possibility of dealing with child-initiated cases and conducting various inspections in public administration institutions that provide public services such as health, education, social services, institutions of deprivation of liberty, etc., are the functional duties of the Ombudsman Institution, which have made it possible to increase the visibility on the ground.

In any case, appeals to Ombudsman Institution are free of charge and the competences of the institution in handling and reviewing complaints when it comes to violation of human rights in general and children in particular are as follows:

- Recommendations addressed to state administration institutions;

- Preparation of special reports addressed to the Assembly of the Republic of Albania;
- Recommendations to Justice Institutions for Prosecution;
- Request for legal amendments.

During the reporting period, there is no demand or complaint from potential victims of trafficking, adults or children, addressed to the People's Advocate.

During 2016 – 2018 Vatra has supported 2 cases:

Case 1: The case of one minor victim, who was convicted for false testimony from First Instance Court. Vatra, through its lawyers, appealed this Court decision, and the Court of Appeal, removed the conviction decision for the victim.

Case 2: For another victim, the prosecutor of the Prosecution of Serious Crime, closed the denunciation case without initiating investigations. The victim with the support of Vatra's lawyers appealed this decision and the Court of Appeal decided to brought the case back to the same prosecutor to redress the investigation process. The case still actually under investigation.

6.3 What reporting and complaint mechanisms are in place for victims of trafficking who are in an irregular migration situation and/or in detention?

Law No. 108/2013 "On Foreigners", as amended, provides that during the period of recovery and reflection, victims or potential victims of trafficking enjoy all the rights and services that victims of trafficking benefit, according to the Albanian legislation in force. The local border and migration authority gives priority to the execution of voluntary return, especially for this category of persons (victims of trafficking in human beings) who want to return to their country of origin.

At the time of execution of the removal order of the foreigner from the territory, the highest interest of the child, the vulnerable persons, family life, and the health of the foreigner, subject to the removal order from the territory, shall be considered;

The foreigner shall be notified in written form, in accordance with the procedures of the Administrative Procedure Code, in the language he understands, or at least in the English language, the removal order, recognizing the appeal procedures in accordance with Article 107 of this Law;

The format and content of the removal order shall be determined by an instruction of the Minister of Interior;

A foreigner, subject to a removal order, has the right to an administrative and judicial appeal, according to the legislation in force;

The removal order shall not be executed until the completion of the appeal process and the final decision, unless otherwise provided in this law;

The foreigner has the right to appeal the expulsion order of the authority responsible for the border and migration, according to the legislation in force;

Until the end of the appeal procedure, the foreigner is kept under the terms of alternative surveillance measures or in the closed center, awaiting immediate removal, according to the order issued for this purpose.

Staying in a certain territory is one of the alternative measures against the detention measures in the closed center. At the same time, when the migrant, the subject of expulsion has the possibility of accommodation and does not pose a danger to national security, he is not banned in the closed center. At the same time, in order to avoid the detention in the closed center, with the assistance of international organizations IOM or UNHCR or associations working for the treatment and protection of vulnerable categories, such as Caritas etc., accommodation is possible in non-closed environments such as hotels, social centers, etc.

Instruction of Minister of Interior no. 293, dated 4.6.2015 “On procedures for the treatment of foreign citizens with irregular residence in the territory of the Republic of Albania”, it is foreseen that the selection process is carried out at the border or within the territory and it is intended to determine the category of foreigner by classifying it like:

- a) subject to refusal of entry;
- b) asylum seekers;
- c) **potential victim of trafficking;**
- d) Irregular immigrants;
- e) unaccompanied minors.

The selection process is not necessarily done at the moment of finding the migration situation. Vulnerable groups (women, children, persons with disabilities) are provided with humanitarian assistance (food, clothing, medical assistance, etc.) as provided for in the standard procedure for border police and migration, approved by the order of the Directorate of General State Police (DGSP), No. 172, dated 08.02.2018 "On the selection process of irregular foreigners".

If in the selection procedure are found elements that leave a suspect for a victim of trafficking or potential victim of trafficking, the regional / local authority for the treatment of foreigners, referred to guidelines for the implementation of standard procedures for the identification and referral of victims trafficking and potential victims of trafficking immediately notifies the anti-trafficking structures in the district police directorate and submits the foreigner according to the act of surrender to these structures.

Vulnerable categories are interviewed in the presence of a social worker and psychologist after being assisted and placed in certain premises. The procedure for determining the best interest for them is done as part of the interview process.

6.4 Can victims of THB bring claims against the State or its officials for: i) direct involvement in THB; ii) failure to prevent THB or protect them from THB? Have there been cases where State agents or persons acting on behalf, or at the direction, of the State were found responsible for engagement in THB and/or failure to prevent it or protect victims from THB by third parties? Please provide information on any prosecutions against diplomatic and consular staff for alleged involvement in THB.

Victims / potential victims of trafficking have the right to complain and report, and to file requests against their officials for direct involvement in trafficking in human beings. During the reporting period, there is no case of involvement of state officials or consular or diplomatic staff in trafficking in human beings.

6.5. What steps have been taken to strengthen and maintain the capacity of prosecutors to effectively prosecute trafficking cases?

Training of judges and prosecutors is delivered mainly by the School of Magistrates. The School includes every year many training activities focusing on the trafficking of human beings. They are either activities focusing entirely on the trafficking of human beings or trafficking is a part of the overall topic being treated in the seminar. For the period January-December 2015 the School has organized 12 training activities on this topic only, or where this topic was part of the general training topic. The topics treated by these training activities were different like:

- Assistance to the victims in criminal cases. Rights and services for the victims.
- Novelties brought by the changes of the Criminal Code.
- Interviewing the juveniles, as victims of trafficking of human beings.
- Law on prevention of organized crime with special focus on trafficking of persons.
- Investigation of financial crimes in the offenses of trafficking of human beings.
- Confiscation of criminal assets in framework of anti-mafia law.

- Protection in court of women/survivors of domestic violence/trafficking of human beings. For the period January-December 2015, 240 judges, prosecutors, candidates for magistrates, judicial police officers participated in these training activities.

For the period January-December 2016 the School has organized 4 training:

On 9-10 February 2016, a training was held on the topic: Listening to victims and vulnerable groups, victims of trafficking in human beings. 14 participants participated in the training;

On April 11-12, 2016, a training was held on: Human Trafficking and Difference from Other Criminal Offenses: Aspects of Investigation and Judgment. "14 participants participated in the training.

On April 20, 2016, a training was held on: Proactive Investigation Techniques in Criminal Investigation Proceedings. The training was attended by 22 participants;

On 28-29 June 2016, a training was held on: Trafficking in human beings. The training was attended by 15 participants.

The School of Magistrates on March 1, 2017 organized a training on "Human Trafficking and Exploitation of Labour" with the participation of 35 judges, prosecutors and judicial police officers.

On 27 April 2017, the School of Magistrates in cooperation with the Dutch Helsinki Committee and the Center for Legal Civic Initiatives organized a training on "Addressing human trafficking issues with legal changes in the justice reform", attended by 26 judges and prosecutors.

On 20 November 2017, the School of Magistrates in cooperation with the PAMECA mission organized the training on "Prevention and fight against organized crime, trafficking, corruption and other criminal offenses" with the participation of 40 prosecutors and judges.

For 2018, 6 trainings were conducted by the School of Magistrates with the participation of 175 prosecutors, judges and officers of the judicial police and concretely:

On 12 January 2018, a training was held on "Prevention and Punishment of Organized Crime, Trafficking, Corruption and Other Criminal Offenses. • International Conventions related to the cleansing of criminal offense products. Brief overview of the Warsaw Convention, Palermo and Vienna; • Criminal procedural law on seizure and confiscation of assets; • Law Enforcement no. 10192, dated 03.12.2009, "On the prevention and control of organized crime, trafficking, corruption and other crimes through preventive measures against property" and its innovations; • Presumption of false registration of the assets and economic activities of the persons involved in the respective offenses; • The powers of the court to review the criminal offense of money laundering; • Facilitating the financing of criminal networks of organized crime and terrorism through the detection, seizure and confiscation of assets and proceeds obtained from criminal activity. The training was attended by 40 (forty) participants, of whom 11 (eleven) judges; 28 (twenty-eight) prosecutors and 1 (one) HCJ inspector).

-On 7-8 February 2018 a training was held on "Prevention and fight against trafficking with focus: • Trafficking in human beings. Specifics featuring specific subjects. Proactive investigation techniques, treatment of victims throughout criminal proceedings as well as child trafficking, focusing on new forms of trafficking. The difference between this figure criminal offense and other similar acts, eg exploitation of children for begging etc.; • Trafficking in weapons and ammunition; • Trafficking in motor vehicles and works of art and culture; • The importance of inter-institutional cooperation among law enforcement institutions. "This activity was attended by 22 (twenty-two) participants, of whom 1 (one) judge; 19 (nineteen) prosecutors and 2 (two) HCJ inspectors)

- On March 28, 2018, the School of Magistrates in cooperation with PAMECA organized a training on "Prevention and Fighting of Organized Crime, Trafficking, Corruption and Other Criminal Offenses. • International Conventions related to the cleansing of criminal offense products. Brief overview of the Warsaw Convention, Palermo and Vienna; • Criminal procedural law on seizure and confiscation of assets; • Law Enforcement no. 10192, dated 03.12.2009, "On the prevention and control of organized crime, trafficking, corruption and other crimes through preventive measures against property" and its innovations; • Presumption of false registration of the assets and economic activities of the persons involved in the respective offenses; • The powers of the court to review the criminal offense of money laundering; • Facilitating the financing of criminal networks of organized crime and terrorism through the detection, seizure and confiscation of assets and proceeds of criminal activity "; 34 (thirty-four) participants participated in this activity, out of which 3 (three) judges and 31 (thirty-one) prosecutors.

- On 1-2 November 2018, by the School of Magistrates in cooperation with EURALIUS, a training was organized on the topic: "On some amendments to the law no. 10192, dated 3.12.2009, "On the prevention and control of organized crime, trafficking, corruption and other crimes through preventive measures against property". This activity was attended by 29 (twenty-nine) participants, of whom 15 (fifteen) judges and 14 (fourteen) prosecutors;

- On 12-13 November 2018, the School of Magistrates held a training on the topic "Law Enforcement no. 10192, dated 3.12.2009, "On the prevention and control of organized crime, trafficking, corruption and other crimes through preventive measures against property" and its innovations; Investigation, sequestration and confiscation of criminal assets. The process of proving and converting the burden of proof. Novelties of additions and changes. "; This activity was attended by 22 (twenty-two) participants, of whom 7 (seven) judges and 15 (fifteen) prosecutors);

- On 3-4 December 2018 was held by the School of Magistrates in cooperation with EURALIUS a training on "Juvenile Victim in the Penal Process. A minor victim of criminal offenses of sexual nature. New developments in the Code of Criminal Procedure, as well as the Criminal Justice Code for Minors. [second day with OSCE on this topic] Juvenile Victim of Trafficking and Exploitation. The novelties in the Code of Criminal Procedure, the Juvenile Justice Code and Law no. 18/2017, "On the Rights and Protection of the Child"; This activity was attended by 28 (twenty-eight) participants, of whom 16 (sixteen) judges and 12 (twelve) prosecutors.

7. Non-punishment provision (Article 26)

7.1 Please indicate what measures are taken to ensure that victims of THB, including children, are not punished for their involvement in unlawful activities (criminal, civil, administrative offences), to the extent they were compelled to do so, providing any concrete examples of their implementation.

Albanian legislation provides for the exclusion of victims of trafficking from punishment, rather than prosecution. Specifically, Article 52 / a paragraph 2 of the Criminal Code provides that: "Persons affected by criminal offenses related to the trafficking of a person may benefit from the release of the punishment, the commission of criminal offenses during the period of trafficking and the measure who was forced to commit those acts or unlawful inactions ". there is practically no criminal prosecution against victims of trafficking for the acts they are forced to commit for trafficking purposes. The body's process argues that the victim should not be prosecuted for violations committed because of the trafficking since the will of the victim is damaged and subjective is missing in the commission of the criminal offense.

7.2 Can persons who have breached national laws in the course, or as a consequence, of being trafficked have access to remedies for victims of trafficking, including State compensation?

Refer to 4.

8. Protection of victims and witnesses (Articles 28 and 30)

8.1 How are victims of THB protected in practice against potential retaliation or intimidation before, during and after legal proceedings? How is the assessment of the needs for protection performed and who recommends the application of the protection measures? Who is responsible of the implementation of the protection measures?

The victim of a criminal offense has the right to be informed about the arrest of the person suspected of committing the offense and his release. This right is at the same time an obligation for the prosecutor to guarantee the implementation of this provision. The prosecutor's obligation during the investigation phase is provided in Article 279 / a. Recognizing the arrest and release of a person suspected of committing a criminal offense guarantees, on the one hand, the right of information to the victim of the offense and, on the other hand, his or her ability to take action in respect of his or her safety, either personally or seeking protection at the relevant institutions. It should be noted here that the victim himself may request to be notified of the arrest or release of the defendant in his / her first contact with the institutions. This requirement is mandatory for the institutions and includes notification of imprisonment. This right is also foreseen as one of the principles set out in the relevant Directive.

The Criminal Procedure Code, the Criminal Code and the NRM Co-operation Agreement oblige the General Prosecutor's Office to provide full protection to possible victims / potential victims of trafficking. Prosecutors, if they are in contact with victims, should inform victims of their rights and provide unconditional help. In the framework of reform in the criminal justice system, the General Prosecutor has approved the General Instruction no. 05, dated 26.10.2018 "On guaranteeing assistance to victims and witnesses of criminal offenses", aimed at ensuring the unified understanding and application of the new provisions of the Criminal Procedure Code guaranteeing the rights of victims in the criminal process and by the other side to determine the prosecution's policies regarding their treatment. Guideline No. 5/2018, in Article 21, stipulated the obligation of the prosecutor to provide the coordinator with the information needed to determine the appropriate services for the victim. Subsequently, the coordinator will provide the victim with information about the services available and appropriate to her circumstances. If a more specialized opinion is needed to determine what assistance is needed, the coordinator requires the victim's assessment or, in cases when the damage should be assessed for the effect of criminal liability, he suggests the prosecutor performing forensic examinations. The guidance is accompanied by some annexes that are unified models of actions needed to implement this instruction and to improve the work of prosecutors and judicial police. Likewise, an information brochure for crime victims was distributed to the prosecution offices of the first instance and was also published on the website of the General Prosecutor's Office. In the General Prosecutor's Office and in the Prosecutor's Offices of the District Courts of Tirana and Durrës, five (5) co-ordinators of the victims have been assigned and exercised the functions. With the 2019 Budget Law, the General Prosecutor's Office has been granted organic additions for 2019 for appointing victim co-ordinators to all other prosecution offices of general jurisdiction.

There are several structures responsible for the implementation of protective measures, centers at the time of placement of children in its premises, the child protection unit, police structures and state social service workers. Also, the multi-sectoral group that assesses and decides on the intervention and the measures to be taken in this case. Protection and enforcement of protective measures are considered the most important for the decisions and the future of the case and in particular the children

Regarding procedural safeguards, the Criminal Procedure Code provides for various provisions, safeguards and guarantees for victims. Articles 58 /a and 58 / b of the Criminal Procedure Code specifically guarantee the rights of the juvenile victim and the victim of sexually abused or trafficked persons. Among the rights provided for the juvenile is that of the trial without the presence of the public and whenever possible and

appropriate, the recording of the conversation with audiovisual means to be used as evidence in the criminal proceedings. Namely, the lawmaker has recognized special protection for these categories of victims, trafficking and sexual abuse, who often do not have the will to cooperate in criminal investigations for fear that they or their families may be harmed. While for the victim of trafficking the right to be heard through audiovisual means is guaranteed and to seek evidence in accordance with Article 318 of the Code of Criminal Procedure. Article 103 of the Code provides for the prohibition of publication of acts until the completion of preliminary investigations. Article 279 also lays down the obligation to safeguard the secrecy of investigative actions and acts. Likewise, Article 340 of the Criminal Procedure Code provides for closed-door adjudication when it is necessary to protect witnesses' security. The amendments to this article in 2017 aim at the special protection of victims of trafficking. Thus cases have been added when the trial can be conducted with closed doors even when the victim of trafficking or sexually abused requests or when adult defendants are accused of committing acts against juveniles. The publication, even partial, of acts of adjudication when the trial is conducted with closed doors is prohibited.

Violation of the above obligations is penalized by Article 295 /a of the Criminal Code "Disclosure of Acts or Secret Data". In addition to the foregoing, the prosecution is especially committed to guaranteeing the protection of personal data as obligations of international conventions.

Regarding centers dealing with trafficking victims, in any case when a minor is in the process, the NGO TVO has taken measures to ensure security throughout the process by protecting the child from any danger. Escort, confidentiality are guaranteed in any case presented. NGO TVO also provides a secure environment with guards, cameras and staff at all times. In the case of children, the necessary information is received and it is estimated that the intervention will be made taking into account the child's well-being and safety. At the National Trafficking Center, VTs have always been offered physical security before, during and after the trial. After the completion of the judicial process and their reintegration into the family, the relevant Police Directorate is informed by official letter. Based on the formal interview, the level of risk (low, medium, high) is also determined. Responsible for the implementation of safeguard measures is any Party.

In the "Different and Equal" organization, there have been cases where the child is protected, monitored and accompanied up to family reunion as he has estimated that the family is not a risk to him. There was a case when the relative of the child designated by the police as an abuser discovered the address of the center, intervened immediately and the child was transferred to another service.

At Vatra center, beneficiaries are protected throughout the phases of their legal processes. Possible risk victims are placed in the shelter of Vatra, which is sheltered for 24 hours. They are always accompanied by the center attorney and transported by the center vehicle. All the time that a higher risk or risk is assessed, Vatra has been supported by the State Police.

As far as victim protection is concerned, victims of trafficking in almost all cases investigated immediately after case identification have been sheltered in reception centers of victims of trafficking where they receive shelter, food and other free services. They are also entitled if they feel threatened to enter the witness protection program.

8.2 How do you ensure that victims are provided with realistic and practical information about the progress of the case and whether the perpetrator has been detained or released?

One of the rights granted to the victim is the right to request at any time information on the state of the proceedings and to be acquainted with the acts and evidence without prejudice to the principle of the investigative secret. The victim's right to information is one of his / her fundamental rights, which enables him or her to have access to criminal proceedings. This right of the victim is related to the obligation of the prosecutor to make available the requested information, unless the principle of investigative secrecy is violated. This right is further detailed in Article 279 / a, point 1 of the Code of Criminal Procedure. Often the victims are forgotten in the administration of justice and the reason for deciding on this right is that all victims have the right to such information as this is one of the fundamental rights of the proceedings. The

right to information is an obligation for investigative bodies and victim co-ordinators. To make this right more effective, a standard form of request for information has been elaborated. This right is closely linked to the right guaranteed by the code of criminal procedure such as the right to communicate in its language and to be assisted by an interpreter, sign language interpreter or facilitator of communication for persons with disabilities speaking and listening.

Article 58 of the Code of Criminal Procedure has also sanctioned the right of the victim to seek the prosecution of the culprit. This right of the victim of the criminal offense is related to one of its rights to request that the prosecution body be prosecuted in cases where the offense is prosecuted and its right to seek the exercise of a criminal offense. criminal proceedings, filing a complaint for the cases provided for in Article 284 of the Code of Criminal Procedure, cases in which criminal prosecution can not commence without its appeal. When a victim submits a complaint or appeal, the minutes of the proceedings shall be held in accordance with the provisions of articles 238, point 2 and 284, points 2 and 3 of the Code of Criminal Procedure.

The victim of a criminal offense has the right to have information on the fate of the investigation and the trial. This right is also reflected in the other provisions of the Criminal Procedure Code in which the lawmaker has determined the obligation of the appropriate proceeding authority to notify the victim of the commencement, continuation and termination of the criminal proceeding. Thus, in Article 291, paragraph 2 of the Code of Criminal Procedure. the law provides for the prosecutor's obligation to immediately notify the victim of his offense of non-initiation of the proceeding. Likewise, in Article 328, paragraph 2, the lawmaker has provided for the obligation of the prosecutor to notify within five days of the victim of the offense his decision to dismiss the charge or the case in the case when the offense is committed. On the other hand, the court has the obligation to notify the victim of the criminal offense of attending as in the preliminary hearing (Article 332 / a point 1) and in the trial of the case (Article 333, item 2) communicate it to the final decision when it is not present at trial.

The victim of a criminal offense has the right to be informed about the arrest of the person suspected of committing the offense and his release. This right is at the same time an obligation for the prosecutor to guarantee the implementation of this provision. The prosecutor's obligation during the investigation phase is provided in Article 279 / a. Recognizing the arrest and release of a person suspected of committing a criminal offense guarantees, on the one hand, the right of information to the victim of the offense and, on the other hand, his or her ability to take action in respect of his or her safety, either personally or seeking protection at the relevant institutions. It should be noted here that the victim himself may request to be notified of the arrest or release of the defendant in his / her first contact with the institutions. This requirement is mandatory for the institutions and includes notification of imprisonment. This right is also envisaged as one of the principles set out in the Directive.

Pursuant to Article 58 /a in letter b) of point 1, the provision guarantees the confidentiality of the personal data of the juvenile, which is also provided for in Article 31 (1) of the Lanzarote Convention. Child protection protects the public's spread of any information that may lead to child identification. According to the "Different and Equal" juvenile as PVoTs or VoTs are provided with information about progress, but they take into account the age and ability of the child to understand sensitive information and sensitive information issues. It remains worrying that in some cases there was a lack of information on the progress of the process. Often information is taken informally and these results result in inaccuracy and lack of timely information. While in the VCC during accommodation in the institution, the victim is provided with real information on developments regarding the situation of the trafficker in the presence of the psychologist while at the "Vatra" center every time, the lawyers periodically inform the victims with the information necessary for the progress of the case proceeding. Every time, the center's lawyers are in contact with prosecutors and increase the victim's right to information.

The lawmaker has chosen the list of rights defined in paragraph 1 of Article 58 of the Code of Criminal Procedure. be indicative and not exhaustive.

8.3 How do you ensure respect for the victims' right to safety, privacy and confidentiality during court proceedings?

Victims of trafficking in human beings are also entitled under Article 58 / b of the Code of Criminal Procedure in letter b) to refuse to answer questions about private life, which clearly has nothing to do with the offense. The purpose of this article is to prevent the re-victimization of the victim.

Clause (c) of the provision provides for the right of a sexually abused victim and a victim of trafficking in human beings to seek interrogation by means of audio-visual equipment to avoid direct contact of the victim with the defendant. Article 58 a is added to the CPC to identify the special protection that the legislator guarantees to the juvenile victim of the offense.

Article 58 /a is added to the CPC to identify the special protection that the legislator guarantees to the juvenile victim of the offense. According to this Article, the juvenile is entitled to b) to maintain the confidentiality of personal data which guarantees the secrecy of juvenile data, as provided for in Article 31 (1) of the Lanzarote Convention. Child protection protects the public's spread of any information that may lead to child identification. In point (c) of paragraph 1, the provision provided for the right of the juvenile victim to seek the conduct of a closed court hearing as a guarantee to the minor. The lawmaker allows the juvenile victim to be questioned without the public being present if his legal guardian so requests. The reason for this is that having in mind that any court session can be a difficult situation and can further affect the personal development of the juvenile.

Article 39/4 of the Juvenile Justice Code for the purpose of protection against danger has ensured, inter alia, that for juvenile victims or witnesses, the question should be developed using equipment that changes the appearance and / or voice of the victim, in question after a non-transparent screen or distance inquiry, the question of the juvenile witness / victim before the start of the court session with the participation of the juvenile defender and video recording of the juvenile's question, prosecution of the juvenile's trial and question or victim, where possible and appropriate, by the same persons and as far as possible limiting interrogation, questioning in the juvenile environment, and the provision of probationary evidence at a sufficient time short after the commencement of criminal proceedings, to avoid the negative effects of overcoming the process.

In any case of juvenile interview under Article 18 of the Juvenile Justice Code item 1 there is always the presence of a psychologist. Also during the judicial process, the victim is offered physical security and confidentiality at any moment according to Law no. 9887, dated 10.03.2008 "On the protection of personal data". Also, a friendly environment should be offered for interviewing a child and taking into account his / her extraordinary needs.

If information is required of the child during his / her stay or not in the center, this information is provided only through an official request from the prosecutor's office.

8.4 In how many cases were witness protection measures used for the protection of victims and witnesses of THB, including children? If witness protection measures/programmes are not applied to victims of trafficking, what are the reasons?

During 2017-2018, a victim of trafficking supported by the Vatra Psycho-Social Center was included in the Witness Protection Program. This procedure started in 2016 and ended in 2018. During this period, the staff of the Vstras Center requested on behalf of the victim and, according to her will, the Prosecutor of the case to include the victim in the Witness Protection Program, taking into account high risk for life for the victim. During this process, the US Embassy in Tirana supported Vatra's efforts to involve the victim in the witness protection program. The Serious Crimes Prosecutor, taking into account the circumstances of the victim and the risk of life, asked for the matter to be included in the witness protection program. The request has

been approved by the General Prosecutor of this Program. The Prosecutor's Office of the First Instance Court for Serious Crimes in 2017 handled a case where the victim was introduced in the witness protection program. Likewise, there were cases of victim video questioning, while there were no cases where the identity of the victims was kept secret.

According to the PCCK, for any given evidence or statement during the trial, the protective measures for the witness were enforced according to the applicable law. Their testimony has proved to be very important for the prosecution and prosecution of users. For children, while giving evidence, physical security has been offered to psychosocial support in the presence of a psychologist throughout the court process.

8.5 When victim protection is provided by NGOs, how are NGOs resourced and supported to perform this function and how do the police and the prosecution co-operate with NGOs?

To improve the quality of social protection services during 2018, DCM no. 518 dated 04.09.2018 "On Community and Residential Care Services". Within this DCM, VT / VMT has been characterized as a vulnerable group in need and clearly defined the criteria and service benefits for this group.

The Ministry of Health and Social Protection between the SSS for 2018 has contributed to increasing co-operation with local and regional structures to find co-financing mechanisms to support victims / potential victims of trafficking. For 2018, a total of ALL 2.6796.602 million was released from the state budget for the payments of 29 employees providing residential and food services for trafficked cases.

To protect and respect the victims of the THB at each police commissariat, formal interviews are conducted in a suitable environment (friendly room) to realize the VT / VMT identification. Identification is done by the employees of the regional directorates of the State Social Service in cooperation with the employees of the anti-trafficking units. For the child identification cases during the interview, there is also the employee of the Child Protection Unit.

Support services for victims of trafficking and potential victims of trafficking are also provided by the government and NPOs operating in this area after being licensed by the Ministry of Health and Social Protection and the National Licensing Center. By respecting the Code of Fundamental Rights of Human Beings, the right to information, security, protection of anonymity, complaint, psychological, legal and health assistance is respected.

All Vatra beneficiaries rated at high risk, or if their opportunities for reintegration in their country of origin are absent, they refer to Vatra Shelter, according to their will. Housing is provided for 24 hours by a licensed private company of the Police, from the Ministry of Interior. When necessary, in case of high risk for victims and escorting victims to law enforcement institutions, Vatra staff requires assistance and protection from the police institution and also the Prosecution Office.

The Other Vision organization is equipped and provides the safety and security of the juvenile reception centers through the 24-hour service of cameras, during a night shift a guard is contracted to provide night-time security. The center is located near the police and in case of any security problem they react immediately and are present. The local police department is working and cooperating with our NGO to provide protection to the victims.

8.6 How do you ensure that child victims of THB are treated in a child-sensitive way and are provided with protection before, during and after judicial proceedings in accordance with the Council of Europe Guidelines on Child Friendly Justice? Are interviews with children conducted in specially designated and adapted spaces by professionals trained to interview children? What measures are taken in order to ensure a limited number of interviews?

In every interview of the suspicious child as Victim there is always the presence of a psychologist. The psychologist interviewing the child is trained and certified to accomplish this task. Now the psychologist profession is licensed under the applicable law. A friendly environment for interviewing a child is provided, given his / her extraordinary needs. In some cases, the interview for the child is carried out in facilities that

are also suitable for those outside the police station. The most appropriate space is needed for them. There have also been cases where police facilities in different cities have lost their friendly or special environment for children.

During the preliminary interview at the moment when the case is referred to the center, a preliminary interview is made explaining the entire center structure in the presence of the center psychologist whereby the prior approval of the case was taken for all the procedures to be followed. It is the right of information before the case is accommodated in the center. At the level of the structure, all social actors are involved in the interview, starting with the CPU staff, representatives of the regional directorate and police officers, who decide in a multidisciplinary group the decision you would take for the cases. According to the CPWC in practice, there is a lack of a room which is very important for the preliminary interview in juvenile cases. This is a challenging challenge and the effective interviewing process.

The purpose of Law No.37 / 2017 "Criminal Justice Code for Juveniles" is to guarantee a legal framework on juvenile justice for juveniles that is in accordance with the Constitution, the United Nations (UN) Convention on the Rights of the Child of the Children and other international standards and norms aimed at protecting the juvenile and the effective protection of the highest interests of the juvenile.

Article 37 of the Criminal Justice Code for Juveniles provides that the prosecutor, judicial police or the Child Protection Unit shall take protective measures such as avoiding direct contact between the juvenile victim or witness and the accused in every stage of the process, making a request for issuing a "warrant" to the court, making a request for the imposition of a "prison detention" or "house arrest" security measure for the accused under the condition of detaining contact with the minor, making a request for taking protective measures for the juvenile victim or witness from the police or other structures and maintaining the secrecy of the juvenile, as well as any other protective measure considered appropriate.

Article 39/4 of the Juvenile Justice Code for the purpose of protection against danger has ensured, inter alia, that for juvenile victims or witnesses, the question should be developed using equipment that changes the appearance and / or voice of the victim, in question after a non-transparent screen or distance inquiry, the question of the juvenile witness / victim before the start of the court session with the participation of the juvenile defender and video recording of the juvenile's question, prosecution of the juvenile's trial and question or victim, where possible and appropriate, by the same persons and as far as possible limiting interrogation, questioning in the juvenile environment, and the provision of probationary evidence at a sufficient time short after the commencement of criminal proceedings, to avoid the negative effects of overcoming the process.

The Criminal Procedure Code has also provided special provisions for guaranteeing a fair juvenile justice. Article 58 / a of the Code of Criminal Procedure provides for the obligation of the juvenile victim without delay by specialized persons. Where possible and appropriate, this conversation is recorded with audiovisual means to be used as evidence in criminal proceedings.

Regarding the specialization of the competent bodies in the juvenile criminal justice process, Chapter IV provides for the obligatory training or specialization of all persons working with minors in order to have the necessary knowledge, high level of protection of the rights of minors in conflict with the law, victim or witnesses, and take all appropriate measures for their sustainability in these positions.

9. Specialised authorities and co-ordinating bodies (Article 29)

9.1 What budget, staff and resources, including technical means, are put at the disposal of law enforcement bodies specialised in combating and investigating THB?

The Criminal Police Department has a specialized structure that deals with detection, prevention, prosecution, and special investigation of THB. The structure is organized at the sector level at the center of the Anti-Narcotics and Trafficking Department, at the Criminal Police Department, and also has a

specialized investigation unit at the Central Investigation Directorate. In the Local Police Directorates is organized at the section level within the sectors for the investigation of narcotics and trafficking. With regard to financial resources or technical means in use, they are part of the budget and equipment of the Criminal Police Department.

9.2 If your country has specialised units for financial investigations, financial intelligence units and asset and recovery units, please describe whether and how are they used in investigating and prosecuting THB cases. Which special investigation techniques do these units use? Which public and/or private bodies do these specialised financial investigation units co-operate with in relation to THB cases?

In the framework of judicial reform, the Criminal Procedure Code became fundamental changes where the position of the victim in criminal cases was significantly improved.

The competent prosecutor is the Prosecutor's Office of the First Instance Court for Serious Crimes. With the establishment of the Special Prosecution Office against Organized Crime and Corruption, competent for the prosecution of these offenses will be the First Instance Prosecution Offices with General Jurisdiction and Judicial Courts. Where such offenses are committed within a structured criminal group or criminal organization, the Special Prosecution will be competent to investigate them.

There is also a Financial Intelligence Unit of the administrative type at the Ministry of Finance, which receives suspicious reports from financial institutions and sends financial disclosures to the State Police and Prosecution Office. In the State Police part of the Department of Police and Criminal is the Directorate for Economic and Financial Crimes, organized in 3 sectors:

1. To investigate money laundering and assets;
2. To investigate corruption;
3. To investigate other economic and financial crimes.

This structure is extended at the local level in 12 Regional Police Directorates. Parallel financial investigations during and in addition to the criminal investigation are carried out by the entire structure investigating the THB. THB is a criminal offense for property investigation outside and despite the progress of criminal proceedings.

Also, anti-mafia law no.10192 / 2009, "On the prevention and fight against organized crime, trafficking and corruption through preventive measures against property", as amended by law no. 70/2017, the purpose of which is to prevent and combat organized crime, trafficking and corruption by confiscating the property of people who have an unjustified economic level as a result of a suspected criminal activity, seizure / confiscation under conditions and concrete criteria. The procedure for designating and implementing preventive measures under this law is autonomous from the state, degree or outcome of criminal proceedings. Pursuant to Article 37, paragraph 2, letter d) of this Law provides for the use of the confiscated property fund for the compensation of victims of organized crime and trafficking to the extent determined by a court decision, so I give them a discretionary ruling on the measure compensation. Also Article 37 paragraph 2 letter c) has a special fund for social purposes, including the rehabilitation and integration of victims of trafficking, while Article 37 point 3 letter b) provides that this fund also benefits NGOs by including shelters.

The Agency for Sequestered and Confiscated Assets Administration has proposed legal amendments to Law No. 10192 "On the Prevention and Fighting of Organized Crime, Trafficking and Corruption through Anti-Money Laundering Measures" (amended) to include compensation of victims of trafficking, where by the creation of a special special fund, which has passed the advisory committee of inter-institutional experts

on the fight against organized crime in November, it is intended that within 2019 there will be a special fund for compensation of victims of trafficking.

10. International co-operation (Article 32)

10.1 How does your country co-operate with other countries to enable victims of THB to realise their right to redress and compensation, including recovery and transfer of unpaid wages after they leave the country in which the exploitation occurred?

Regarding the issue of compensation of victims, our criminal procedural legislation (Article 61) provides for the possibility of filing a civil lawsuit in the criminal proceedings, in order to seek appropriate compensation from the victim of criminal offenses or its heirs. The request for reimbursement is sent to the prosecutor's office that, in addition to the request for trial of the criminal case in court, at the same time, also submits the victim's request for reparation. If we refer to the provisions of the Criminal Procedure Code, it results that this law provides that the interests and rights of the victim / victim are represented and protected by the prosecutor. However, even in these cases, the injured party has the right to file a claim for compensation for damages and to be accepted as a civil claimant in the criminal proceedings (Article 58, point 1, letter "g"). K.Pr.P., provides for the victim of a criminal offense as a criminal offense, the parties in the process are only the prosecutor, who represents the indictment in the name of a public interest and the defendant, who can defend himself or through the defendant or predetermined, as the person to whom the trial takes place. Consequently, the participation of a victim in the criminal justice process, having the opportunity to exercise the rights provided by law, does not give it the quality of the party in the process. An exception to this rule is the case when the victim of the criminal offense intervenes in the process with the quality of the civil plaintiff, seeking compensation for the damage caused and the case when the victim of the offense assumes the role of the accused victim, participating as a party in the process followed the private charge. In this latter case, the accused victim assumes the role of the prosecutor at trial.

Also Article 63 of the Code of Criminal Procedure provides for the provision of a civil lawsuit where, in order to secure property restitution and compensation for damage at the request of the victim, the proceeding authority may decide to sequester the defendant's property, which remains at the end of the case.

Article 37 of Law No.10192, dated 3.12.2009 "On the prevention and fight against organized crime and trafficking through preventive measures against property", updated by law no. 70/2017, dated 27.4.2017, it is envisaged the establishment of a special fund for the prevention of organized crime.

Article 37/2 letter (ç) provides for the use of this special fund for compensation of victims of organized crime and trafficking of victims to the value determined by court decision. Article 32 of this law deals with the "use of movable property and money" confiscated as the first compensation for victims of organized crime and victim trafficking.

So, as far as possible, domestic legislation recognizes victims / victims of criminal offenses the right to claim the compensation of the criminal offense, even in civil cases, outside the criminal process. However, there is currently no specific law to regulate the right to financial compensation for victims of violent criminal offenses or their heirs, decision-making authorities, and the procedures for realizing the right to compensation in local and cross-border situations.

Regarding the right of remuneration or compensation of juvenile victims, the Juvenile Justice Code (Law No.37 / 2017) provides as follows:

- Article 44/2 "2. The competent body shall inform the juvenile in conflict with the law, the legal or procedural representative and, as the case may be, the defense counsel of the minor for the possibility of seeking compensation for and compensation in court if the implementation of the restorative justice program is not realized ";

- Article 45 (Right to Compensation for Damage) "1. Juvenile victims of the criminal offense as well as his / her legal representative are communicated and explained the court decision regarding the respective offense, in the most appropriate way for the age and level of comprehension. 2. The court shall, if

applicable, inform the juvenile victim of the offense and his / her legal representative regarding the right to compensation for the damage caused. ";

- Article 63/4 /b 4. The restorative justice program provided for in paragraph 1 of this Article may provide that juveniles shall be required to: b) to compensate for the damage caused to the victim, the community and / or the society. "

10.2 Has your country co-operated with other countries in the investigation and prosecution of THB cases through financial investigations and/or Joint Investigation Teams? Please provide statistics on such cases and examples from practice.

Albania has had and has cooperated in such investigations with other countries and has conducted successful investigations as follows.

- For 2015, are 6 operations in cooperation with our international partners have been conducted by the central structures against illegal trafficking, and 9 citizens who have been arrested have been identified as implicated in illegal trafficking.
- For 2016, 20 police operations have been conducted by central structures against illegal trafficking in cooperation with international partners such as SELEC, INTERFORCE, INTERPOL etc.
- For 2017, from the central structures against illegal trafficking there were 19 internationally searched operations for extradition in the field of illicit trafficking;
- For 2018, from the central structures against illegal trafficking there have been 10 international search operations for the purpose of extradition in the field of illegal traffics.

10.3 How many mutual legal assistance requests and/or European Investigation Order have you made in THB cases and what was their outcome?

During 2018, 8 Albanian Correspondents (addressed to Greece, Italy, Germany, Romania, Macedonia, Spain) were sent by the Albanian judicial authorities in criminal proceedings filed for the offense of "Trafficking in adult persons".

During 2017, 9 Albanian letter letters were sent to foreign authorities for the criminal offenses of trafficking in persons, respectively 7 letter letters for the offense of "Trafficking in adults" to Belgium, Spain, France, Kosovo, 2 Italy and Norway and 2 letters to the criminal offense of "Juvenile Trafficking" to Spain.

During 2016, Albanian legal aid requests from Albania to other states have been sent over 30 letters in the framework of criminal proceedings registered for the criminal offense of "Trafficking in adult persons".

10.4 What forms of international co-operation have proven to be particularly helpful in upholding the rights of victims of trafficking, including children, and prosecuting alleged traffickers?

The most successful forms of international co-operation in matters of trafficking of persons that are the requirements for mutual legal assistance with the object of exercising criminal prosecution in Albania, transfer of criminal proceedings, extradition, using as communication channels inter alia the communication of directly between the homologous judicial authorities.

10.5 What international co-operation measures are in place to ensure protection and assistance to victims on return from your country to their countries of origin following their participation in criminal proceedings?

Albania applies all forms of international co-operation in criminal matters as envisaged in the multilateral and bilateral agreements ratified by our country with neighboring countries including: Greece, Macedonia, Kosovo, Montenegro and some of the major destination countries for trafficking in victims Albanian. Moreover, Albania is actively participating in a number of regional initiatives, such as MARRI, SEE Police Co-operation Convention and so on. These initiatives have increased co-operation in terms of timely sharing of information and proper identification of potential victims or potential victims of human beings.

10.6 What international co-operation measures are in place to protect and assist victims of THB for the purpose of sexual exploitation through online streaming where the perpetrator is a national or habitual resident of your country and elements of the crime have occurred in your country's jurisdiction?

All forms referred to in point 10.5 apply.

11. Cross-cutting questions

11.1 What steps are taken to ensure that victims of THB have equal access to justice and effective remedies, irrespective of their immigration status and the form of exploitation?

Regardless of the status of migration or the type of exploitation, a number of measures have been taken to provide the same service, equal respect, equal treatment, exclusion, non-discrimination. All rights of trafficked persons otherwise termed and damaged by criminal offenses are provided in the Criminal Procedure Code and are the same for all social strata regardless of their status.

All possible victims of trafficking, whether Albanian or foreign, enjoy the same access to the defense system as are the Albanian victims. Assistance and protection of the potential victim / potential victim of trafficking is not conditional on the co-operation of the victim with the judiciary, despite the continued encouragement of victims of trafficking to testify in criminal proceedings. There are no changes in procedures for identified victims of human trafficking victims through a formal policy or temporary or permanent residence status based on Law no. 108/2013 "On foreigners", amended by law no. 74/2016, date 14.7.2016).

11.2 What steps are taken to ensure that criminal, civil, labour and administrative proceedings concerning victims of THB are gender-sensitive?

In the Criminal Code of the Republic of Albania there have been changes to the legislation where Article 114 / b of the Criminal Code "Farm Trafficking" has been repealed, becoming a single article "Trafficking in Persons", Article 110 / a of the Criminal Code.

In the range of legal provisions in Article 110 /a of the Criminal Code it is about victims of trafficking who can be female or male. So they have been qualified forms of trafficking in human beings. In this way the abrogation of Article 114 / b of the Criminal Code with Law No. 144/13 brings an equal treatment in relation to gender. Even in the range of legal provisions and concrete measures, both male and female victims have the same treatment.

11.3 What steps are taken to ensure that procedures for obtaining access to justice and remedies are child-sensitive, readily accessible to children and their representatives, and give weight to the child's views?

Regarding the part of juvenile trafficking, it is envisioned as a separate figure of the offense provided by Article 128 / b of the Criminal Code. This specific prediction is made based on the age of the victim of trafficking and the importance of handling such cases.

Also, on January 1, 2018, the Juvenile Justice Code (adopted on 30.03.2017) entered into force, which contains special regulations regarding juvenile delinquency, procedural rules regarding the investigation, prosecution, the judicial process, the execution of a criminal sentence, the rehabilitation of any other measure involving juveniles in conflict with the law, as well as juvenile victims or witnesses of the offense. Also Law 18/2017 "On the Rights and Protection of the Child" aims to establish rights and access to rights; concrete and effective mechanisms that guarantee the effective realization of these rights; special care for children; the establishment of an integrated child protection system.

This law brings another approach to how children's rights are conceived in which children's groups are particularly the focus of the integrated protection system and concrete protection measures to be taken by responsible structures to prevent, rehabilitate or protect continuously a child subjected to violence, abuse, neglect or potentially such.

Decisions of the Council of Ministers are approved:

- VKM Nr. 54, dt. 31.01.2018 "On the Rules of Functioning of the National Council for the Rights and Protection of the Child";
- VKM Nr. 91, dt. 14.02.2018 "On Procedures for Performing Controls and Decisions on Sanctions by the State Agency for the Rights and Protection of the Child";
- DCM No.148, dated 13.03.2018 "On the Establishment of Rules of Co-operation between the Consultative and Institutional Coordination Mechanisms, the Rights and Protection Structures of the Child and Non-Profit Organizations, the Implementation of National and Local Policies, and the Necessary Services for Protection of the Child ".
- VKM Nr. 353, dt. 12.6.2018 "On the Rules of Functioning of the Multidisciplinary Technical Group for the Protection of Children in Municipalities and Administrative Units", which aims to establish rules for the organization and functioning of the Cross-sectoral Child Protection Technology Group at Municipalities or Administrative Units co-operation and co-ordination of the work of group members during the review, evaluation and decision-making in case management of children in need of protection.
- VKM Nr. 578, dated 3.10.2018 "Referral procedures and case management, design and content of individual protection plan, financing of expenditures for its implementation, and implementation of protection measures". The purpose of this decision is to define the rules and procedures for referral and case management of children in need of protection, the manner of drafting and content of the Individual Defense Plan, the financing of the expenditures for its implementation, and the implementation of the protection measures. Determinations of this decision are mandatory for all state authorities, institutional advisory and coordination mechanisms, child rights and child protection structures at the central level and child protection structures at local, public or private institutions, non-profit organizations and all other persons who have a functional, professional, contractual or legal duty to perform referral, management, coordination or provide a service within the law no. 18/2017, "On the Rights and Protection of the Child"

11.4 What steps are taken to ensure that private entities take steps to prevent and eradicate trafficking from their business or supply chains and to support the rehabilitation and recovery of victims? What options exist for victims of trafficking to access effective remedies from businesses implicated in human trafficking?

The State Labor Inspectorate and Social Services is the executive body that controls the implementation of Labor Legislation for all employees in the Republic of Albania and for all employees under the age of 18. Memorandum of Understanding between ONAC, State Police and State Labor Inspectorate "On the identification of cases of forced labor and trafficking for the purpose of exploitation of labor" continues its implementation. According to the definition of forced labor based on Article 8 of the Labor Code, any violation is punishable. In cases of violations of the provisions of this Code, cases of forced labor punishments are provided. Inspectors have the right to impose sanctions under inspection law no. 9634, dated 30.10.2006, Article 33 on the inspection of work during the field inspection process regarding the employment relationship with the reasonable suspicion that there is a forced labor in the cases of undeclared employees and without social security; Employees without a contract signed by the employer and the employee, unpaid work performed (typical cases of reduced pay due to work punishment), foreign workers without work permit, juvenile employees without the authorization of the inspectorate and do not meet the conditions legal provisions that regulate this category.

11.5 What legal, policy and practical measures are taken in your country to prevent and detect situations where corruption facilitates human trafficking and infringes the right of victims of THB of access to justice and effective remedies? Please provide information on any known or proven cases of corruption or related misconduct of public officials in THB cases and any sanctions issued.

There are no officials involved in the criminal offenses of trafficking.

Part II – Country-specific follow-up questions

12. Please provide information on new developments in your country since GRETA's second evaluation report concerning:

- emerging trends of trafficking in human beings (new forms of exploitation, new recruitment methods, vulnerable groups, gender-specific aspects of trafficking, child trafficking);

Albania continues to be a source and destination country for women, girls, men, and children subjected to trafficking for sexual exploitation, begging, forced labour or committing illegal acts (mainly minors). Most used forms of recruitment by traffickers have been:

- Exploitation of vulnerable situation;
- Promises for accommodation, food and protection;
- Recruited by family members and exploited for begging.
- False promise for job;
- False marriage promise or fraud from boyfriend or cohabitant;
- Low criminal activities 11 – 17 years old;
- Smuggling and TIP through migrant flows.

Based on the cases identified by the police structures 2015-2018, exploitation of prostitution continues to be one of the most commonly used forms of exploitation. The gender affected is that of female sex, while the fewest identified cases are those of male sex used mainly for begging. The ratio of minors to adults is the same (based on identified cases). All potential victims of trafficking for prostitution and begging are also exploited or attempted to be exploited abroad, mainly in Western Europe but also in the countries of the region (Kosovo, Macedonia). According to information and declarations it turns out that mostly as victims identified at the border, regardless of their nationality, are mostly used by persons with Albanian citizenship.

The new trend identified in 2017 is the three minors with Afghan citizenship from migratory flows coming from the Middle East-Turkey-Greece-Albania countries to destinations in Western Europe. The three minors came from Greece, crossing the border illegally (hiding in a transport vehicle).

From the collected data it turns out that the most vulnerable group for victimization, both for exploitation of prostitution and other forms of exploitation, is female sex. Regarding exploitation of prostitution all cases are female.

Regarding the recruitment method, are mostly selected girls with divorced parents, without support or in economic and health difficulties. Initially they create intimate relationships with traffickers and then by means of deception and coercion are used for prostitution. Another way is recruiting through social networks such as FaceBook, Instagram or Snapchat, etc., by offering engagement / marriage, or promising jobs and a better life. One of the job offers is ballerinas in bars, inside or outside the country, mainly in the border countries with our country, such as Kosovo and Macedonia. Also, another way of recruiting is through phone or other people's recognition where traffickers go to girls' families, using as a justification for marriage and being introduced as a groom or family member. Traffickers are generally Albanian citizens, who by using family, social, and intimate relationships with the victims promise them a better life through exploitation for prostitution. Traffickers use fraudulent techniques as a beginning and if they do not give results, psychological and physical violence is used. In some cases victims have denounced physical and psychological violence.

Regarding the methodology of border crossing, in cases of prostitution, traffickers generally instruct the victims without accompanying them, but there are cases when they have traveled together legally crossing the border. In some cases, mainly in neighboring countries, border crossing is done illegally. In cases of exploitation for begging, the traffickers are parents or close relatives of the victim.

In cases of female sex minors, the most vulnerable age group is the 14 to 18 year old who are exploited for prostitution purposes. The age group under 14 is mainly used for begging.

- the legislation and regulations relevant to action against THB (e.g. criminalisation of THB, identification and assistance of victims of THB, recovery and reflection period, residence permit, supply chains, public procurement);

Some relevant laws and Decisions against Trafficking in Human Beings:

- Criminal Code of the Republic of Albania
- Criminal Procedure of the Republic of Albania”
- Criminal Code of the Republic of Albania, Article 110 / a “Trafficking of Adult”
- Criminal Code of the Republic of Albania, Article 128 / b “Trafficking of Child”
- Criminal Code of the Republic of Albania, Article 124 / b “Maltreatment of Child”
- Criminal Code of the Republic of Albania, Article 117 “Pornography”
- Code of Criminal Justice for Children
- United Nations Convention against Transnational Organized Crime, ratified by Law no. 8920, dated 11.07.2002.

- Protocol "Against the Smuggling of Migrants by Land, sea and air" that complements the United Nations Convention against Transnational Organized Crime, ratified by Law nr.8920, dated 11.07.2002.
- Protocol "Prevent, Suppress and Punish Trafficking in Persons, especially women and children", supplementing the United Nations Convention against Transnational Organized Crime, ratified by Law nr.8920, dated 11.07.2002.
- Law no. 9642, dated 20.11.2006 "On ratification of the Council of Europe Convention 'On Action against Trafficking in Human Beings'".
- Law no. 9834, dated 22.11.2007 "On Albania's adhering to the Optional Protocol to the UN Convention on the Rights of the Child on the sale of children, child prostitution and child pornography".
- Law 108/2013 "The foreigners"
- Law no. 10192, dated 03.12.2009 "On the Prevention of and Fight against Organized Crime and Trafficking through preventive measures against Assets", amended.
- Law no. 10173, dated 22.10.2009 "On the Protection of Witnesses and Persons collaborating with Justice System".
- Law no. 111/2017 "On state guaranteed Legal Aid".
- Law 18/2017 "On the rights and protection of the child".
- Law no. 22/2018 "On Social Housing".
- DCM no.195/2007 "On adaption of standards of Social Care Services at Residential Centres for Trafficked Persons or Persons at Risk of Trafficking".
- Joint instruction no.3799/2014 "On the Establishment of the Responsible Authority for the identification, referral, protection and reintegration of Victims/ Potential Victims of Trafficking".
- Decision No. 499, date 29.8.2018 "Standard Operating Procedures for Protection of victims and potential victims of trafficking ".
- Order no. 6 of the Prime Minister, dated 26.01.2017 "On the Establishment of the Regional Anti-Trafficking Committee".
- Decision No. 770, date 26.12.2018 "National Action plan 2018 – 2020 for fighting Trafficking in persons".
- DCM No. 54, dated 31.01.2018 "On the Rules of Functioning of the National Council on the Rights and Protection of the Child".
- DCM No. 91, date 14.02.2018 "On the procedures for conducting control and sanctioning by the State Agency for the Rights and Protection of the Child".
- DCM No.148, dated 13.03.2018 "On the Establishment of Co-operation Rules between the Consultative and Institutional Coordination Mechanisms, Rights and Child Protection Structures and Non-Profit Organizations, the Implementation of National and Local Policies, and the Necessary Services for Protection of the Child ".
- DCM No. 353, dated 12.6.2018 "On the Rules of Functioning of the Multidisciplinary Technical Group for the Protection of Children in Municipalities and Administrative Units", which aims at defining the rules for the organization and functioning of the Cross-Sectoral Technical Protection Group at Municipalities or Administrative Units co-operation and co-ordination of the work of group members during the review, evaluation and decision-making in case management of children in need of protection.
- DCM No. 578, dated 3.10.2018 "Referral procedures and case management, design and content of individual protection plan, financing of expenditures for its implementation, and implementation of protection measures".
- Decision Nr. 111, dated 6.3.2019 "On the Procedures and Rules for the Return and Repatriation of the Child ".
- Decision Nr. 129, dated 13.3.2019 "On procedures for the identification, immediate assistance and referral of economically exploited children, including children in street situation"

- the institutional and policy framework for action against THB (bodies responsible for co-ordinating national action against THB, entities specialised in the fight against THB, national rapporteur or equivalent mechanism, involvement of civil society, public-private partnerships);

The National Anti-Trafficking Coordinator is the lead coordinator of all anti-trafficking efforts in the country. The National Coordinator is at the same time the Deputy Minister of Interior and initiates, coordinates, and monitors various agencies' anti-trafficking activities.

The State Committee against Trafficking in Persons is a multidisciplinary working group that sets out the anti-trafficking vision, mission, policies and goals. The State Committee is chaired by the Minister of Interior and is comprised of deputy minister level representatives from: The Ministry of Internal Affairs (MOIA); State Police; Ministry of Education and Sport; Ministry of Social Welfare and Youth (MOSWY); Ministry of Foreign Affairs; Ministry of Health; Ministry of Justice; Ministry of Finance; Ministry of Economic Development, Trade and Enterprise; Ministry of Energy and Industry; Ministry of European Integration; General Prosecutor's Office; State Intelligence Service; Ministry of Defense. Representatives from the Shelters Coalition and civil society partners are invited to participate in the State Committee meetings.

The National Referral Mechanism (NRM) is an agreement between state and non-state institutions for the identification, referral and protection of victims and possible victims of terrorism. The NRM is a formal system, a network established between police, social service, diplomatic and consular services, health, education, prosecution, international organizations (IOM, WV and ARSIS), as well as reception and rehabilitation centers for victims of trafficking. Purpose: A framework of cooperation defining the responsibilities of key actors in the fight against trafficking in human beings regarding the identification, referral, accommodation, assistance and rehabilitation of Victims of Trafficking; Ensure timely and full coverage of relevant VoT services and implementation of SOPs. In 2018, the National Referral Mechanism was added with 2 new members: Mary Ward Loreto and Terre des Hommes.

The Responsible Authority for Identification, Referral, Protection and Reintegration of VT/VMT guides the implementation of the NRM regarding all cases of potential victims / potential victims of trafficking identified and referred to under this mechanism in accordance with SOPs.

The Regional Anti-Trafficking Committees (RATC) assess and address local trafficking issues. During the reporting period RATCs were active in addressing TIP issues in their area, through establishing local action plans, and conducting various meetings in cooperation with partners.

- the current national strategy and/or action plan for combating trafficking in human beings (objectives and main activities, bodies responsible for its implementation, budget, monitoring and evaluation of results);

By DCM no. 770, dated 26.12.2018 "On the adoption of the National Action Plan to Combat Trafficking in Persons 2018-2020", the National Action Plan for Combating Trafficking in Persons 2018-2020 was adopted. The National Action Plan for Combating Trafficking in Persons expresses the commitment of the state and the Albanian government, state and non-state institutions, anti-trafficking actors working in public and non-public structures to minimize the phenomenon of trafficking in persons. The activities envisaged in Action Plan 2018-2020 are intended to improve the functioning of a comprehensive system through the strengthening of the identification, protection and reintegration mechanism of trafficking victims. Preventive activities in this Action Plan address the raising of the awareness and public information on national legislation and International Anti-Trafficking Conventions, with all forms of trafficking in persons (internal trafficking, forced labour for children and adults, begging by children, children in street situation, etc.), as well as its consequences. For the first time, the budget for the realization of activities is also foreseen.

- recent case law concerning THB for different forms of exploitation.

By the Decision of the Council of Ministers (DCM) Nr. 499, dated 29.08.2018 "On the Adoption of Standard Action Procedures for Protection of Victims and Potential Victims of Trafficking", Standard Action Procedures (SOPs) were adopted for the protection of victims and potential victims of trafficking. SOPs are the basic document for identifying, referring, protecting and assisting victims / potential victims of trafficking. The purpose of the SOPs approval is to protect, including timely and appropriate identification of potential victims of trafficking, whether adults or minors, Albanians, foreigners or stateless persons, for all types of exploitation, internal or international trafficking, whether or not linked to organized crime. In order to clarify and facilitate the implementation of the Standard Action Procedures for the Protection of Victims and Potential Victims of Trafficking, it was signed and distributed for implementation to the Local Border and Migration Directorates, Letter-Order no. 5637 prot, date 04.12.2018 "On the recognition and implementation of DCM no. 499, dated 29.08.2018 "On the Adoption of Standard Action Procedures for the Protection of Victims and Potential Victims of Trafficking".

By DCM no. 770, dated 26.12.2018 "On the adoption of the National Action Plan to Combat Trafficking in Persons 2018-2020", the National Action Plan for Combating Trafficking in Persons 2018-2020 was adopted. The National Action Plan for Combating Trafficking in Persons expresses the commitment of the state and the Albanian government, state and non-state institutions, anti-trafficking actors working in public and non-public structures to minimize the phenomenon of trafficking in persons. The activities envisaged in MARD 2018-2020 are intended to improve the functioning of a comprehensive system through the strengthening of the identification, protection and reintegration mechanism of trafficking victims. Preventive activities in this Action Plan address the raising of the awareness and public information on national legislation and International Anti-trafficking Conventions, with all forms of trafficking in persons (internal trafficking, forced labor for children and adults, begging by children, children in street situation, etc.), as well as its consequences.

In the context of judicial reform, the Albanian criminal procedural law has undergone significant changes in the subject matter of investigating and prosecuting criminal offenses of trafficking in human beings. Currently, with transitory provisions, the prosecutor responsible for investigating the criminal prosecution of trafficking in human beings is the Prosecutor's Office of the First Instance Court for Serious Crimes. With the establishment of the Special Prosecution Office against Organized Crime and Corruption, competent for the prosecution of these offenses will be the prosecution offices of the first instance with general jurisdiction and for trial, courts of judicial districts. Where such offenses are committed within a structured criminal group or criminal organization, the Special Prosecution will be competent to investigate them.

Likewise, law enforcement 10192/2009 The Anti-Mafia Law, which was in the area of solely accountable prosecution for serious crimes, is decentralized by following the subject competence.

13. Please provide information on measures taken in your country in respect to the following recommendations made in GRETA's second evaluation report:

- set up and maintain a comprehensive and coherent statistical system on trafficking in human beings by compiling reliable statistical data from all main actors on measures to protect and promote the rights of victims as well as on the investigation, prosecution, convictions and compensation in human trafficking cases;

Every case is referred to Responsible Authority, who maintain a comprehensive and coherent statistical system on trafficking in human beings. The Responsible Authority administer and update the data on the "SIVET" system in relation to victims of trafficking / potential victims of trafficking and keeps constant contact with the reception centres in terms of the services they offer, receive, accommodate, refer, integrate and reintegrate them.

- take further measures to raise awareness on the risks of human trafficking for the purpose of labour exploitation, aimed in particular at vulnerable groups;

The Albanian government, and especially ONAC, through awareness campaigns, informs and involves the public on trafficking, identification of potential victims of trafficking and their prevention. Activities for the prevention of human trafficking have included mass of people in general, as well as the most vulnerable groups such as children, young people, marginalized groups etc. For this purpose, manuals, leaflets, brochures for prevention of trafficking and irregular migration are published and distributed, and television commercials, documentaries, television and radio programs are realized for information and awareness. What is more, within the framework of awareness, a number of programs are organized with electronic and printing media about proper reporting of cases of trafficking of persons.

National anti-trafficking awareness campaign all over Albania organized during the October month – the month against trafficking in persons, every year since 2015.

Anti-trafficking Directorate **during 2015** was allocated a budget of 5.2 million ALL, which was used for the awareness raising activities conducted in 12 districts of Albania with the aim to make public more proactive in identifying and reporting potential trafficking in person's situations.

During the reporting period, the National Anti-trafficking coordinator, launched two main awareness raising campaigns;

- The summer campaign, which was organized during June – August and was mainly focused in public awareness raising on child trafficking, exploitation of children for begging and forced labour as well as exploitation of females for prostitution. During this campaign were organized:
 - 13 awareness activities were held in towns, high schools and secondary schools, as well as in community centres in Tirana, Dibra, Kukes, Durres, Korca, Lezha, Berat, Elbasan and Fier
 - 11 discussion forums in local level on issues of trafficking in persons and in particular children, with members of the Regional Anti-Trafficking Committee, with students and pupils of high schools in Gjirokaster, Elbasan, Korca, Kukes, Vlora, Dibra;
 - 13 awareness meetings and psycho- social activities with the participation of youngsters, mainly of Roma and Egyptian community, as well as with a considerable participation of women and girls, specifically in rural areas;
 - 11 round table forums were held in Fier, Vlora, Shkodra and Berat;
 - 4 conferences and seminars are organized with the participation of the employees in sectors for illegal trafficking, border and migration, policing in community, regional Social State Service in Vlora, Shkodra, Dibra, Elbasan, etc;
 - 2 informative sessions and training courses are held in Shkodra and Durres, where over 41 women coming from isolated families involved in blood feud and youngsters from the Roma and Egyptian community attended the sessions;
 - 2 programs and TV shows (Shkodra and Kukes) were broadcasted where local experts discussed about measures that have been undertaken and the projects in the future regarding the prevention and the fight against trafficking in persons;
 - 5 trainings and workshops were carried out from the Regional Anti-Trafficking Committees of Durres, Dibra, Vlora and Elbasan during the summer campaign;
 - 2 competitions were developed in Vlora and there were distributed 480 awareness materials, such as leaflets, brochures and photo novels in schools, ports, bars and restaurants;
 - 10 summer camps were established in the main cities such as: Elbasan, Tirana, Durres, Dibra, Berat, Fier, etc., where 230 pupils of high schools and secondary schools of these cities took part in;
 - 2 awareness marches were organized during the summer campaign, one in Durres on July 30, in the framework of the Global Day against Trafficking and a march in Kukes, where awareness messages were launched on trafficking, its forms and measures on the prevention of this phenomenon;

- 21 multidisciplinary tables were arranged in various districts in the country such as: Kukes, Durres, Korçë, Lezha, Elbasan, Vlora, Tirana, etc.
- In the frame of the European Day against Trafficking in Persons, ONAC launched on October 1st “The anti-trafficking month” and coordinated the organization of:
 - 19 awareness raising activities
 - 10 discussion forums with students, school pupils and representatives of the governmental and non-governmental structures;
 - 10 informative tends;
 - 24 awareness/informative meetings;
 - 7 exhibitions with pupils works;
 - 5 round tables;
 - 3 raising awareness marches;
 - 11 TV shows;
 - 6 trainings;
 - 5 informative/awareness seminars;
 - 2 conferences;
 - 3 theatrical shows;
 - National Conference “Join us to say “NO to Trafficking in Persons”;
 - Distribution of the awareness and informative materials:
 - 3000 photo-novels: “A broken dream” and “A new beginning”.
 - Over 5000 t-shirts and 5000 caps with the logo “Denounce-Save”.
 - Over 3000 leaflets of the Office of National Coordinator.
 - Around 2000 leaflets for the National Line “116006”.
 - Over 500 notebooks with awareness messages in their cover “Stop trafficking of children”
 - 180 pens with the line 116006;
 - 500 ecological bags with the logo of the national helpline 116006.

During 2016, the Directorate of Anti-Trafficking in cooperation with the RATCs continued awareness activities and awareness to students of secondary schools and 9-year-old Tirana, Shkodra and Vlora, and distributed in 12 countries anti-trafficking awareness materials for the community. These activities are developed in the framework of the Regional Action Plan and calendar of activities developed by the RATCs and monitored by the National Coordinator. So:

- On February 22, in Tirana, awareness meetings were organized 9 middle level schools and 9-year schooling system within the city of Tirana, with the participation of 370 students, teachers and school psychologists;
- On March 10, in Shkodra, meetings were held with the participation of school 5 middle level schools and 9 years schooling system, attended by 80 students;
- On April 18, in Vlora, meetings were held in 6 middle level schools of 9 years schooling system with the participation of about 210 students, teachers, psychologists, etc.

The Directorate of Anti-Trafficking and the Network "Bridges" in cooperation with RATCs, during the months from June to October, organized the campaign "Box of information" in four cities: Durres, Saranda, Shkodra and Tirana.

- 3805 persons have visited the Information Box in Durres;
- 916 persons have signed “The Declaration against Trafficking in Persons” in Durres.
- 3000 persons have visited the Information Box in Saranda (of whom 32 foreign citizens, tourists);
- 210 persons have signed “The Declaration against Trafficking in Persons” in Saranda.

In the framework of the European Day of Anti-trafficking, ONAC, in cooperation with state institutions and partner organizations, with the aim of organizing during October "The month for combating trafficking in persons" in 12 regions of the country, organized awareness activities to prevent trafficking in persons. Specifically, the following were completed:

- 49 discussion forums with pupils, students, representatives of state and non-governmental structures, community representatives, etc;
- 68 awareness activities;
- 24 information sessions;
- 12 trainings and roundtables meetings;
- 50 exhibitions of works of students in middle level schools and 9-year-scholing system throughout the country;
- Over 2 days, on October 24 to 25, at the National Exhibition, the best 120 works of the students from 12 counties were presented;
- 14 theatricals / film were organized;
- 1 national march on the day of the announcement of the Month for Combating Trafficking in Persons and 9 awareness marches were organized in major cities;
- 30 community information sessions, with students, teachers, psychologists, etc.
- 4 info point were set;
- 1 National Conference was organized on 18 October in European Day against Trafficking.
- During the Month Anti-trafficking, awareness materials as 1000 T-shirts, 500 hats, 3,000 leaflets, 300 bags with the logo of the National Line 116 006, 600 brochures, etc. were distributed.

On December 9, 2016, the Office of the National Coordinator, in collaboration with the Municipality of Tirana and the organization "Different and Equal", organized in the Ministry of Interior, an informational meeting with students of secondary schools and 9-year-system schools in the city of Tirana. Members of the municipal council in the municipality of Tirana, teachers and psychologists were present at the meeting. The meeting was attended by about 50 students of the schools "Arben Broci", "Petro Nini", "Naim", "Dhora Leka", "Sabaudin Gabrani 2", "Martyrs of Freedom", etc.

During 2017, the Ministry of Interior in cooperation with all governmental and non-governmental actors involved on the fight against trafficking in human beings, conducted all the measures and activities planned on the National Strategy on Combating Human Trafficking and the Action Plan 2014-2017.

These activities consisted on the organization of awareness campaigns, meetings on elementary school and high school students, trainings with professional categories. This campaign aimed different target groups as children, adults, police officers, health, Roma community, etc.

- During March 2017, several meetings took place with the network of volunteer pupils for community awareness on the phenomenon of trafficking in human beings. The meetings preceded the awareness campaign that MoI conducted in several qarks, in cooperation with RATCs and "Të ndryshëm dhe të Barabartë".
- The ONAC in cooperation with the Psycho-Social Centre "Vatra" organized two forums in the districts of Vlora and Gjirokastra with the topic "Albanian Anti-Trafficking Legislation and national policies in protection of victims/potential victims of trafficking" and "Together we can Stop Trafficking" attended by 133 students and lecturers of University of Vlora, "Ismail Qemali" and University "Eqrem Çabej" in Gjirokastra.
- Following the previous activities on informing students regarding human trafficking, during March-May 2017, there has been 35 meetings in 12 qarks, by ONAC in cooperation with the Regional Educational Directorate and "Different and Equal".

- On March 15th, a meeting was conducted with the working group regarding the procedures on cooperation between the State Police and field teams for the identification, referral and protection of children in street situation. Then several meetings with Police Station employees were conducted: On April 3^d, at the Police Station no. 1 and no. 2, a briefing were presented to the employees for the 3 Ministerial Agreement (MIA/MES/MoSWY) and the Action Plan "On the identification and protection of children in street situation", what procedures to follow, the calendar of municipal teams who work on the field, and problems encountered regarding the identification and referral of children in street situation with the participation of 60 persons, staff of municipal field teams, CPU, zone inspectors, social service etc. The same briefing was made to the Police Station No. 3 on April 4th with the participation of 35 persons; Police Station No.4 on April 10 where 32 employees attended the meeting; Police Station No.5 on April 12, 24 employees attended; Police Station No.6 on April 14, where 20 employees attended.
- On June 14th, 2017, ONAC conducted an informative meeting in Selita with Roma community representatives. The participants were informed about the trafficking phenomenon, forms and reporting methods. Approximately 25 participants attended this meeting.
- On June 16th, 2017, a meeting was conducted with 35 representatives from Egyptian community in Yzberisht, Tirana, informing them about the trafficking in human beings phenomenon, forms and methods on reporting it.
- October was launched as the “Anti-trafficking Month” where an intensive calendar was consulted and drafted with key actors involved in the fight against trafficking in human beings, then implemented during the entire month. Activities were conducted in the 12 qarks as follows:
 - Distribution of anti-trafficking awareness materials by volunteers and students in 12 qarks of the country
 - Informing sessions in elementary, high school and universities in 12 qarks of the country.
 - Informing and awareness meetings with Roma and Egyptian community
 - Workshops
 - Installation of information desks in all city schools
 - Workshop in the elementary schools themed "Awareness campaign with schools and community on trafficking in person's issues "
 - Open class with students and teachers on the recognition of the system of protection against trafficking of persons
 - Awareness forums with high school students in 12 qarks of the country
 - Awareness meetings, related to immigration and risks of internal and external trafficking
 - Awareness meetings with the Health Centres staff in 12 districts of the country
 - Informing meetings with health workers, Health Centre directors on strengthening medical structures regarding the prevention and fight against trafficking in persons
 - Meeting of the Regional Anti-Trafficking Coordinators of Western Balkan Countries, October 6th
 - Competition with sensitizing essays against trafficking in human beings with high school of Sukth students.
 - Information and awareness activities with school students, parents and student governments on "Preventing and Consequences of Trafficking in Persons in our Life"
 - Open class, competition with drawings, artistic creations, exhibition of students' paintings, plays prepared by children, sports etc. in schools in 12 districts of the country
 - Community forums
 - Training with public health workers, labor inspectorate and employment office
 - Presentation of the film "Talking to the trees" and discussion forum on the film theme
 - Roundtable with the multidisciplinary group of the municipality of Kruja on the problems identified for children in street situation

- On October 16th, the Office of the National Coordinator for the Fight Against Trafficking in Persons, in cooperation with the Psycho-social Centre "Vatra", with the support of the US Embassy, organized the first training on "Respecting the rights of victims of trafficking by local law enforcement institutions".
Representatives from ICITAP, US Embassy in Tirana, General Prosecutor Office, State Police Directorate, Psycho-social Center Vatra, participated in this training.
The second training took place on November 9th in Vlora, where about 50 prosecutors and employees of the State Police participated in the two meetings.
Similar trainings took place in these districts: Tirana, Durrës, Gjirokastra, Berat, Fier, Kukës and Shkodra.
- The Office of the National Coordinator for the Fight Against Trafficking in Persons in cooperation with the Regional Anti-Trafficking Committees, the Ministry of Education, Sports and Youth, the General Directorate of State Police (General Directorate of Border and Migration) and the International Organization for Migration (IOM), under the project "Choose opportunities, not irregular migration!" conducted informative meetings in the 12 districts of the country, according to a drafted calendar.
- Meeting of the Working Group on the Implementation of the Memorandum of Understanding between the National Anti-Trafficking Coordinator, State Police Directorate and State Labor Inspectorate and State Services "On the identification of cases of forced labor and trafficking in order to work exploitation"
- National Conference on Combating Human Trafficking, October 18th, Tirana International Hotel
- Sports championships aimed at sensibilisation of the students to the prevention of trafficking in human beings
- Awareness march with students, teachers, citizens and employees of state and non-state structures, in Gjirokastra, Kukes, Fier.
- Focus groups in 6 schools, including elementary and high schools in Tirana and Durres
- The National Exhibition "Trafficking through children eyes" with paintings created by elementary and high school students from all districts, October 30th
- Study visits with youth groups in private subjects aiming employment orientation

All the activities above, were organized in close cooperation of state and non-state institutions, non-profit organizations, shelters and volunteers which dedicated their time on the fullest during the entire month.

During 2018, the Anti-Trafficking Directorate, in cooperation with the Regional Anti-Trafficking Committees, continued awareness-raising activities with high school and 9-year middle school students in 12 awareness-raising circles for anti-trafficking structures and the community.

On June 12-13 and June 21-22, 2018, several informative meetings were held in Elbasan and Fier regarding the prevention of the phenomenon of unaccompanied children, mainly in Italy.

On June 25, 2018, the Ministry of the Interior organized an informative meeting on "Local government employees put in motion mechanisms against trafficking in persons and violence against women". Approximately 45 people attended the meeting: representatives from 13 municipalities, District Councils and members of Technical Tables of Tirana, Durrës and Elbasan, Local Police Directorates of these circles, Regional Directorates of the State Social Service, Social Services Directorates, child protection workers, NGOs, etc.

On 29 June 2018, the Ministry of Interior, in cooperation with the British Embassy in Tirana, held a conference on signing the "Call for Action" against forced labor, modern slavery and trafficking in human beings. Albania joined the 51 states that have supported the "Call for Action", which is a high-level political document that brings together the key commitments that countries have made through various international processes, and is in full compliance with one of the the main goals of Agenda 2030 for the Sustainable Development Goals, such as the disappearance of modern slavery, forced labor, human trafficking, and the worst forms of child labor.

On the International Day Against Trafficking in Persons, **on 30 July 2018**, the Ministry of Interior / Office of the National Coordinator for Combating Trafficking in Persons and "URAT", a network of organizations dedicated to the fight against trafficking in human beings, brought for the third time in Albania, Global Initiative of the United Nations for Combating Trafficking- UN Gift Box. The activity was launched in Vlora, with the participation of Mrs. Rovena Voda, Deputy Minister of Interior and National Coordinator of the Fight Against Trafficking, Artemis Dralo, Deputy Minister for Europe and Foreign Affairs, as well as representatives of the URAT Network, local anti-trafficking institutions and national and international organizations.

Within the framework of the European Anti-trafficking Day (October 18th), ONAC, in cooperation with partner organizations and state institutions, organized the **"Month of Fight Against Trafficking in Persons"** during October. In the 12 counties of the country, awareness-raising activities were organized for the prevention of trafficking in persons. The activities aimed to bring to the attention of all state and non-state structures, the importance of undertaking a joint commitment in the fight against trafficking in persons, and to convey messages about the risks posed by trafficking, ways and forms for awareness raising in the public, in particular vulnerable groups. Thus, based on the National Calendar, which was drafted with the proposals of state structures, the RATs, national and international organizations during October were developed:

- o About **60 forums** and discussion groups with professionals, students and community representatives;
- o Over **80 awareness** activities with a participation of about 500 people, such as: high school and 9 year students, students, community representatives, state and non-state structures;
- o **12 regional** exhibitions with works of high school and 9-year middle school students with over 500 works;
- o **1 National Exhibition** where were presented the 120 best works of students from 12 counties and works of victims of trafficking accommodated in 4 reception and reintegration centers;
- o **About 60 awareness** raising meetings on prevention of trafficking in persons and irregular migration;
- o Over **10 television shows** in local and national media;
- o **5 awareness**-raising marches in some counties;
- o **2 campaigns** "Information Box" in Vlora and Prizren;
- o Over **30 informative** sessions with the community, students, teachers, psychologists, etc.

On 5 October and 15 November 2018, the Office of the National Coordinator for the Fight against Trafficking in Persons, in cooperation with the Center for Information and Education for Development (CIES), organized two informative meetings in Shkodra and Korça on the topic " local government set in motion mechanisms against human trafficking and violence against women ". The meeting was attended by representatives from the Prefect Institution of Shkodra and Korça districts, Technical Roundtables, District Council, Local District Police Directorate, Regional State Social Services Directorate, Social Services Department / Social Services Sector in District Municipalities. Total of 2 meetings were attended by about 60 people.

On 19 October, the "Un Gift Box" campaign was presented in Prizren for public awareness about the prevention and fight against trafficking of persons. This initiative came also as a result of a positive model that the campaign had in our country, as well as the need to increase regional and cross border cooperation to identify and refer potential victims of trafficking and specifically to unaccompanied children and street situations. At the opening of this event were volunteer participants from URAT network organizations and state institutions, who together conveyed the message that "Un Gift Box" aims to achieve the goal of creating a "global movement" for the prevention and fight against trafficking in persons.

On December 14, the National Conference on Combating Trafficking in Persons was held. "#Together we can! #Together we stop trafficking! The main topic of the Conference was the introduction of Standard Action Procedures for the protection of victims and potential victims of trafficking, proactive identification and protection of potential victims of trafficking, child trafficking and their protection, the role of child

protection mechanisms, as well as attempts to address and increase the identification of potential trafficking cases.

ONAC in cooperation with IOM, **from October 2017 to March 2018**, implemented the project "On the prevention of irregular migration", funded by the Dutch and Belgian embassies. Activities took place in 12 regions. About 900 people from different structures participated in activities, in 12 regions * 75 people (about 75 people in 4 meetings in each region), and around 50,000 leaflets (4,150 leaflets in each region) were distributed.

- strengthen the monitoring of recruitment and temporary work agencies;

Based on DCM no. 101, dated 02.23.2018 "On the organization and functioning of private employment agencies", SLISS conducts periodic inspections to determine compliance of the activity of the agency with the relevant legislation, and when they find violations they notify the ministry responsible for issues of employment.

- strengthen efforts in the area of prevention of child trafficking, paying particular attention to children placed in institutions and children from the Roma and Egyptian communities;

Except the awareness-raising campaigns developed with the community and vulnerable groups (*refer of the question above "take further measures to raise awareness on the risks of human trafficking for the purpose of labour exploitation, aimed in particular at vulnerable groups*), on 14 and 16 June 2017, Ministry of Interior organized 2 informative meetings with representatives of the Roma and Egyptian communities in the area of Selita and Yzberisht, Tirana, with a total of about 60 participants. The activities were conducted in cooperation with the Organization "ARSIS" and the Child Protection Unit in the Municipality of Tirana.

The purpose of the meetings was to raise awareness of the Roma and Egyptian communities on the phenomenon of trafficking, forms of trafficking, ways and indicators for identifying possible victims of trafficking, assistance, reporting forms such as National Line 116006 and the Application "Report! Save "!

- made additional efforts to register children, particularly those born outside maternity units or abroad and/or returning to Albania without valid documentation;

Law no. 10 129, dated 11.5.2009 "On Civil Status", amended, has as its object the meaning and contents of the civil status of Albanian citizens, foreign nationals and stateless persons, with temporary residence in the Republic of Albania, the rules for their laying, preservation and alteration, as well as the organization and functioning of the civil status service in the Republic of Albania. The law provides for basic birth documents, birth declarations, birth acts, etc.

According to Article 41 "Birth registration" 1. The birth registration of the child shall be made in the civil status office of the parents' residence or in the place where the birth took place. 2. To the found infant whose parents are not known, registration is done in the country's civil registry office where it was found. 3. For children born out of the territory of the Republic of Albania by Albanian nationals who are permanently resident in Albania, the birth registration of the child is done at the Albanian Diplomatic or Consular Representations in the country where he was born. When this is not possible, the registration is also done in the civil status of that country.

During 2018, important changes were adopted in the "Civil Status" Law. These changes came as a result of identifying unregistered cases and grouping according to their typology. Depending on the typology, legal changes were drafted, which paved the way for the drafting of sub-legal acts. On this basis three (3) Guidelines of the Minister of Interior, covering respectively a problematic / typology of cases, and general principles that help and facilitate the registration of children have been introduced. It was also approved the joint instruction of the two ministers, the Minister of Interior and the Minister of Health and Social Protection, which has as its object:

- Determining the procedure of registration of children at the hospitals in order to obtain the bonus,
- Determination of the birth registration procedure in the civil status office, even for those cases that do not register in the hospital, as well as births outside the territory of the Republic of Albania.

These changes affecting children's enrollment area will enable maximum identification of all incidents and help minimize unregistered cases until their occurrence or deletion.

- facilitate the reintegration of victims of trafficking by providing them with vocational training and access to the labour market, and by providing the social services responsible for assisting in their integration with adequate resources;

The referral process of victims of trafficking is clearly stated in the Standard Operating Procedures for the Protection of Victims / Potential Victims of Trafficking. Based on these procedures, following identification, referral is made based on the needs of the victims, their risk assessment and will. The staff of the shelters have supported this process.

During 2015- 2018, assistance to victims of trafficking / potential victims of trafficking has been provided in residential centers and community as well. 4 residential centers, 3 NGOs and the National Reception Center as members of NCATS have provided long-term reintegration services (residential and community services) for victims of trafficking. The National Reception Center for Victims of Trafficking has provided rehabilitation services, by referring the beneficiaries for reintegration services to the other 3 shelters of NCATS, which offer a full package of reintegration services. The reintegration program is divided into three phases, including emergency services, rehabilitation services and long-term monitoring during the process of social inclusion. The reintegration services of these 3 shelters include: accommodation, medical assistance, psychological assistance, psycho-social assistance, education, legal assistance, vocational training, coaching for employment, counseling and support, social activities, mentoring, services for economic empowerment; assistance to children of victims of trafficking. Besides victims of trafficking, the shelters have treated also victims of domestic violence, as well as victims of sexual abuse.

There are no specific shelters for male's victims of trafficking. Services provided to trafficking victims or potential victims of trafficking are the same as for women and for males. Males victims/ potential victims of trafficking are supported with psycho-social counselling, legal assistance, medical assistance, support to find a job, financial support for payment of rental apartment; training to enhance life skills; providing information and mediation for receiving the services offered by different service providers in the community, monitoring and follow up, etc. Males are assisted mostly in rented apartments, in the family of origin or in other alternative placements.

Detailed assistance programs have been developed, which include rehabilitation activities for achieving targeted objectives as well as identified needs for beneficiaries.

All VoT/PVoTs who have received integration services attend various professional courses for their free qualification at the Tirana Vocational Training Centers, which is a state institution.

Between employment promotion programs implemented by the National Employment Service VT is the category that is handled by these programs not only with vocational training but also workability.

- pursue efforts to encourage the implementation of international agreements on action against human trafficking signed with neighbouring countries;

Albania is engaged in bilateral agreements in the area of counter trafficking signed with different neighbouring countries including: Greece, FYROM, Kosova, Montenegro and some of the main destination countries for trafficking of Albanian victims. Moreover, Albania is actively participating in a number of regional initiatives, such as MARRI, SEE Police Cooperation Convention, etc. these initiatives have enhanced collaboration in terms of timely information sharing and proper identification of victims or potential victims of human beings.

On December 8th, 2014 was signed the Addition Protocol of Cooperation between the National Anti-Trafficking Coordinators of Albania and Montenegro on the fight against trafficking in persons and the enhancement of identification, notification, referral and voluntary assisted return of victims and potential victims of trafficking following several bilateral meetings held in Tirana and Podgorica. This protocol supplements the Agreement between the Council of Ministers of Republic of Albania and the Government of Republic of Montenegro on cooperation in the field of organized crime, terrorism, illicit trafficking and other illegal activities, which was approved with the Council of Ministers Decision No. 483, date 16.7.2004 guaranteeing institutionalized exchange of information and cooperation for investigation of crimes on both sides of the border.

The Memorandum of Understanding with UK, has by signed on the 4th of December 2014 in London by the Albanian Minister of Internal Affairs and his British counterpart with the aim to enhance cooperation between the Responsible Authorities of two countries. The purpose of this agreement is to intensify the mutual efforts in the framework of fighting human trafficking in response to the new tendencies of this phenomenon, information sharing and cooperation, joint assistance regarding the identification, referral, and protection of victims of trafficking, as well as assisted return of victims/potential victims of trafficking, including the investigation of traffickers operating in the two countries.

In accordance with the Additional Protocol " On Intensifying Cooperation in the Fight against Trafficking in Persons and on the Enhanced Identification, Notification, Referral and Voluntary Assisted Return of Victims and Potential Victims of Trafficking, especially Children" with Kosovo and Montenegro, in December 2016 a Joint Declaration was signed between the National Coordinators of Albania, Kosovo and Montenegro to unify the standards of operating procedures.

In February 2018, the regional project "Improving service delivery and awareness raising to combat human trafficking in the Balkans, Albania, Macedonia, Montenegro, Kosovo" was launched, funded by the US Department of State through the J / TIP program in cooperation with the Terre des Hommes organization in Albania. This project aims to strengthen transnational cooperation between the four countries in identifying and assisting victims of trafficking and potential victims of trafficking with a special focus on children. The project is implemented in partnership with six local organizations in Albania, Montenegro, Macedonia and Kosovo. In the implementation of the J / TIP Project, as well as from the positive experience of regional cooperation between Kosovo, Albania and Montenegro, where the procedures for identifying and referring victims of trafficking, with the support of Terre des Hommes, will be intensified of cooperation with North Macedonia in the assisted VoT / PVoT volunteer identification, referral and return. Unified format for assisted identification, referral and voluntary return has been drafted for the implementation of additional protocols with North Macedonia, which are expected to be approved soon.

- amend the legislation so that joint investigation teams can be set up.

In December 2015 was finalized the MOU between the National Anti-Trafficking Coordinator, General Prosecutor's Office and State Police "On the establishment of a task force on the integrated review of the cases of trafficking in persons that have been dropped or not started". The goal of this memorandum is to guarantee a multi-institutional approach in detailed examination and qualitative improvement of anti-trafficking actions, to perform an analysis of criminal legislation on issues of trafficking in persons, as well as to strengthen institutional cooperation between the different links of the Criminal Justice System.

Part III - Statistics on THB

14. Please provide the following statistics, **per year starting with 2015**, where available disaggregated as indicated below:

- Number of presumed victims and identified victims of THB in the sense of having been recognised by a state institution or mandated NGO as bearers of rights to services provided for by the Convention (with breakdown by sex, age, nationality, form of exploitation, internal or transnational trafficking, and body which identified them).

Year	VoT/ PVoT	VT	PVoT	F	M	Minors	Adults	Albanian	Foreigner	Form of exploitation
2015	109	38	71	87	22	48	61	105	4	
2016	95	33	62	84	11	44	51	87	8	
2017	105	26	79	80	25	56	49	96	9	54- sexual exploitation 2- for low criminal offenses others for begging
2018	95	2	93	60	35	67	28	94	1	36- sexual exploitation 3-forced marriage 1- illegal border crossing others for begging

- Number of victims of THB identified as part of the asylum procedure (disaggregated by sex, age, nationality, form of exploitation).

- None

- Number of victims of THB who received assistance (disaggregated by sex, age, nationality, form of exploitation, internal or transnational trafficking).

- All the identified victims of THB have received assistance.

- **Number of child victims of THB who were appointed legal guardians.**

- Other Vision:
 - 2015 – 6
 - 2016 – 2
 - 2017 – 5

2018 - 1

- Number of victims of THB granted a recovery and reflection period (disaggregated by sex, age, nationality, form of exploitation).
- All the victims of THB who received assistance, granted a recovery and reflection period.
- Number of victims of THB granted a residence permit, with an indication of the type of the permit and its duration (disaggregated by sex, age, nationality, form of exploitation).

Year	Total	Gender	Nationality	Date of birth
2015	1	F	UK	13.02.1988
2016	2	F	Filipinas	12.06.1987
		F	Congo	01.05.1990
2017	6	M	Afghanistan	19.09.2006
		F	Afghanistan	17.01.2004
		F	Afghanistan	09.11.2008
		F	Afganistan	23.03.1994
		F	Italian	24.05.1999
		F	Rumania	11.09.1985
2018	There have been only renewals of residence permit type A "Humanitarian"			

- Number of persons given refugee status or subsidiary/complementary protection on the grounds of being victims of THB (disaggregated by sex, age, nationality, form of exploitation).
- None.
- Number of victims of THB who claimed compensation, who were granted compensation and who effectively received compensation (disaggregated by sex, age, nationality, form of exploitation, with an indication of whether the compensation was provided by the perpetrator or the State, and the amount awarded).
- None.
- Number of victims of THB who received another form of financial support from the State, with the indication of the amount received.
 - **2015** – For 2015, a fund of 2 555 000 ALL was given to "Other Vision", "Different and Equal" and "Vatra" shelters. Also, Albanian Government enabled the financial support for the employment of 12 social workers of "Vatra" and "Other Vision" shelters.
 - **2016**: Albanian government enabled the financial support for the employment of 24 social workers for the shelters "Different and Equal", "Vatra" dhe "Other Vision", as well as providing an anti-mafia law enforcement fund for "National Reception Centre for victims of trafficking" 2.2 million ALL and "Different and Equal" 2.5 million All.

- **2017:** Albanian government enabled the financial support for the employment of 30 social workers for the shelters “Different and Equal”, “Vatra” and “Other Vision”, as well as providing an anti-mafia law enforcement fund for “National Reception Centre for victims of trafficking” 2.2 million ALL and “Different and Equal” 2.5 million All. Also, the success story of the NRM is the involvement of a victim of trafficking in the Witness Protection Program.
 - **2018:** Albanian government enabled the financial support for the employment of 29 social workers for the shelters “Different and Equal”, “Vatra” and “Other Vision”, as well as providing an anti-mafia law enforcement fund for “National Reception Centre for victims of trafficking” 2.2 million ALL and “Different and Equal” 2.5 million All.
- Number of victims of THB who received free legal aid.

- **Vatra:**

The number of victims who received free legal aid, from Vatra’s lawyers:

2015 – 9 victims of trafficking

2016 – 12 victims of trafficking

2017 – 7 victims of trafficking

2018– 3 victims of trafficking

- **Other Vision**

Year	Total	Gender		Age			Nationality		Form of exploitation			Trafficking	
		F	M	6-10	11-14	15-18	alb	foreigner	Begging	Sexual	Street situation	in	out
2015	6	3	3	2	4	0	4	2	1	2	3	4	2
2016	2	2	0	0	1	1	2	0	1	1	0	1	1
2017	5	2	3	1	4	0	2	3	1	1	3	2	3
2018	1	0	1	0	1	0	1	0	1	0	0	1	0

- **National Reception Centre for victims of trafficking:**

All the victims of THB

- **Different and Equal:**

All the victims of THB

- Number of victims of THB who were returned or repatriated to/from your country (disaggregated by sex, age, country of destination, form of exploitation).

Year	No	Sex	Age	Country of destination	Form of exploitation
2015	-				
2016	3	F	1 minor	Albania	Sexual
		F	1 rritur	USA	
		M	1 minor	Kosovo	
2017	8	F	Adult+1minor	Albania	Sexual
		F	Adult+1minor	UK	Sexual
		F	Adult+1minor	Moldavia	Sexual

			F	Adult	Moldavia	Sexual
			F	Adult+2minor	Albania	Sexual
			F	Adult+1minor	Albania	Sexual
			F	Adult	Albania	Sexual
			F	Adult	Albania	Sexual
2018		9	F	minor	Albania	Forced marriage
			F	minor	Albania	Forced marriage
			F	minor	Albania	Sexual
			F	Adult+1minor	Albania	Sexual
			F	Adult	Albania	Sexual
			F	Adult	Italy	Sexual
			F	minor	Sweden	Unaccompanied minor
			F	minor	Sweden	Unaccompanied minor
			M	minor	Sweden	Unaccompanied minor

- Number of investigations into THB cases (disaggregated by type of exploitation, with an indication of the number of victims concerned).

Year	Article 110/a	Article 128/b
2015	3 proceedings	3 proceedings
2016	2 proceedings	4 proceedings
2017	5 proceedings	1 proceeding
2018	-	-

- Number of prosecutions in THB cases (disaggregated by type of exploitation, with an indication of the number of victims and defendants concerned).

			Data on Victims									
Data on recorded cases of human trafficking committed in special forms of co-operation, structured group, criminal organization			M		F			Form of exploitation				
Year	Group articles	Number of registered proceedings	No. of victims	Adult	Minor	Adult	Minor	Sexual	Begging	Forced labor	Adoption	Transplant
	334 333/a 110/a 278/a 283/a	1	0	0	0	0	0	0	0	0	0	0
2016	334 333/a 110/a	1	15	0	0	15	0	15	0	0	0	0

	333/a 110/a											
2017		1	1	0	0	1	0	1	0	0	0	0
Total		3	16	0	0	16	0	16	0	0	0	0

				Data on Victims										
Data on proceedings						M			F			Form of exploitation		
Year	Article	No. of defendants/ persons under investigation	No. of registered proceedings	No. of victims	Adult	Minor	Adult	Minor	Sexual	Begging	Forced labor	Adoption	Transplant	
2015	110/a	22	38	43	20		23		22		21			
	128/b	8	11	10				10	9		1			
2016	110/a	4	18	10			10		9	1				
	128/b	3	8	6		1		5	5			1		
2017	110/a	8	20	16			16		13	2			1	
	128/b	5	6	6		1		5	4	1	1			
2018	110/a	5	12	11			11		9	2				
	128/b	2	5	7				7	4	2	1			
Total		57	118	109	20	2	60	27	75	8	24	1	1	

- Number of convicted perpetrators of THB (disaggregated by sex, age, nationality, form of exploitation).

Year	Serious Crimes Court of First Instance		Appeal Court of Serious Crimes		Supreme Court
2015	11	1 F 10 M	14	1 F 13 M	There are 3 issues examined and decided rejection recourse
2016	22	2 F 20 M	14	14 M	5
2017	7	7 M	5	5 M	6
2018	4	4 M	5	5 M	Four issues were reviewed but no decision has been made

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- Number of convictions for THB, with an indication of the form of exploitation, whether the victim was adult or child, the type and duration of the penalties, and whether they were effectively enforced or suspended.
 - **2015 – 2016 - 2 cases of adult Women, sexually exploited and also convicted for execution in prostitutions. Both cases were convicted with “Obligation to be presented” for 2 years.**
 - **Number of judgments in THB cases resulting in the confiscation of assets.**
 - Number of convictions of legal entities for THB.
 - None