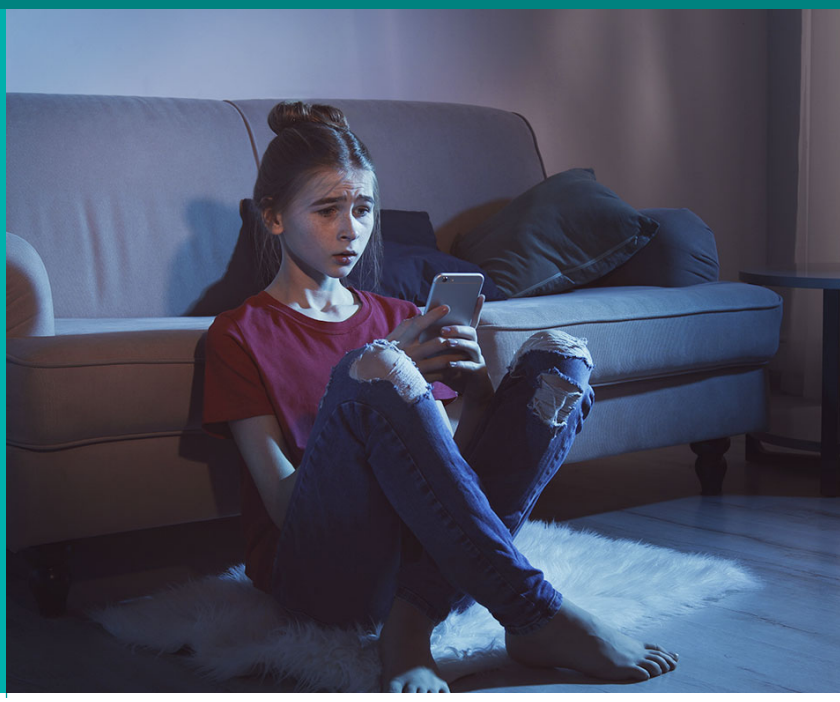
FOURTH EVALUATION ROUND

Measures to prevent and detect vulnerabilities to human trafficking

EVALUATION REPORT

ALBANIA



GRETA

Group of Experts on Action against Trafficking in Human Beings

Implementation of the Council of Europe Convention on Action against Trafficking in Human Beings

GRETA(2025)05

Adopted on 24 March 2025
Published on 18 June 2025

COUNCIL OF EUROPE

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Preamble

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 States Parties. The second evaluation round 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, and the prosecution of traffickers, paying particular attention to measures taken to address new trends in human trafficking, in particular trafficking for the purpose of labour exploitation, and child trafficking. The third evaluation round focused on trafficking victims' access to justice and effective remedies.

For the fourth evaluation round of the Convention, GRETA has decided to focus on vulnerabilities to human trafficking and measures taken by States Parties to prevent them, detect and support vulnerable victims, and punish the offenders. An additional focus concerns the use of information and communication technology (ICT) to commit human trafficking offences, which brings structural changes to the way offenders operate and exacerbates existing vulnerabilities.

A number of provisions of the Convention establishing substantive and procedural obligations are relevant to this topic. The concept of "vulnerability" appears in Articles 4 (definitions), 5 (prevention of trafficking in human beings) and 12 (assistance to victims) of the Convention. According to paragraph 83 of the Explanatory report to the Convention, "by abuse of a position of vulnerability is meant abuse of any situation in which the person involved has no real and acceptable alternative to submitting to the abuse. The vulnerability may be of any kind, whether physical, psychological, emotional, family-related, social or economic. The situation might, for example, involve insecurity or illegality of the victim's administrative status, economic dependence or fragile health. In short, the situation can be any state of hardship in which a human being is impelled to accept being exploited. Persons abusing such a situation flagrantly infringe human rights and violate human dignity and integrity, which no one can validly renounce."

GRETA refers to the ICAT Issue Brief No. 12/2022 on Addressing vulnerability to trafficking in persons which refers to vulnerability as "those inherent, environmental or contextual factors that increase the susceptibility of an individual or group to being trafficked". It classifies vulnerability factors in three categories: personal (e.g. age, gender, ethnicity, disability), situational (e.g. destitution, unemployment, legal status) and contextual (e.g. discriminatory laws, policies and social norms, armed conflicts, crises) factors, which interact and may increase the risk of human trafficking for certain individuals, groups and/or communities.[1] Vulnerability to human trafficking is also subject to intersectional factors, such as gender, belonging to a minority group and socio-economic status.

In addition to the thematic focus on vulnerabilities to human trafficking, GRETA has decided that each State Party will receive country-specific follow-up questions related to recommendations not implemented or partially implemented after the third evaluation round.

GRETA recalls that it has adopted the use of three different verbs - "urge", "consider", and "invite" – which correspond to different levels of urgency for bringing the State Party's legislation and/or practice into compliance with the Convention. Thus, GRETA uses the verb "urge" when it assesses that the national legislation or policies are not in compliance with the Convention or when it finds that, despite the existence of legal provisions and other measures, the implementation of a key obligation of the Convention is lacking. In other situations, GRETA "considers" that it is necessary to make further improvements to fully comply with an obligation of the Convention. By "inviting" a country to pursue its efforts, GRETA acknowledges that the authorities are already on the right track and encourages them to continue existing action.

[1] ICAT Issue Brief No. 12 on Addressing vulnerability to trafficking in persons - Search (bing.com)

Executive summary

This report, covering the period from October 2020 to March 2025, evaluates the measures taken by Albania to prevent vulnerabilities to trafficking in human beings (THB), detect and support vulnerable victims, and punish the offenders. In doing so, it pays particular attention to the use of information and communication technology (ICT) to commit human trafficking offences as well as to the use of technological innovations to prevent THB, protect victims, and prosecute traffickers. The report also evaluates progress made in selected areas examined by GRETA during previous evaluation rounds.

Over the years, the Albanian authorities have taken a series of steps to develop the legislative, policy and institutional framework for action against THB, involve local and regional authorities, and closely co-operate with NGOs and international organisations. In 2021, a new Law on Foreigners and a new Law on Asylum were passed, modifying the rules on access to the recovery and reflection period, residence permits and asylum for victims of trafficking. Further, a new National Referral Mechanism (NRM) was adopted in July 2023, following the conclusion of a co-operation agreement between 15 state and non-state organisations, which expanded the list of agencies involved in the NRM. The authorities have regularly adopted national anti-trafficking action plans. The National Action Plans for 2020-2023 and 2024-2025 make prevention one of their main objectives, with measures such as awareness-raising campaigns, information to vulnerable groups, such as children, Roma and Egyptians communities, asylum seekers and migrants, as well as social and economic measures for these vulnerable groups.

While the number of presumed victims of THB detected in Albania in 2020-2024 has increased compared to the preceding reporting period (672, compared to 330), the number of formally identified victims has gone down (28, compared to 68). The majority of the victims were Albanian girls and women trafficked for the purpose of sexual exploitation within Albania. Forced begging and forced criminality were the second and third most frequent forms of exploitation, affecting mostly boys. The proportion of child victims has increased (nearly 67% of the victims). A significant number of foreign victims (52) was identified in 2024. The numbers of male victims and victims of trafficking for the purpose of labour exploitation continue to be low.

Given the prevalence of children and young people among the victims of THB in Albania, the authorities have taken various preventive measures, including awareness raising and outreach work in Roma and Egyptian communities. While welcoming these efforts, GRETA notes with concern that State Agency for Child Rights and Protection, which co-ordinates the integrated child protection system, lacks sufficient financial and human resources to carry out its responsibilities. GRETA urges the Albania authorities to increase the resources of the child protection services so that they can plan an effective role in the prevention of trafficking in children and the management of children at risks. It also considers that the authorities should provide further training to professionals working with children.

GRETA is concerned that unaccompanied or separated children are at risk of THB due to gaps in the legislation and practice, as well as a lack of services to assist them. GRETA urges the authorities to ensure that unaccompanied or separated foreign children are referred to the child protection authorities, appointed a legal guardian, and provided with safe and appropriate accommodation. It also urges the authorities to train professionals on detecting, interviewing, referring and supporting these children, and to conduct age assessments in line with international standards.

The vulnerabilities related to the gender dimension of human trafficking are addressed through measures aimed at advancing gender equality, notably under the National Strategy on Gender Equality (2021-2030). GRETA considers that the authorities should take additional measures to address the gender dimension of trafficking in human beings, including by raising awareness of the general public aimed at eliminating sexual and gender-based violence as an essential measure to prevent harmful practices leading to trafficking and exploitation of women and girls. Further, GRETA considers that the authorities should decriminalise persons in prostitution, develop exit programmes for persons wishing to leave prostitution and discourage demand for the services of trafficked persons. The authorities should also address the

risks of child and forced marriage, including by amending the legislation, training professionals and raising awareness of the general public.

A significant number of victims of THB assisted by the anti-trafficking shelters belonged to the Roma and Egyptian minorities. While welcoming the adoption of the National Action Plan for Equality, Inclusion and Participation of Roma and Egyptians (2021-2025) and the fact that it includes specific measures on risks of human trafficking among these disadvantaged minorities, GRETA notes that they continue to face important difficulties, particularly in relation to access to education and birth registration. GRETA urges the Albanian authorities to strengthen awareness raising and outreach work with Roma and Egyptians, ensure their access to birth registration, education and other social rights, and involve Roma and Egyptians organisations in anti-trafficking policies and measures.

Measures taken to address the vulnerabilities of persons with disabilities are contained in the National Strategy for Social Protection and the National Action Plan for persons with disabilities 2021-2025. GRETA considers that the Albanian authorities should conduct research into the vulnerabilities of persons with disabilities to trafficking in human beings and develop preventive measures specifically aimed at this group.

Albania has increasingly become a country of transit, and to some extent a country of destination, for asylum seekers, refugees and irregular migrants. GRETA welcomes the adoption of procedures for detecting vulnerabilities among foreigners (pre-screening procedures), but is concerned that they are rarely implemented due to lack of prioritising and insufficient capacities and resources of staff. GRETA urges the authorities to ensure proper vulnerability assessment, strengthen the training of professionals and the monitoring of the pre-screening procedure, and improve the integration of asylum seekers and refugees. In relation to the risks posed by the Protocol with Italy on Migration, GRETA stresses that the Albanian authorities should ensure that the Protocol does not relieve Albania from its obligations under the Convention, notably to prevent THB, and to identify and refer victims to assistance.

Vulnerability to human trafficking affects both Albanian nationals who emigrate abroad for economic reasons, as well as foreign nationals who immigrate to Albania in search of employment. Efforts have been made to facilitate safe labour migration and raise awareness of migrant workers. Nevertheless, there remain concerns that labour inspectors cannot effectively play their role in preventing abuses due to their limited human and material resources. GRETA considers that the Albanian authorities should ensure that all migrant workers enjoy the same rights and protection as Albanian workers, increase inspections of private employment agencies and sectors at high risks of exploitation, provide appropriate resources to the State Inspectorate of Labour and Social Services and further train labour inspectors and other professionals on combating trafficking for the purpose of labour exploitation.

Albanian returnees are considered as a particularly vulnerable group by the Albanian authorities and are thus targeted by specific reintegration policies and measures. GRETA considers that the authorities should reinforce their preventive efforts, in particular by raising awareness of the risks of trafficking of Albanian returnees and strengthening the detection of individual at risk of trafficking among them.

According to NGOs, LGBTI persons are a particular vulnerable group notably due to stigma from their family and the society. While welcoming the adoption of National Action Plan for the LGBTI Community, GRETA considers that the authorities should take steps to address the vulnerability of LGBTI persons to human trafficking, in close co-operation with civil society organisations.

In relation to victim identification, GRETA welcomes the revision of the NRM in 2023, the provision of guidance and training to relevant professionals, as well as the proactive work conducted by mobile units of the specialised NGOs. However, it urges the Albanian authorities to analyse gaps in the implementation of the NRM, ensure that the formal identification of victims of trafficking is not dependent on their willingness to co-operate in the criminal proceedings, and increase the state funding provided to the mobile units of specialised NGOs.

As regards the provision of assistance to victims of THB, GRETA commends the efforts made by the National Coalition of Anti-Trafficking Shelters and the increases in the state funding provided to the

specialised shelters in 2024. However, GRETA is concerned about the numerous challenges faced by victims in their reintegration and considers that the Albanian authorities should provide adequate and sustainable state funding to NGOs for victim assistance, provide adequate accommodation for male victims, improve victims' access to work, vocational training and education, and increase the amount of economic aid for victims of trafficking who leave the shelters and are unemployed.

In July 2022, the Albanian Supreme Court adopted a unifying decision which clarifies the interpretation of the criminal offences of trafficking in adults and trafficking in children and the notion of "abuse of a position of vulnerability" particularly with regard to people with disabilities or mental health problems. GRETA considers that the authorities should strengthen training and guidance to professionals on how victims' position of vulnerability may exist or arise and how its abuse may operate in the context of trafficking.

While welcoming the provision of guidance and training to criminal justice professionals and the important co-operation with international counterparts, GRETA notes that significant gaps remain in the effective investigation, prosecution and punishment of trafficking cases. GRETA is concerned by the low numbers of prosecutions for trafficking in children and convictions in both adult and child trafficking cases, and urges the Albanian authorities to improve co-operation between the police, prosecutor's offices with general jurisdiction and the Special Prosecutor's Office, and strengthen the participation of the Special Structures against Corruption and Organised Crime (SPAK) in cases of human trafficking involving an organised crime element.

ICT is increasingly used to recruit victims of trafficking, control their movements and blackmail them into continuing to be sexually exploited. Cyber security and online safety have received increased attention from the authorities, with the adoption of the National Strategy on Cyber Security and its Action Plan 2020-2025 and the Law on Cyber Security of 2024. Efforts have also been made to raise awareness of vulnerable groups and professionals on risks of trafficking facilitated by ICT. While welcoming these efforts, GRETA considers that the Albanian authorities should develop co-operation with service providers and invest in capacity building and digital tools to conduct proactive investigations and gather electronic evidence in THB cases.

Although no statistics are available on the application of the recovery and reflection period, NGOs reported that in practice very few victims of THB benefit from it. Consequently, GRETA considers that the Albanian authorities should take steps to ensure that all foreigners for whom there are reasonable grounds to believe that they are victims of trafficking are offered a recovery and reflection period.

Following the 2021 Law on Foreigners, a specific residence permit for victims of trafficking has been introduced, which is also available to potential victims. However, no victims or potential victims of trafficking have received a residence permit during the reporting period. GRETA considers that the authorities should ensure that victims can effectively benefit from the right to obtain a residence permit, including because of their personal situation.

While welcoming the measures taken to improve victims' access to legal assistance, GRETA is concerned that NGOs authorised to provide primary legal aid do not receive sufficient funding and the number of victims who have received secondary legal aid remains low. GRETA considers that the Albanian authorities should ensure that trafficking victims are systematically appointed a specialised lawyer to represent them and provide adequate funding to NGOs providing legal assistance.

Since the entry into force of the Convention for Albania in 2008, only two victims of trafficking have been granted compensation by courts, but neither received it. GRETA is concerned that access to compensation continues to be ineffective for victims of human trafficking and once again urges the authorities to facilitate and guarantee such access, including by ensuring that victims can obtain a decision on compensation from the offender as part of the criminal proceedings within a reasonable time, making full use of the legislation on the freezing and forfeiture of assets to secure compensation, and setting a state compensation scheme for victims of THB.

General information on trafficking in human beings in Albania
(covering the period from 2020 until March 2025)

Entry into force of the Council of Europe Convention on Action against Trafficking in Human Beings	1 February 2008
Previous evaluations by GRETA	• First evaluation report (published on 2 December 2011) • Second evaluation report (published on 3 June 2016) • Third evaluation report (published on 15 December 2020)
Co-ordination of national action against THB	• National Co-ordinator against trafficking in human beings: Deputy Minister of the Interior • Office of the National Co-ordinator: Directorate of Anti-Trafficking and Migration Policies (Ministry of the Interior) • Steering Group for Anti-Trafficking (SGA) • Regional Anti-Trafficking Committees
National Rapporteur on THB	The role of National Rapporteur or equivalent mechanism is performed by the Steering Group for Anti-Trafficking. There is no independent or external National Rapporteur.
Specialised bodies and NGOs	• Anti-Trafficking Section of the State Police • National Coalition of Anti-Trafficking Shelters: National Reception Centre for Victims of Trafficking, NGO Vatra, NGO Different and Equal and NGO Another Vision • Other NGOs involved in the National Referral Mechanism: Nisma ARSIS, Terre des Hommes and World Vision Albania
National Strategy/Action Plan	National Action Plans for the fight against human trafficking for 2021-2023 and 2024-2025.
Relevant legislation	• Criminal Code: Articles 110/a (adult trafficking), 128 (child trafficking), 110/b (use of services of victims of trafficking) • Law on Social Assistance • Law on State Guaranteed Legal Aid • Law on Foreigners • Law on Asylum
National Referral Mechanism (NRM)	The National Referral Mechanism, put into place in 2005, was last revised in 2023. The identification of victims of THB is based on Standard Operating Procedures. It is divided in two phases: (1) initial identification of potential victims which can be done by a broad range of actors, including NGOs; (2) formal identification which is done by a team comprising a police officer and a social worker or child protection officer.
Trafficking profile	Albania is primarily a country of origin of victims of trafficking, with a significant number of victims trafficked internally. Most of the identified victims are children. Sexual exploitation is the predominant form of exploitation, targeting mainly girls, while trafficking for the purpose of forced begging is the second most common form, affecting mostly boys. The main countries of destination of Albanian victims are Kosovo*, Italy, Greece, United Kingdom, France, Germany and Switzerland.

**All references to Kosovo, whether the territory, institutions or population, in this text shall be understood in full compliance with United Nation's Security Council Resolution 1244 and without prejudice to the status of Kosovo.*

I. Introduction

1. Albania was amongst the first countries to ratify the Council of Europe Convention on Action against Trafficking in Human Beings ("the Convention") in 2007 and has been in the first group of Parties to be evaluated by GRETA under each evaluation round.

2. Over the years, the Albanian authorities have taken a series of steps to develop the legislative and institutional framework for action against trafficking in human beings (THB), as well as to strengthen co-ordination between relevant actors and international co-operation. These include amendments to the criminalisation of human trafficking and the adoption of a provision on the non-punishment of trafficking victims, the development of Standard Operating Procedures (SOPs) for the identification and referral of victims, and the establishment of a police unit specialised in trafficking cases. In addition, the authorities have regularly adopted national action plans to combat human trafficking, and the membership of the State Committee for the Fight against THB has been progressively enlarged. Efforts have also been made to strengthen collaboration with NGOs. However, after three rounds of evaluation, GRETA concluded that there were continuing gaps in certain areas, such as victims' access to free legal aid and compensation, the effective prosecution and conviction of traffickers, the identification of victims of trafficking for the purpose for labour exploitation and foreign victims of THB, and the provision of adequate funding for victim assistance.

3. On the basis of GRETA's third report, on 4 December 2020 the Committee of the Parties to the Convention adopted a recommendation to the Albanian authorities, requesting them to inform the Committee within a two-year period of measures taken to comply with the recommendation. The report submitted by the Albanian authorities was considered at the 32nd meeting of the Committee of the Parties (16 June 2023) and was made public.[2]

4. On 20 October 2023, GRETA launched the fourth round of evaluation of the Convention in respect of Albania by sending the questionnaire for this round to the Albanian authorities. The deadline for submitting the reply to the questionnaire was 20 February 2024 and the authorities' reply was received on that date.

5. An evaluation visit to Albania took place from 22 to 26 April 2024 in order to hold meetings with relevant governmental and non-governmental actors, collect additional information and examine the practical implementation of adopted measures. The visit was carried out by a delegation composed of:

- Mr Luka Maderić, member of GRETA;
- Ms Conny Rijken, member of GRETA;
- Ms Parvine Ghadami, Administrator in the Secretariat of the Convention.

6. During the visit, the GRETA delegation met officials of the Ministry of the Interior (including the Office of the National Anti-Trafficking Co-ordinator and the State Police), the Ministry of Health and Social Protection, the Ministry for Europe and Foreign Affairs, the Ministry of Economy, Culture and Innovation (including the State Labour and Social Services Inspectorate), the Ministry of Finance, the Ministry of Justice, the Ministry of Education and Sport, the National Youth Agency, the Agency for the Administration of Sequestrated or Confiscated Assets, and the National Authority for Electronic Certification and Cyber Security. Discussions were also held with members of the Supreme Court, the High Judicial Council, the General Prosecutor's Office, the Special Prosecution Office against Corruption and Organised Crime (SPO), as well as of first instance and appeal courts.

[2] Report submitted by the Albanian authorities on measures taken to comply with Committee of the Parties Recommendation CP/Rec(2020)06 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings, available at https://rm.coe.int/report-submitted-by-the-authorities-of-albania-on-measures-taken-to-co/1680aba900 (accessed on 26 August 2024).

7. Furthermore, the GRETA delegation met Ms Erinda Ballanca, People's Advocate (Ombudsperson), and Mr Robert Gajda, Commissioner for Protection from Discrimination (Equality Body). A meeting was also held with staff of the Parliament.

8. In addition to having meetings in Tirana, the delegation met members of the Regional Anti-Trafficking Committee in Durrës, as well as the local mobile unit which carries out outreach work to detect victims of trafficking or persons at risk.

9. In the course of the visit, GRETA's delegation visited the National Reception Centre for Victims of Trafficking in Tirana, an NGO-run shelter for child victims of trafficking in Elbasan, a children's institution in Tirana, as well as the detention centre for foreigners in Karreç.

10. The GRETA delegation held separate meetings with non-governmental organisations (NGOs) and representatives of the International Organization for Migration (IOM), the United Nations Children's Fund (UNICEF), the United Nations High Commissioner for Refugees (UNHCR), the Organisation for Security and Co-operation in Europe (OSCE) and the Delegation of the European Commission in Albania.

11. The list of the national authorities, NGOs and other organisations with which the delegation held consultations is set out in Appendix 3 to this report. GRETA is grateful for the information provided by them.

12. GRETA wishes to place on record the co-operation provided by the Albanian authorities and in particular by Ms Silvana Banushi, General Director for Migration and Asylum Development of the Ministry of the Interior, as well as Ms Alma Bime, Director for Anti-Trafficking and Migration Policies at the same Ministry.

13. The draft version of the present report was approved by GRETA at its 52nd meeting (18-22 November 2024) and was submitted to the Albanian authorities for comments. The authorities' comments were received on 20 February 2025 and were taken into account by GRETA when adopting the final report at its 53rd meeting (24-28 March 2025). The report covers the situation up to 28 March 2025; developments since that date are not taken into account in the following analysis and conclusions. GRETA's conclusions and proposals for action are summarised in Appendix 2.

II. Overview of trends and changes in the legislative, institutional and policy framework for action against human trafficking

14. Albania remains primarily a country of origin for victims of trafficking, but is also to some extent a country of transit and destination. As regards trends, official statistics for 2020-2024 show that the number of potential victims has increased (672 in total), while the number of formally identified victims has significantly decreased (28 in total) compared to the previous reporting period.[3] Further, the proportion of child victims has increased (nearly 67% of the victims).[4] The majority of the potential and/or formally identified victims were Albanian girls and women trafficked for the purpose of sexual exploitation. Forced begging and forced criminality were the second and third most frequent forms of exploitation, affecting mostly boys. A significant number of foreign victims (52) was identified in 2024.[5] The numbers of male victims and victims of trafficking for the purpose of labour exploitation continue to be low (see Appendix I for detailed statistics). The majority of the potential and/or identified victims were trafficked within Albania. As regards transnational THB, Albanians continue to be trafficked to the United Kingdom where they constitute the second nationality of victims referred to the UK National Referral Mechanism,[6] but they are no longer amongst the main nationalities of victims identified in the EU.[7]

15. The Albanian authorities have continued to develop the legislative framework relevant for action against trafficking in human beings. In 2021, a new Law on Foreigners and a new Law on Asylum were passed, modifying the rules on access to the recovery and reflection period, residence permits and asylum for victims of trafficking (see paragraphs 168, 171 and 173). Further, the adoption of a new Criminal Code (CC) has been tabled, which should modify the criminalisation of human trafficking (see paragraph 138). Although it was envisaged in the National Action Plan against THB for 2021-2023, the Albanian authorities have not yet adopted a comprehensive law on the protection of victims of trafficking. While the Convention does not oblige State Parties to include the rights and measures to protect victims of trafficking in a single law, GRETA sees added value in adopting such approach, notably to give more visibility to the issue, facilitate the work of professionals and ultimately improve the protection of victims.

16. The National Referral Mechanism (NRM) was revised in June 2023 through the conclusion of a new Co-operation Agreement between the Albanian authorities and NGOs (see paragraph 104).

17. Concerning the institutional framework for action against trafficking, the role of National Anti-Trafficking Co-ordinator continues to be performed by one of the Deputy Ministers of the Interior. The Directorate of Anti-Trafficking and Migration Policies of the Ministry of the Interior acts as the Office of the National Co-ordinator. However, several interlocutors expressed concerns over its lack of resources, particularly in view of its other competences in the field of migration. GRETA notes with concerns that the State Committee for the Fight against Trafficking in Human Beings[8] was not operational during the reporting period. Pursuant to a Prime Minister Order of 27 December 2024, the State Committee was replaced by the Steering Group for Anti-Trafficking (SGA). Led by the Deputy Minister of the Interior responsible for trafficking issues, it is composed of deputy ministers from relevant ministries and must meet once every six months. The SGA's tasks include overseeing the progress of anti-trafficking policies and actions, improving co-ordination mechanisms, providing strategic priorities to the relevant structures on THB, and making recommendations to the Council of Ministers. GRETA considers that the Albanian authorities should provide adequate human, financial and material resources to the Office of

[3] "Potential victims" includes presumed victims of trafficking, as well as persons at risk of becoming victims of trafficking.
[4] In 2016-2019, there were 330 potential victims and 68 identified victims. Child victims amounted to nearly 60% of all victims.
[5] Country of origins of foreign victims include Belarus, Brazil, Colombia, Egypt, Italy, Kosovo*, Morocco, Peru, the Philippines, Russia, Thailand and Ukraine.
[6] In the UK, 1,705 Albanians were referred to the NRM in 2019, 1,638 in 2020, 2,511 in 2021, 4,613 in 2022, and 4,052 in 2023.
[7] See the European Commission's reports on data collection on trafficking in human beings in the EU for 2018 the European Commission's Statistics and trends in trafficking in human being in the European Union in 2019-2020. This apparent decrease can be explained by the fact that the UK left the EU in 2020 and is therefore not included in the latest statistics.
[8] See GRETA's 3rd report on Albania, paragraphs 19-23.

the National Co-ordinator to enable it to effectively carry out its tasks, and ensure the operation of the new Steering Group for Anti-Trafficking and the implementation of its recommendations.

18. There is still no independent National Rapporteur on trafficking in human beings, although work was announced in this regard during the third evaluation.[9] GRETA recalls its position on the need for a structural separation between monitoring and executive functions in order to have an objective evaluation of anti-trafficking law, policy and practice. The Albanian authorities indicated that there are ongoing plans to review the structure of the People's Advocate to include the role of independent rapporteur for trafficking. GRETA considers that the Albanian authorities should designate as a National Rapporteur a separate organisational entity or another independent mechanism for monitoring the anti-trafficking activities of State institutions.

19. Regional Anti-Trafficking Committees continue to exist in all 12 regions of Albania, assisted by expert roundtables. Some of them have adopted local action plans against THB, such as the one in Durrës. Work is ongoing to review the Government order which established the regional anti-trafficking teams, and GRETA was informed that it seeks to extend their mandate to irregular migration.

20. The National Coalition of Anti-Trafficking Shelters (NCATS), which brings together the government-run shelter and three NGO-run shelters (Another Vision, Different and Equal, and Vatra), remains responsible for victim assistance.

21. The Victim Advisory Board, which was set up in 2019, is supposed to contribute to anti-trafficking campaigns. Its mandate was broadened to providing recommendations on the implementation of the new NRM.[10] However, the Board has never been operational. GRETA was informed that in June 2024 the Albanian authorities held a meeting to activate the Board and designated new members. GRETA stresses the importance of taking into account the experiences and views of survivors to support the design and implementation of measures to prevent human trafficking and protect victims. Referring to the ODIHR Guidance on establishing and maintaining National Survivors of Trafficking Advisory Councils,[11] GRETA invites the Albanian authorities to support the operation of the Victims' Advisory Board.

22. The authorities have regularly adopted pluriannual National Action Plans (NAP) for the fight against trafficking in human beings. The NAP for the period 2021-2023 was adopted in November 2021, in co-operation with NGOs and with the support of the UK government and UNICEF. It had a dedicated budget of 412 million ALL (about 3.3 million Euros), compared to 488 million ALL (about 3.9 million Euros) for the previous plan. The NAP 2021-2023 contained 55 measures, 43 of which were reportedly implemented, 6 partially implemented and 6 not implemented.[12] On 10 July 2024, a new National Action Plan for 2024-2025 was adopted. Drafted with the support of the OSCE and in co-operation with NGOs, it includes measures such as amendments to the legislation, strengthening of the capacities of the police and the judiciary, or revision of the SOPs for the identification of victims of trafficking. A budget of 276.5 million ALL (about 2.5 million Euros) has been earmarked for its implementation over a two-years period. No independent monitoring of the NAP is envisaged; the drafting of progress reports continues to fall under the Directorate of Anti-Trafficking and Migration Policies of the Ministry of the Interior. GRETA considers that the Albanian authorities should commission an external, independent evaluation of the implementation of the National Action Plan as a tool for assessing the impact of the activities and for planning future policies and measures to combat human trafficking.

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[9] See GRETA's 3rd report on Albania, paragraph 24.
[10] See GRETA's 3rd report on Albania, paragraph 25.
[11] OSCE/ODHIR, *Guidance on establishing and maintaining National Survivors of Trafficking Advisory Councils (NSTACs),* 2024.
[12] https://mb.gov.al/wp-content/uploads/2024/10/Raport-monitorimi-per-periudhen-2021-2023_22012024-1-1.pdf (in Albanian, accessed on 4/11/24).

23. GRETA welcomes the measures taken by the authorities to develop the legislative, institutional and policy framework against trafficking in human beings, involve local and regional authorities, and closely co-operate with NGOs and international organisations. However, it notes with concern that, in practice, the laws are not always supplemented with the secondary legislation, administrative framework and public funding needed for their proper implementation, and there is significant dependence on external funding (see paragraph 123). GRETA also noticed during the visit that increased attention was being paid to combating migrant smuggling and identifying irregular migrants. GRETA underlines that this should not be to the detriment of the fight against human trafficking and the identification and protection of victims of THB (see paragraphs 71, 79, 80 and 115).

III. Addressing vulnerabilities to trafficking in human beings

1. Prevention of trafficking in human beings

a. Introduction

24. Prevention is crucial in combating trafficking in human beings. Article 5 of the Convention therefore requires States Parties to establish and/or strengthen effective policies and programmes to prevent THB in co-ordination between relevant public agencies, non-governmental organisations and other elements of civil society. Such policies and programmes should have a particular focus on persons vulnerable to trafficking and professionals concerned with trafficking in human beings, and shall include research, information, awareness-raising and education campaigns, social and economic initiatives and training programmes. In the development and implementation of prevention measures, States Parties are required to promote a human rights-based approach and to use gender mainstreaming and a child-sensitive approach, taking specific measures to reduce children's vulnerability to trafficking. Furthermore, Article 5 of the Convention requires States parties to take measures to enable migration to take place legally. In addition, Article 6 of the Convention places a positive obligation on Parties to adopt measures to discourage the demand that fosters all forms of exploitation of persons which leads to trafficking.

25. In Albania, statistics indicate that most victims of trafficking are children and women (see Appendix I). Although there are no official statistics based on the ethnicity of victims, GRETA was informed that an important share of victims belongs to the Roma and Egyptian minorities which continue to face extreme poverty and marginalisation from the Albanian society (see paragraph 54).[13] Further, mental disorder and intellectual disability are reported as vulnerability factors which are abused by traffickers to exploit victims.[14] Furthermore, Albania has increasingly become a transit country for migrants who want to reach other European destinations, but the identification of presumed victims of THB amongst them is lacking and the support available in Albania is insufficient, notably for unaccompanied or separated foreign children, which increases their vulnerabilities (see paragraphs 41, 74, 71, 73 and 75). There is also an increasing demand for migrant workers for low qualified jobs in high-risk sectors (hospitality and tourism, construction, agriculture, see paragraph 84).

26. GRETA was informed that victims are usually recruited in rural and poor areas, and exploited in larger cities, such as Tirana, Durrës and Vlora, or abroad. The programme "Transforming the National Response to Human Trafficking in and from Albania", implemented by UNICEF as a coalition led with OSCE and the NGOs Terre des Hommes, Vatra, Different and Equal and Another Vision with funding from the UK government, identified four regions (Dibër, Kukës, Shkodër and Tirana) where population are among the most socio-economically excluded and have been more affected by human trafficking.

27. Further, research shows that many victims are recruited by a parent, partner, another family member or friend. In these situations, the emotional bond between the victim and the trafficker negatively affects the victim's ability to self-identify and escape from a situation of exploitation, and increases the risks of re-trafficking. Social media are increasingly being used by traffickers as a tool to contact and control potential victims (see paragraph 154).[15]

28. With a view to reducing vulnerabilities, the National Action Plans for 2020-2023 and 2024-2025 make the prevention of trafficking in human beings one of their main objectives. Measures in this regard include awareness-raising campaigns, information materials to vulnerable groups, such as children and

[13] The Egyptians are an Albanian-speaking community living in Albania whose members define themselves by their ethnic origin and historical roots as descendants of Egyptians, their traditions and cultural heritage. They are considered as an ethnic national minority pursuant to Law 97/2017 "On the Protection of minorities in the Republic of Albania".
[14] According to the National Coalition of Anti-Trafficking Shelters (NACTS), during the reporting period nearly 30% of victims assisted in the shelters belonged to the Roma and Egyptians minorities, and 15% had a mental disorder or an intellectual disability.
[15] Davy, D., (2022) "Trafficked by someone I know: A qualitative study of the relationships between trafficking victims and human traffickers in Albania", UNICEF Albania & IDRA.

Roma and Egyptians communities, sensitisation of the private sector, information to asylum seekers and migrants, as well as social and economic measures for persons belonging to vulnerable groups.

b. Measures to prevent the vulnerability of specific groups to trafficking in human beings

29. This section examines the preventive measures taken with regard to certain vulnerable groups on the basis of the information provided by the Albanian authorities as well as non-state actors. GRETA underlines that not every individual belonging to one of these groups is vulnerable to trafficking *per se*, there are usually additional vulnerability factors involved. The different groups selected should be viewed with due regard to the complexity and intersectionality of vulnerabilities to trafficking.

i. Children and young people

30. In its third report on Albania, GRETA considered that the authorities should strengthen their efforts in the area of prevention of child trafficking, using the results of research on new trends, sensitising and training child protection professionals across the country, and paying increased attention to the link between trafficking in children and the use of information and communication technology (ICT).[16]

31. Given the prevalence of children and young people among the victims of trafficking in human beings in Albania, measures aimed at preventing child and youth trafficking and addressing the root causes of these phenomena are included in numerous policy documents. Apart from the National Action Plans on Trafficking in Human Beings, which includes several activities targeting children and young people, reference can also be made to the National Agenda on the Rights of the Child 2021-2026, the National Youth Strategy 2022-2029, as well as the National Social Protection Strategy 2024-2030. Further, each year the National Youth Agency issues a call for projects with a view to funding youth organisations and other organisations supporting marginalised groups, but no project has directly concerned THB.

32. Several research studies on child or youth trafficking have been conducted during the reporting period. Reference can be made to the UNICEF study "Trafficked by someone I know", published in May 2022, which aimed to strengthen the understanding of the relationship between victims and traffickers, and the effects of these relationships on victim recruitment, control, exploitation, escape and re-trafficking. UNICEF also conducted two sets of surveys on "Knowledge, attitudes and practices of youth regarding human trafficking" in four regions of Albania and among the Roma community.[17] Another study "A typology of child trafficking in Albania" was published by OSCE in 2020.[18] In their comments on the draft report, the Albanian authorities indicated that 13% of the budget of the 2024-2025 National Scientific Programme was allocated to social research related to the prevention of trafficking. Research on the interaction between childhood abuse or neglect and vulnerability to trafficking will be done by the University of Tirana, in co-operation with UNICEF and the Ministry of the Interior.

33. Awareness-raising sessions are regularly conducted in schools, universities, student forums as well as in the community, with a view to sensitising children or young people, their parents and school or university staff.[19] Sensitisation is also done online, on TV or the radio. Further, every year, during the Anti-Trafficking Month (October), a national campaign is organised by state and non-state actors with a view to sensitising institutions and professionals, as well as increasing awareness of the general public. Activities under the campaign include exhibitions in schools, awareness raising activities with pupils and

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[16] See GRETA's 3rd report on Albania, paragraph 153.

[17] Davy, D., and Metanji, B. (2020) *"First Wave Survey Study on Youth Knowledge, Attitudes and Practices with Regard to Human Trafficking, in Four Regions in Albania" Report on Findings.* UK Government / IDRA / UNICEF Albania; Davy, D., and Metanji, B. (2022) "*Survey on knowledge, attitudes and practices of youth regarding human trafficking in four regions of Albania: Second wave. Summary of findings for Tirana, Dibër, Kukës and Shkodër Regions* –" UNICEF Albania and IDRA.

[18] Aidan Mcquade, Julian Rexha and AnilaTrimi, "A typology of child trafficking in Albania", OSCE, 2020.

[19] See the Albanian authorities' report to the Committee of the Parties under the third evaluation round (p. 27-28) and their reply to the GRETA questionnaire under the fourth evaluation round (p. 8-11).

high school students, television programmes and distribution of awareness materials. In 2024, the campaign involved national and local influencers. The risks of trafficking are highlighted during other campaigns, such as the Safer Internet Day (11 February), ~~or~~ the International Children's Rights Day (20 November) or the Week for the Protection of Victims of Crime (in February). Further, training on THB for professionals in contact with children, including educational staff, child protection officers and social workers, is part of the priorities of the National Action Plan.

34. The outreach work of the mobile units of the specialised anti-trafficking NGOs (see paragraph 107) plays an important role in the prevention of trafficking in children and youth, by identifying and sensitising individuals and families at risk, including in the Roma and Egyptian minorities.[20] Members of the mobile units map the risks areas of the region and work with contact points in other institutions, notably the police and the municipalities. They also organise information sessions in the community, schools and universities, as well as focus groups with representatives of public services, such as child protection units. In addition, since 2019, municipalities are obliged to establish field teams to proactively identify economically exploited children, including street children.[21] However, this obligation is not implemented in practice and GRETA was informed that they have not yet been established in many municipalities (see also paragraph 108).[22]

35. Further, the NGO Nisma ARSIS works with children and youth in danger or at risk.[23] In close co-operation with local child protection units, it provides direct support to vulnerable children, youth and families such as children in street situation, Roma and Egyptian children, child victims of abuse, trafficking or exploitation, children without parental care, radicalised children, children returned from other countries, or unaccompanied or separated foreign children. It has an emergency shelter in Tirana for children at risk or victims of abuse or children without parental care. The shelter has the capacity to accommodate 20 individuals for up to 11 days. Finally, ARSIS also conducts prevention and education activities.

36. A system for reporting and managing cases of abuse of children has been set up following Law No. 18/2017 "On the rights and protection of the child". Any employee of public and private institutions, such as teachers, school psycho-social staff or health care staff, has the duty to report to the police or the local child protection units suspicions of a child being abused, neglected, maltreated or found at risk thereof. In case a child at risk of abuse or trafficking is detected, an individual protection plan shall be prepared by a child protection officer and an inter-sectoral technical group at the municipality level shall monitor the management of the case. Further, two one-stop centres for children who are victims of sexual abuse and other serious forms of violence have been set up in the cities of Skhodra and Fier. Located in the premises of the regional hospitals, these centres offer 24/7 services to children, including healthcare and therapy free of charge. It also provides advice and support to parents of the victims. According to official data provided, in 2024, 2,451 cases of children in need of protection have been managed by the Child Protection Units (CPU), including 159 cases of physical violence, 59 cases of sexual violence, 376 cases of psychological violence, 227 cases of children in street situations and 47 cases of trafficked children.[24] Further, the police started investigations for mistreatment of children (Article 124/b of the Criminal Code) in 278 cases in 2020-2024.

37. Children living in institutions as well as those leaving institutions are at greater risk of trafficking. There are 13 public residential institutions for children in the country. According to the authorities, at the end of 2024, approximately 210 children were living in such institutions, which corresponds to a decrease compared to the previous year.[25] GRETA visited the institution “Zyber Haluli” in Tirana which

[20] Mobile units operate in 9 regions: Tirana, Shkodër, Vlorë, Berat, Dibër, Lezhë/Shengjin, Kukës, and Korçë.
[21] Decision of the Council of Ministers No. 129 of 13 March 2019 “On Procedures for the identification, immediate assistance, and referral of economically exploited children, including children in street situation”.
[22] According to the authorities, field teams for street children are operating in 49 municipalities.
[23] https://nisma-arsis.org/ (accessed on 3/11/2024).
[24] The State Agency for the Protection and Rights of Children collects and processes data on cases managed by the Child Protection Units in 61 municipalities which does not concern the entire country.
[25] At the end of 2023, there were approximately 500 children in these institutions.
See: https://www.unicef.org/media/151936/file/Albania-2023-COAR.pdf (accessed on 12/10/2024)

accommodates Albanian children from 6 to 15 years-old without parental care. There were 38 children in the institution (14 girls and 24 boys), of whom the majority belonged to the Roma and Egyptians minorities. The average length of stay is 7 to 8 years. GRETA was informed that staff of the institution regularly raise awareness of children on risks of trafficking. While there have never been cases of children trafficked from the institution, it has received three referrals of potential victims of trafficking in 2023. Staff of the institutions are trained on human trafficking as part of their in-service training. They also co-operate with the specialised NGO Another Vision for case management and awareness raising activities.

38. To support transition from institutional care to family and community-based care, the Albanian authorities adopted the first national deinstitutionalisation plan in 2019. Measures are now included in the National Social Protection Strategy 2024-2030. Two pilot projects have been set up in Vlora and Korça (Child and Family Centres"). Further, standards for mobile social care service and emergency social care have been designed, but have not been broadly implemented so far. In general terms, the deinstitutionalisation process is progressing slowly, notably due to lack of sufficient funding. The number of foster families is low, and civil society has criticized their limited supervision.[26]

39. While welcoming the efforts made to prevent trafficking of children and young people, GRETA is particularly concerned by the large number of victims of trafficking detected among them each year. Many interlocutors underlined that the State Agency for Child Rights and Protection, which co-ordinates the integrated child protection system, lacks sufficient financial and human resources to carry out all its responsibilities. While efforts have been made to provide economic aid to families in need, other forms of support from social services are lacking. It is reported that there are still municipalities without social services,[27] leading many individuals to depend on the support of civil society organisations, and the access to mental health or psycho-social services free of charge is limited. As mentioned in paragraph 27, many child victims are exploited by their family, and this generates challenges for child protection services which are not always equipped to deal with such situations and increases risks of re-trafficking.

40. According to the authorities, in 2023-2024, 108 new cases of unaccompanied foreign children were addressed (29 in 2023 and 79 in 2024). Most of them do not seek asylum in Albania and continue their journey to EU countries. Under the legislation on foreigners and asylum, these children are considered as vulnerable persons and shall be afforded special care. In accordance with the Instruction of the Ministry of the Interior of 2022 (see paragraph 70), if unaccompanied children are detected following the pre-screening procedure, the Border and Migration Police shall, within 12 hours, refer them to a child protection officer. The person shall be presumed to be a child until the age is being determined and cannot be subject to any return decision at the border crossing points. The State Agency for Child Rights and Protection co-ordinates the return of children to their country of origin with their consent, as they do not seek asylum in Albania.

41. However, there are persistent gaps in the legislation and practice that hinder the correct identification and referral of unaccompanied or separated foreign children, as well as a lack of services and facilities to assist them appropriately. A comprehensive assessment of the gaps was conducted by UNICEF in the framework of the programme "Transforming the National Response to Human Trafficking in and from Albania".[28] According to it, the pre-screening procedure is not properly conducted and there is a lack of facilities and officers trained to interview children at borders. There is also no age assessment procedure. Further, children are not systematically referred to a child protection officer, nor appointed a legal guardian, notably if they do not apply for asylum.

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[26] Child Rights Centre Albania (CRCA/ECPAT Albania), Alternative report on the implementation of the Convention on the rights of the child by Albania, July 2022.

[27] Prof. Asoc. Dr. Arlinda Ymeraj, Jolanda Salati and Meriglena Rusta, "Mapping of Social Services in Albania", UNDP, May 2023. According to the authorities, as part of the social fund mechanism, 84 community social centers have been established, and there is at least one community-based service in 61 municipalities.

[28] Fullani, A., Alimehmeti, E., Unaccompanied and Unprotected: Assessing Protection Gaps for Unaccompanied Foreign Children in Albania, UNICEF Albania, Tirana 2023.

42. In addition, under Albanian legislation, unaccompanied or separated children are mostly excluded from accessing public services and facilities. They can be accommodated in temporary reception centres at the borders for up to 15 days, or in the Reception Centre for Asylum seekers in Tirana if they apply for asylum and are above 16. However, in both cases they would be accommodated together with adults and the living conditions in the centres are inappropriate for children. If they are identified as potential victims of trafficking, they can be accommodated in the shelter for child victims of trafficking in Elbasan. However, if they are in none of the previous mentioned categories, which is the case for many of them, there are no centres which can support these children. Over the years, the NGO Nisma ARSIS (see paragraph 35) has tried to fill the gaps by providing services to unaccompanied or separated foreign children in its emergency shelter in Tirana. According to the Albanian authorities, in 2024, the children were also accommodated in the centre of the NGO CARITAS Albania ("Village of Peace") in Shkodra.

43. GRETA shares the concerns expressed by numerous human rights monitoring mechanisms over the situation of unaccompanied or separated foreign children in Albania. It notes that, in December 2023, the Committee on the Rights of the Child called on the Albanian authorities to ensure that pre-screening procedures for unaccompanied or separated foreign children are standardised at all border crossing points, establish a legal status for unaccompanied or separated children, set up separate reception facilities for unaccompanied or separated asylum-seeking children and migrant children, and develop procedures for the interview and treatment of such children. The National Migration Strategy for 2023-2030 includes several measures in this regard, including setting up of a residential centre for unaccompanied foreign children in Babrru which should be finalised in 2026, as well as training of professionals who may come into contact with these children. In 2023, four training activities were conducted on the treatment of unaccompanied foreign children in co-operation with international partners.

44. GRETA urges the Albanian authorities to take additional measures to prevent trafficking of unaccompanied or separated foreign children, and in particular to:

- ensure that all unaccompanied or separated foreign children, including those who do not seek asylum in Albania, are referred to the child protection authorities and appointed a legal guardian;

- provide safe and appropriate accommodation to all unaccompanied or separated foreign children, as well as access to education, health and other services necessary to their needs;

- train professionals likely to be in contact with unaccompanied or separated foreign children (such as officers of the Border and Migration Police, staff of the Directorate for Asylum and Citizenship, and child protection officers) on detecting, interviewing, referring and supporting these children, as well as on detecting victims of trafficking among them (see also the recommendation in paragraph 117);

- ensure that age assessment is conducted in line with international standards, including the Council of Europe Committee of Ministers Recommendation to Member States CM/Rec(2022)22 on human rights principles and guidelines on age assessment in the context of migration.

45. GRETA also urges the Albanian authorities to increase the resources of the child protection services so that they can play an effective role in the prevention of trafficking of children and the management of cases of children at risk.

46. Further, GRETA considers that the Albanian authorities should take additional measures to prevent trafficking of children and young persons, including by:

- continuing to raise the awareness of children, parents and caregivers of the risks of human trafficking (including recruitment and abuse through Internet/social networks), paying particular attention to children in vulnerable situations, including children living in and leaving residential care, Roma and Egyptian children, refugee children and unaccompanied or separated foreign children;

- providing further training on trafficking in human beings to child protection officers and other professionals working with children, such as teachers;

- accelerating the deinstitutionalisation of children with a view to reducing vulnerabilities to trafficking, and ensuring that all children placed under the child protection system have access to secure and appropriate accommodation.

ii. Vulnerabilities related to the gender dimension of human trafficking

47. As mentioned in paragraph 14, Albanian girls and women are mainly trafficked for the purpose of sexual exploitation, while forced begging and forced criminality concerns mostly boys and young men. Human trafficking especially affects those experiencing poverty and social exclusion. Albanian women face lower rate of employment than men and are more likely to be employed in the informal sector, especially women from the Roma and Egyptian minorities.[29] An additional vulnerability factors is domestic and gender-based violence, with many victims of trafficking having suffered this form of violence.

48. A new National Strategy on Gender Equality (2021-2030) was adopted in June 2021 with the support of UN Women. One of its strategic goals is to reduce all forms of harmful practices, gender-based violence and domestic violence, by improving the legislation, providing specialist support services to victims of violence, including victims of trafficking, punishing perpetrators and putting in place rehabilitation programmes, as well as facilitating victims' access to justice.

49. Every year, on the occasion of the International Day for the Elimination of Violence against Women (25 November), a 16-Day campaign is organised by state and non-state actors. GRETA notes that the last GREVIO report on Albania (2024) underlined the limited awareness raising efforts towards specific groups such as Roma and Egyptian women, and the need for a national, long-term campaign targeting domestic violence and other forms of violence against women.[30]

50. Previous GRETA reports have underlined risks of child and forced marriage in Albania, and this remains an issue of concern.[31] Under the Family Code, the minimum age to get married is 18, but a court decision can authorise a marriage before that age. The authorities indicated that child marriage has become very rare and, for the first time in 2022, no marriage of a minor was registered. However, non-state interlocutors reported a prevalence of child marriage (either official, religious or traditional) and teenage pregnancy in the Roma and Egyptian minorities. Further, according to information received during the visit, there have been cases of sham marriage of young Roma women to enable criminals to change their names.[32] GRETA notes that, depending on the circumstances, such cases could amount to trafficking for the purposes of forced marriage.

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[29] See INSTAT, Employment rate and Unemployment rate for 2022.
[30] See GREVIO's 1st thematic report on Albania, paragraph 45.
[31] See GRETA's 2nd report on Albania, paragraphs 16 and 124.
[32] Criminals marry women to take their name, which is possible in Albania, and therefore escape the attention of the authorities.

51. Further, GRETA was again informed of cases of women who were victims of trafficking but who were not identified as such and were convicted for prostitution, which is criminalised under Article 113 of the Penal Code.[33] While these cases raise concerns about the application of the principle of non-punishment under the Convention (see paragraph 146), they also call into question the effectiveness of trafficking prevention. GRETA notes that the criminalisation of persons engaged in prostitution significantly increases their vulnerability to human trafficking by pushing the sex trade underground. This legal approach increases their dependence on exploitative intermediaries, deters them from seeking help from the authorities due to fear of legal repercussions or social stigma and undermines trust in law enforcement. As a result, access to essential support services diminishes and traffickers can operate with greater impunity.

52. GRETA takes note of the latest concluding observations of the UN Committee on Elimination of Discrimination against Women (CEDAW) on Albania (2023) which raised concern over the high number of girls exploited in prostitution and called on the authorities to address the exploitation of women and girls in prostitution and domestic servitude, decriminalise prostitution, reduce the demand for prostitution and provide exit programmes for women wishing to leave prostitution.[34]

53. GRETA considers that the Albanian authorities should take additional measures to address the gender dimension of trafficking in human beings, including by:

- raising awareness of the general public aimed at eliminating sexual and gender-based violence as an essential measure to prevent harmful practices leading to trafficking and exploitation of women and girls;

- decriminalising persons in prostitution, developing exit programmes for women wishing to leave prostitution and discouraging demand for the services of trafficked persons;

- addressing risks of child and forced marriage, including by amending the legislation, training professionals and raising awareness of the general public.

iii. Disadvantaged minorities

54. Roma and Egyptians are the most marginalised minorities in Albania.[35] While the reality of marginalisation faced by each minority is different, both groups face higher poverty rate and obstacles in accessing education, employment, housing and social services, thus increasing their vulnerability to exploitation and human trafficking. As already mentioned, a significant number of victims assisted by the anti-trafficking shelters belonged to the Roma and Egyptian minorities.

55. According to the UNICEF survey on "Knowledge, attitudes and practices of youth regarding human trafficking in four regions of Albania" (2022), Roma youths know less than the general population of the different forms of trafficking, that family members can be traffickers, as well as the way to report cases and the support services available.[36] This underlines the need to improve awareness raising activities towards this vulnerable group. In their comments on the draft report, the Albanian authorities underlined that representatives of the Roma and Egyptians minorities participate in awareness raising activities held during the Anti-Trafficking Month and discussions forums are organised specifically for these minorities.

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[33] See GRETA's 3rd report on Albania, paragraph 91.
[34] UN Committee on the Elimination of Discrimination against Women, Concluding observations on Albania (14 November 2023): https://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=CEDAW/C/ALB/CO/5&Lang=E (accessed on 18/12/2024)
[35] See footnote 12. According to the 2024 official census, 9,813 persons self-declared Roma and 12,375 self-declared Egyptians.
[36] Davy, D., and Metanji, B. (2022) "*Survey on knowledge, attitudes and practices of youth regarding human trafficking in four regions of Albania - Second wave. Summary of findings for Roma*" UNICEF Albania and IDRA.

56. A National Action Plan for Equality, Inclusion and Participation of Roma and Egyptians (2021-2025) was adopted by the authorities in November 2021, with the support of UNDP and the Council of Europe. The estimated cost for its implementation is 4,868,288,376 ALL (more than 39 million Euros). Recognising the vulnerability of Roma and Egyptians to human trafficking, the plan includes as a specific objective to strengthen the capacities for the identification of Roma and Egyptians at risk of trafficking or exploitation and to ensure the referral, protection, and reintegration of trafficked/exploited persons, with dedicated measures such as awareness raising activities and the establishment of field teams for detecting vulnerable children. GRETA notes that, in 2024, civil society representatives expressed concern that many of the plan's commitments had not been implemented.[37]

57. Measures have been taken to improve access to education and reduce school drop out for Roma and Egyptian children, such as the provision of free textbooks, transportation to school and scholarships. A 2022 judgment of the European Court of Human Rights in relation to a school in Korça where between 89-100% pupils were Roma or Egyptian children, considered that the Albanian authorities had failed to implement appropriate desegregating measures in violation of the general prohibition of discrimination.[38] An action plan to implement the judgement has been presented by the Albanian authorities which includes measures such as transforming the school into a community centre school, monitoring and reassessing the enrolment of students in schools in Korça, re-evaluating the system for benefiting from free school transportation, appointment of mediators, awareness raising campaigns, or training of teachers.[39]

58. Roma and Egyptians face difficulties in accessing birth registration in Albania. According to UNHCR statistics, there were 2,126 stateless people in Albania in mid-2023,[40] many of whom are Roma and Egyptians due to the absence of documents in the civil registry. Under the Law No. 18/2017 "On the rights and protection of the child", all children have the right to be registered immediately after birth, without any fee, including children born outside the territory of Albania. However, in cases when the child was born outside an hospital and lacks a birth certificate, or when the parents do not have an identity document or a permanent address, it is difficult to obtain the birth registration. In the absence of registration, access to many services, including social services and economic aid, is rendered impossible. GRETA is concerned by the persistent difficulties faced by the Roma and Egyptians in accessing birth registration and recalls that unregistered individuals are at higher risk of being trafficked.[41]

59. While welcoming the adoption of the National Action Plan for Equality, Inclusion and Participation of Roma and Egyptians (2021-2025) and the fact that it includes specific measures on risks of human trafficking among these groups, GRETA notes that Roma and Egyptian civil society organisations are not sufficiently involved in the development and implementation of anti-trafficking policies.

60. GRETA urges the Albanian authorities to make additional efforts to prevent trafficking in human beings of members of the Roma and Egyptians minorities, including to:

- strengthen awareness-raising and outreach work with Roma and Egyptians on risks of human trafficking;

- ensure access to birth registration, by simplifying the necessary documents and raising awareness among the Roma and Egyptian minorities on the importance of birth registration and on the procedure to be followed;

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37 https://www.reporter.al/2024/05/28/romet-e-shqiperise-denoncojne-mungesen-e-progresit-ne-premtimin-e-qeverise-per-integrim/ (in Albanian, accessed on 23 October 2024)
38 *X and others v. Albania*, n°73548/17 and 45521/19, 31 May 2022.
39 https://hudoc.exec.coe.int/?i=004-61097 (accessed on 3/11/2024).
40 UNHCR, Albania Fact Sheet, September 2023.
41 See GRETA's 6th general report, paragraph 93.

- take additional measures to improve the inclusion of Roma and Egyptians, including their access to education, employment, housing, health care and social services;

- involve Roma and Egyptians organisations in the design and implementation of anti-trafficking policies and measures.

iv. Persons with disabilities

61. Persons with disabilities[42] are not expressly mentioned in the Council of Europe Anti-Trafficking Convention, but their vulnerability to human trafficking is documented in reports issued by GRETA and other international bodies. Amongst the factors which render persons with disabilities vulnerable to THB are dependence on caregivers or support systems, limited access to information and resources, difficulty communicating or advocating for themselves, stigma and discrimination, as well as lack of or limited access to the labour market and decent work.[43] Reference can also be made to the CEDAW General recommendation No. 38 (2020), which states that women and girls with disabilities are a group particularly vulnerable to being trafficked, and calls on States to provide them with special economic and social support[44] and the European Disability Forum position paper on combating trafficking in persons with disabilities.[45]

62. Albania is among the countries with the highest percentage of people with disabilities at risk of being poor or experiencing social exclusion.[46] These risks are even higher for persons with disabilities who are members of the Roma and Egyptians minorities. Persons with disabilities suffer discrimination, and a high number of complaints on these ground is received by the Commissioner for Protection from Discrimination each year.[47]

63. Even though there is no official statistics, nor research on victims of trafficking who were persons with disabilities, GRETA was informed that several victims assisted by the anti-trafficking shelters had an intellectual disability or a mental health disorder.

64. In 2012, Albania ratified the UN Convention on the Rights of Persons with Disabilities. The Ministry of Health and Social Protection is the main institution responsible for designing and implementing social policies targeting persons with disabilities. Measures taken to address the vulnerabilities of this group are contained in the National Strategy for Social Protection and the National Action Plan for persons with disabilities 2021-2025, which intend to take into account the last recommendations of the UN Committee on Persons with Disabilities (2019).[48] The National Action Plan focuses on accessibility of premises, services and information, increasing access to the labour market, inclusive education, social services and healtcare, as well as strenghtening participation in the public and political life.[49]

65. With a view to supporting individuals with disabilities and their families, Law No. 57/2019 on Social Assistance provides for disability support schemes such as a disability payment, the payment of a personal

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[42] According to Article 1 of the UN Convention on the Rights of Persons with Disabilities, persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

[43] See OSCE, Invisible Victims: The Nexus between Disabilities and Trafficking in Human Beings, March 2022, p. 16. More information on the vulnerabilities of persons with disabilities to trafficking can also be found in: European Disability Forum, Position Paper, Recommendations on combatting trafficking in human beings, March 2022.

[44] CEDAW, General recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, paragraphs 40 and 55.

[45] https://www.edf-feph.org/content/uploads/2022/03/EDF-position-on-combatting-human-trafficking-%E2%80%93-review-of-EU-rules-1.pdf

[46] In 2020, about 55% of the population over 16 with disabilities in Albania lived in families that experience risks of poverty and social exclusion. Source: National Strategy for Social Protection 2024-2030.

[47] See annual reports of the Commissioner for Protection from Discrimination.

[48] Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of Albania, October 2019.

[49] https://shendetesia.gov.al/wp-content/uploads/2022/03/Plani-Kombetar-2021-2025_ENG.pdf (accessed on 3/11/2024).

assistant, free access to public transport, bonus for the payment of electricity or telephone. The authorities informed GRETA that efforts have been made to recruit assistant teachers for children with disabilities to facilitate inclusive education. In terms of access to employment, although the Law No. 15/2019 "On Employment Promotion" provides that employers must employ one person with disability for every 25 employees, the secondary legislation necessary for its implementation has not yet been adopted. Further, many municipalities still lack social services for children and adult with disabilities,[50] and access to health care is challenging especially in rural or remote areas.

66. With regard to the deinstitutionalisation of persons with disabilities, according to the authorities, efforts have been made to replace institutions for persons with disabilities with community-based services. Under the Social Fund, 37 community day care services are offered (either public or non-public services), as well as 14 mobile services for children with disabilities. Thanks to EU fundings, a Community Centre for Disability Services has been set up in Prrenjas, in the premise of the local hospital, and provides integrated services to children with disabilities and their families with the involvement of the NGO World Vision.[51] However, as noted in paragraph 38, despite these initiatives, the deinstitutionalisation of care services in Albania is progressing very slow.

67. GRETA takes note of the report of the Special Rapporteur on the right to development following a visit to Albania in 2022 according to which persons with disabilities are confronted with numerous obstacles, including accessibility of buildings and infrastructures, lack of personnel adequately qualified to address their specific needs, lack of schools physically adapted to integrate children with disabilities and insufficient number of teaching assistants. It also underlined that the levels of disability allowances, and funds provided to persons assisting persons with disabilities are insufficient to cover basic needs.[52]

68. GRETA considers that the Albanian authorities should conduct research into the vulnerabilities of persons with disabilities to trafficking in human beings and develop preventive measures specifically aimed at this group. Access to economic, social and health services for persons with disabilities should be developed as a way to reduce vulnerabilities and risks of trafficking of persons with disabilities.

v. Asylum seekers, refugees and irregular migrants

69. Albania has increasingly become a country of transit, and to some extent a country of destination for asylum seekers, refugees and irregular migrants. In 2022, 12,216 migrants in irregular situation were apprehended by the Albanian authorities (compared to 1,049 in 2017), mainly from Syria and Afghanistan. According to the National Migration Strategies, for most foreigners without an entry permit, there is at least some degree of vulnerability involved, whether it is a result of the situation in their country of origin or due to the harsh conditions or exploitation and abuse suffered along the migration routes.[53] Therefore, the National Migration Strategy contains specific measures to address the vulnerability of migrants.

70. In September 2022, a new Instruction of the Minister of the Interior on "Procedures for handling foreigners irregularly staying in the territory of the Republic of Albania" was issued[54]. It requires the officers of the Border and Migration Police to undertake a pre-screening of foreigners intercepted at borders or within the territory and to determine whether they are: a) subject to refusal of entry; b) applicants for international protection; c) potential victims of trafficking; d) irregular immigrants; e) unaccompanied children. During the pre-screening phase, foreigners are placed in closed temporary

[50] See footnote 27.
[51] See the Albanian authorities' reply to the GRETA questionnaire under the 4th round of evaluation, p. 20.
[52] Visit to Albania - Report of the Special Rapporteur on the right to development, A/HRC/54/27/Add.1, July 2023. https://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=A/HRC/54/27/Add.1&Lang=E (accessed on 17/12/2024)
[53] https://albania.iom.int/sites/g/files/tmzbdl1401/files/documents/THE%20NATIONAL%20STRATEGY.pdf (accessed on 3/11/24).
[54] It replaces the Instruction of 2015, which was described in the 3rd GRETA report on Albania, paragraph 159.

accommodation centres at the borders. Representatives of the People's Advocate (Ombudperson) and the NGO Caritas are present at borders to inform foreigners on their rights.

71. However, according to several reports, officers of the Border and Migration Police do not systematically question foreigners about their needs in terms of international protection nor their willingness to apply for asylum. The questioning is very basic and not oriented at the detection of vulnerabilities. In its 2021 activity report, the People's Advocate noted that "there is a need to improve the quality of pre-screening interviews".[55] A report of the Albanian Helsinki Committee, issued in 2023, also criticises the lack of capacities of officers of the Border and Migration Police, the high turnover of staff, as well as the lack of lawyers, psychologists, doctors or translators.[56] With a view to addressing these challenges, the National Migration Strategy 2023-2030 envisages the drawing up of standard procedures, with clear indicators for the identification of vulnerable groups at the border as well as the training of border officers on ethical and effective communication with vulnerable individuals.

72. The number of asylum seekers and refugees in Albania remains low. In the first half of 2023, 142 requests for asylum were made, and 11 persons were granted international protection. The main countries of origin of asylum seekers are Afghanistan, Ukraine, Iraq, Russia, and Pakistan. In most cases, asylum seekers leave Albania within few days after having applied for international protection. In total, as of September 2023, there were 3,830 persons under international protection.[57] Most of them have been given subsidiary protection as no refugee status has been granted by the Albanian authorities since 2018. When the Taliban took power in Afghanistan in August 2021, a few thousand Afghan nationals were given temporary shelter in Albania with a view to being resettled in the US, Canada and other European destinations. However, about 40 are still in the country due to the absence of resettlement.

73. In October 2021, a new Law on Asylum was adopted with a view to further aligning the Albanian legislation with international and European standards.[58] It contains a list of vulnerable persons (referred to as "persons belonging to a special category"), including unaccompanied foreign children, victims of trafficking, and LGBTI persons.[59] Staff of the Directorate for Asylum and Citizenship (Ministry of the Interior), which is responsible for asylum procedures, have the obligation to afford special attention to these persons and to determine their special needs based on an individual assessment. According to the authorities, the individual assessment of applicants is carried out and staff have been trained on the issue. However, GRETA was informed by several interlocutors that in practice the individual assessment is not always carried out, and staff of the Directorate for Asylum and Citizenship lack the capacities to perform such assessment.

74. In the National Reception Centre for Asylum Seekers in Tirana social workers are trained to detect and support persons with special needs, but the proper identification of, and assistance to, vulnerable individuals is hampered by their short time of stay in the centre. The authorities have informed GRETA that at the centre asylum seekers are provided with psychological support, socio-cultural activities, Albanian languages classes, school in case of children, free legal assistance and health care services. They also reportedly have access to brochures and awareness raising activities on trafficking.

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[55] La CIMADE, "Albania: Migration issues in the Balkans", April 2023; Annual Report on the activity of the People's Advocate 2021: https://www.avokatipopullit.gov.al/media/manager/website/reports/PA%202021%20Annual%20Report.pdf (accessed on 3/11/2024).

[56] Albanian Helsinki Committee, "National research paper on smuggling of migrants – Albania", Tirana, June 2023.

[57] Including 3,688 persons from Ukraine, 52 from Serbia and Kosovo* and 23 from Syria.

[58] Law No. 10/2021 on Asylum in the Republic of Albania, adopted on 1st February 2021.

[59] The complete list of "persons belonging to a special category": children, unaccompanied children, persons with disabilities, elderly persons, pregnant women, single parents with minor children, victims of trafficking, victims of genital mutilation, LGBTI persons, persons with serious health conditions, persons with mental health problems/disorders, or persons who have been subjected to torture, rape or some other form of psychological, physical or sexual violence.

75. In terms of integration services, asylum seekers and refugees have the rights to social and health care services, accommodation, education, vocational training and employment.[60] However, in practice, they face difficulties in accessing the labour market due to language barriers, and there is limited support from the authorities to find a job. Further, they do not receive financial aid and have limited access to social services in the municipalities. As a result, many of them heavily depend on the assistance provided by NGOs. GRETA underlines that the lack of measures to facilitate the social and economic integration of asylum seekers and refugees increases their vulnerabilities to exploitation and human trafficking. It notes that the National Strategy on Migration for 2019-2022 included measures to improve the integration of refugees and asylum seekers. The new Migration Strategy for 2024-2030 and Action Plan for 2024-2026, which were adopted in May 2024,[61] include integration measures such as language courses and special programmes for the promotion of employment, vocational training, education and social housing.

76. In the framework of the project "Countering human trafficking and gender-based violence among Afghan asylum seekers in Albania" funded by International Rescue Committee, the NGO Vatra conducted informative sessions for 555 Afghan asylum seekers in Shengjin and Durrës, and provided them with direct assistance and information leaflets in Pashto and Dari.[62] Apart from this activity, the monitoring report of the NAP 2020-2023 does not indicate any other awareness-raising activities carried out.

77. In December 2023, the Albanian authorities concluded a Protocol with Italy in relation to Migration. Two closed centres have been set up in Albania for migrants rescued by the Italian authorities in international waters. With a capacity of 3,000 persons, the centres can hold individuals from countries considered as "safe" by Italy while awaiting a decision on their asylum application under the accelerated procedure, or pending their deportation. Funded by Italy, the centres operate under Italian jurisdiction and the asylum requests are processed by the authorities responsible for international protection in Rome. The Albanian authorities are responsible only for the external security of the centres.[63] The centres have been operational since mid-October 2024, but the few persons transferred to Albania have been returned to Italy following decisions of Italian courts which found the transfers unlawful.[64]

78. GRETA notes that there is a lack of clarity regarding the procedures that are followed to select individuals for transfer to the centres in Albania. It fears that there would be little time and capacity to identify vulnerable individuals, including victims of trafficking, and to respond to their needs, which raises concern with regard to meeting the obligations under the Convention. While recognising that the boats and centres operate under the jurisdiction of Italy, GRETA underlines that the Albanian authorities have accepted this scheme and have the obligation to prevent trafficking through international co-operation and to ensure that the scheme guarantees the identification of victims of trafficking amongst persons transferred to their territory. GRETA refers to the UN Committee on the Elimination of Racial Discrimination (CERD) which called on the Albanian authorities to "take the measures necessary to ensure that the agreement with Italy to establish facilities in Albania for the reception of migrants and asylum-seekers does not undermine the State party's legal obligations under [...] instruments of international human rights and refugee law".[65] In their comments on the draft report, the Albanian authorities indicated that they are committed to ensuring that the Protocol with Italy complies with their international obligations and monitoring the implementation of the Protocol so that it does not undermine efforts to prevent trafficking and protect potential victims. To this end, they have established a national task force led by the Minister of the Interior and composed of relevant institutions. GRETA also notes that UNHCR

[60] See Articles 54 and 63 of the Law on Asylum. For asylum seekers, employment can be accessed (no later than) 9 months after having lodged their application.
[61] https://albania.iom.int/sites/g/files/tmzbdl1401/files/documents/2024-12/nsm-eng.pdf (accessed on 5/3/2024)
[62] Informative leaflet in Pashto language: http://www.qendravatra.org.al/previewdoc.php?file_id=761
Informative leaflet in Dari language: http://www.qendravatra.org.al/previewdoc.php?file_id=759
[63] See in particular Articles 3, 4 and 6 of the Protocol.
[64] Among the nearly 70 migrants transferred to the centres since their operationalization, all of them have been returned to Italy. See: https://www.infomigrants.net/en/post/63018/has-italys-albania-migrant-deal-completely-failed (accessed on 5/3/2025)
[65] Committee on the Elimination of Racial Discrimination, Concluding observations on the combined thirteenth and fourteenth periodic reports of Albania, May 2024.

has agreed to monitor the implementation of the Protocol to ensure that the right to seek asylum is protected and that the processes put in place are consistent with human rights standards.[66]

79. The GRETA delegation visited the Detention Centre for Foreigners in Karreç, which is the only facility that hold individuals pending their removal or expulsion from the Albanian territory. With an official capacity of 125, it was holding 29 foreigners at the time of the visit, including a woman with her adolescent child. Officials of the centre declared that upon arrival, foreigners are interviewed by a reception officer and referred to a psychologist and a doctor. They also indicated that staff of the centre are trained on identifying individuals with special needs, including possible victims of human trafficking. The People's Advocate, IOM and UNHCR have access to the centre. Most detained foreigners are also prosecuted for illegal border crossing or other criminal offences (such as forgery of documents). Access to legal assistance can be provided by lawyers of the Border and Migration Police or by the foreigners' own lawyers. According to the 2023 Annual Report of the People's Advocate, there are continuous problems in the detention centre for foreigners, including lack of doctors, lawyers and translators, which negatively affect the communication with foreigners, lack of cultural and sport activities, and lack of information explaining the rights of detainees.[67] GRETA also noted with concern during the visit that officers of the centre had very limited knowledge of trafficking in human beings and how to detect trafficking indicators in relation to irregular migrants.

80. While welcoming the adoption of procedures for detecting vulnerabilities among foreigners entering Albania, GRETA is concerned that they are rarely implemented notably because of lack of prioritising as well as insufficient capacities and resources of staff. GRETA urges the Albanian authorities to take appropriate measure to prevent human trafficking of asylum seekers, refugees and irregular migrants, in particular by:

- ensuring that a proper vulnerability assessment is carried in respect of all foreigners apprehended at the borders or in the Albanian territory, as well as in the detention centre for foreigners, in order to identify their individual vulnerabilities and needs (see also recommendation in paragraph 117);

- strengthening the training of professionals (notably officers of the Border and Migration Police, the Detention Centre for Foreigners, and staff of the Directorate of Asylum and Citizenship) and monitoring the implementation of the procedures on the detection of vulnerable individuals and the referral of cases;

- further raising awareness of asylum seekers, refugees and irregular migrants on their rights and risks of human trafficking;

- improving the social and economic integration of asylum seekers and refugees, notably their access to education, employment and vocational training.

81. Further, GRETA considers that the Albanian authorities should take measures to ensure that the Protocol with Italy in relation to migration does not relieve Albania from its obligations under the Convention, notably to prevent trafficking in human beings, as well as to identify possible victims of trafficking and refer them to assistance.

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[66] https://www.unhcr.org/europe/news/press-releases/italy-albania-protocol-unhcr-undertake-monitoring-activities-safeguard-and (accessed on 5/3/2025).

[67] https://www.avokatipopullit.gov.al/media/manager/website/reports/FINAL-RAPORTI%20VJETOR%202023.pdf (in Albanian)

vi. Migrant workers

82. Vulnerability to human trafficking affects both Albanian nationals who emigrate abroad for economic reasons, as well as foreign nationals who immigrate to Albania in search of employment. According to estimates, about 1.2 million Albanians live abroad, representing close to half of the country's population.[68] Emigration is primarily driven by economic reasons, in particular low wages and unemployment which affect youth and women to a greater extent.[69]

83. As a consequence of this important departure of Albanian citizens as well as of the ageing of the population, the demand for migrant workers has increased in recent years. At the end of 2023, more than 21,000 foreigners were regularly residing in Albania (compared to 12,000 in 2015), of which about 50% for employment reasons. While Italians, Turks and Kosovars constitute the largest groups of immigrants, there has been a growing number of workers from the Philippines, Bangladesh, India and Nepal in different sectors such as construction, agriculture, hospitality or seasonal work which are characterized by a higher informality.[70]

84. Measures in relation to labour migration have been implemented in the framework of the National Strategy on Migration and its Action Plan for 2019-2022 which included amongst its objectives to develop an effective labour migration policy, as well as to promote and protect migrants' rights and their integration. The new National Strategy for 2024-2030 and the Action Plan for 2024-2026, adopted in May 2024, seek to achieve similar objectives.[71]

85. Bilateral labour mobility agreements have been concluded to facilitate safe migration of Albanian seasonal workers to other countries, particularly Germany (in 1991), Greece (in 1996) and Italy (in 1998). However, since the introduction of the visa free regime in 2010, most emigration to these EU countries has happened informally or outside the agreements, with a growing number of persons arriving legally but irregularly staying as seasonal workers. Further, there has been an increased demand for bilateral agreements with other countries such as the UK, France and Germany, but they have not yet been concluded. GRETA was informed that bilateral agreements are being drafted with the Philippines, Indonesia and Kosovo and would facilitate access of workers from these countries to the Albanian labour market.

86. Measures have been taken to simplify access to work permits for migrant workers in Albania. Pursuant to the new Law on Foreigners, migrant workers can work in Albania based on a "single permit" which can be applied for online and is reviewed by a regional office for border and migration. It is granted after approval of the National Agency for Employment and Skills (NAES) which has to check that the foreigner has not been recruited to work under less favourable working conditions than the Albanian workers in the same position, and that the wage, working hours and other working conditions are in compliance with Albanian legislation.[72] Change of employers is possible. The new Law on Foreigners also provides for the possibility to approve annual quotas of migrant workers based on the sectors and occupations with labour shortage, but this provision has not yet been applied. The number of permits for migrant workers has increased over the years.[73] During the visit, several interlocutors expressed concerns

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[68] World Bank, International mobility as a development strategy: Albania Country Report, June 2024.
[69] In 2021, the unemployment rates of youth were 27.1 % and of women 11,8%, compared to 11.5% for the general population. Source of data: National Strategy for Employment and Skills 2023-2030.
[70] Source: ISTAT data on foreigners in Albania for 2023. https://www.instat.gov.al/en/themes/demography-and-social-indicators/migration-and-migrant-integration/publications/2024/foreigners-in-albania-year-2023/ (accessed on 17/12/2024)
[71] https://mb.gov.al/wp-content/uploads/2024/05/Strategjia-Komb%C3%ABtare-p%C3%ABr-Migracionin-2024-2030.pdf (in Albanian, accessed on 3/11/24).
[72] Article 74 of the Law on foreigners.
[73] According to information provided during the visit, in 2023 9,825 single permits were granted to foreigners (compared to 1,705 in 2017), of which 8,910 were granted for the first time. Most beneficiaries were men (75%) from non-EU country (90%) and concerned the sectors of processing industry (25%), tourism (11%), construction (10%) and agriculture (7%).

about migrant workers who arrive in Albania on a single permit and quickly move to EU countries where they stay irregularly and are at risk of being exploited and abused.

87. The authorities have introduced awareness raising measures for migrant workers. The NAES provides information on its website on workers' rights in Albanian and English. It is intended for both Albanian workers who want to emigrate abroad, and foreign workers who are coming to Albania. Further, "migration counters" have been established at regional or local employment offices of NAES to provide pre-departure information to Albanian citizens seeking employment opportunities abroad. However, GRETA was informed that the capacities of the migration counters are limited, notably to provide updated information on opportunities abroad.[74] Further, it seems that no proactive information is provided to migrant workers prior to arriving in Albania, notably at the time of requesting a work permit.

88. The State Inspectorate for Labour and Social Services (SLISS) has the mandate to check the working conditions of migrant workers, whether employed regularly or irregularly. It can enter work premises without prior notice, or complaint. Inspections in residential premises can take place following a complaint from the worker and with the approval of the Chief Inspector of the SLISS and co-operation of the police. With the technical support of ILO and financial support of the EU, two digital systems have been developed with a view to improving the risk-based planning of labour inspections ("Matric of Penalties 2.0" and "Risk Assessment System").[75] GRETA was informed that labour inspectors use dedicated checklists for specific sectors, construction and private employment agencies. However, in general terms, there remain concerns that labour inspectors cannot effectively play their role in preventing abuses in the employment sphere, due to a low number of labour inspectors (113 in 2023) and the lack of sufficient material resources to access remote areas.[76] GRETA recalls the importance of ensuring that the allocated human resources are sufficient to guarantee the effectiveness of labour inspectors, and refers to the relevant standards established by ILO.[77]

89. Efforts have also been made to mitigate the risks of abuses when migrant workers are employed through the mediation of private employment agencies. According to the relevant regulations,[78] the private activity of mediation in employment can only be exercised by private employment agencies which are licensed by the Ministry of Finance and Economy and registered in the National Business Centre. The agency cannot impose direct or indirect fees on workers, except for the payment of the necessary expenses for completing the administrative file of each jobseeker, and it must notify the job seeker of the working and employment conditions before starting the employment relationship.[79] In 2022, National Guidelines on Ethical Recruitment for Labour Recruiters, Employers and Migrants were issued with the support of IOM Albania. They contain information on national and international standards and are intended to both private employment agencies, companies employing migrant workers, and migrant workers themselves.[80]

90. Based on an Order of the Minister of Finance and Economy, a comprehensive monitoring of the activities of private employment agencies was carried out in 2022 by the SLISS in 89 entities. It resulted that 14% of agencies checked were applying fees on workers. Fines were issued by the SLISS, which also referred 5 agencies for the revocation of the licence. It was brought to GRETA's attention that the planned monitoring of private employment agencies conducted only concerned private employment agencies

[74] See the National Migration Strategy for 2019-2022, p. 23.
[75] ILO project "Employment and Social Affairs Platform phase two (ESAP2)".
[76] ILO, Regional Peer Review Report of the Labour Inspectorates of Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia and Serbia, published in 2023.
[77] See ILO, Guidelines on general principles of labour inspection (2022), pp. 20-21. See also ILO, Committee on Employment and Social Policy, Strategies and practice for labour inspection (2006) GB.297/ESP/3, paragraph 13.
[78] Decision of the Council of Ministers No. 101 of 23 Feb. 2018 "On the organisation and operation of private employment agencies" and No. 286. of 21 May 2018 "On special rules for temporary employees who are employed by temporary employment agencies".
[79] See the Albania authorities' reply to the GRETA questionnaire under the fourth evaluation round, pages 29-30.
[80] https://inspektoriatipunes.gov.al/wp-content/uploads/2023/01/National-Guidelines-on-Ethical-Recruitment-for-PEAs-Business-and-Migrants-30-07-2022-1.pdf (accessed on 3/11/24).

licensed by the state. Inspections in unlicensed agencies are carried out on a case-by-case basis, following a complaint, denunciation or other suspicions.

91. Migrant workers may submit complaints anonymously regarding their employment to the SLISS. The website of the SLISS is available in Albanian and in English. If irregular migrant workers are detected, the labour inspectors inform the Border and Migration Police. GRETA is concerned that the obligation to refer irregular migrant workers to the police, coupled with the absence of avenue to legalise their stay, may deter them from reporting their exploitative situation to the authorities and therefore increases their vulnerability to trafficking. Further, migrant workers in an irregular situation cannot join trade unions. As mentioned in paragraph 114, very few victims of trafficking for the purpose of labour exploitation have been identified. GRETA observed during the visit a lack of awareness of professionals on labour exploitation and the vulnerability of migrant workers to labour trafficking.

92. Referring to its Guidance Note on combating trafficking for labour exploitation[81] and the Council of Europe Committee of Ministers Recommendation to Member States CM/Rec(2022)21 on preventing and combating trafficking in human beings for the purpose of labour exploitation,[82] GRETA considers that the Albanian authorities should take measures to:

- ensure that all migrant workers enjoy the same rights and protection as Albanian workers;

- increase inspections of private employment agencies (including those operating de facto) and in sectors at high risks of exploitation;

- provide appropriate human and material resources to the State Inspectorate of Labour and Social Services so that it can carry sufficient labour inspections;

- provide further training on trafficking in human beings to labour inspectors, staff of migration counters and other relevant officials, with a focus on vulnerabilities that lead to THB and on early detection of cases of THB for the purpose of labour exploitation;

- put in place practical co-operation and data sharing agreements between labour inspectors and law enforcement in order to ensure that personal information of workers, whether collected in the course of labour inspections, joint inspections, reporting or complaints mechanisms, is not used for immigration enforcement purposes, but to tackle the perpetrators of trafficking offences;

- raise awareness among the general public as well as, in a targeted manner, among migrant workers, about the risks of THB for the purpose of labour exploitation, the rights of victims of trafficking, and workers' rights under labour laws.

[81] https://rm.coe.int/guidance-note-on-preventing-and-combating-trafficking-in-human-beings-/1680a1060c.
[82] https://rm.coe.int/booklet-preventing-and-combating-trafficking-in-human-beings-for-the-p/1680aa08ef.

vii. Albanian returnees

93. Albania remains an important source country of migrants and asylum seekers to European countries such as the UK, France and Germany. It is not possible to know how many Albanians have returned following the rejection of their application for international protection or their detection as irregular migrants as many may come back autonomously. However, the authorities have noticed an increase of Albanian returnees.[83]

94. The IOM has been implementing the Assisted Voluntary Returns (AVR) and Assisted Voluntary Returns and Reintegration (AVVR) programmes for Albanian nationals returning mainly from the UK, Belgium, Germany, Netherlands, Norway, Italy, Hungary, and Switzerland. While the individual assessment and reintegration plan are drafted by IOM in the departure country, IOM Tirana provides reception and reintegration assistance for the returnees upon arrival and monitors the reintegration process for up to 12 months.[84]

95. With regard to unvoluntary returns, several readmission agreements have been concluded by the Albanian authorities with foreign counterparts, including the EU since 2005 and the UK in 2021. GRETA was informed that the People's Advocate has continued to monitor voluntary or forced repatriation operations of Albanians, notably from France. In 2022, it monitored 23 repatriation operations and has recommended on several occasions to the authorities to detect trafficking indicators among returnees.

96. Returnees are considered as a particularly vulnerable group by the Albanian authorities and are thus targeted by specific reintegration policies and measures. Upon return, they are interviewed in migration counters of the National Agency for Employment and Skills and are registered as job seekers with specific needs with a view to facilitating their integration into the labour market. However, as mentioned in paragraph 87, the capacities of the migration counters are limited. Reintegration services are also provided by NGOs, such as Terre des Hommes which participated in the project "Sustainable Socio-Economic Reintegration of Returned Migrants in Albania" funded by the German Agency for International Development (GIZ) from 2021-2023.[85]

97. While welcoming the efforts made to address the vulnerabilities of Albanian returnees, GRETA considers that the Albanian authorities should reinforce their preventive efforts, in particular by:

- raising awareness of the risks of trafficking of Albanian returnees and further developing opportunities for their social and economic reintegration in Albania;

- strengthening the detection of Albanian returnees at risk of trafficking, including by migration counters.

viii. LGBTI persons

98. There has been no research on the vulnerability to trafficking in or from Albania based on the sexual orientation or gender identity. However, civil society considers that LGBTI persons are a particular vulnerable group notably due to stigma from their family and the society. In 2020, the Law on the protection from discrimination was amended to cover new grounds of discrimination such as sexual orientation, gender identity and sex characteristics. Information from civil society suggests that cases of discrimination, violence and hate speech against LGBTI persons are underreported. Transgender women are considered as particularly vulnerable to discrimination, violence and other abuses. GRETA was

[83] Source: National Strategy for Employment and Skills 2023-2030.
[84] https://albania.iom.int/sites/g/files/tmzbdl1401/files/documents/ASSISTED%20VOLUNTARY%20RETURN%20AND%20REINTEGRATION_1.pdf (accessed on 3/11/24).
[85] https://tdh-albania.org/en/sustainable-socio-economic-reintegration-returned-migrants-albania (accessed on 3/11/24).

informed that since 2024 one transgender child from Albania has been accommodated in the state shelter as potential victim of trafficking. However, the case has not been investigated.

99. On 18 November 2021, the Albanian authorities approved the third National Action Plan for the LGBTI Community in Albania (2021-2027), with the support of the EU and the Council of Europe. Measures of the plan are articulated around the following goals: 1) improving the access to public services and specialised support, 2) ensuring protection and security for LGBTI people, and 3) creating an inclusive, accepting and non-discriminatory society.[86] However, the lack of financial resources for the implementation of the NAP was criticised by civil society actors met by GRETA.

100. The NGO Streha operates a shelter for LGBTI people who have experienced violence and discrimination, or who are homeless due to family rejection. The shelter is partially funded by the Albanian authorities. It has 8 beds, and the average length of stay is six months. The NGO also provides support to Albanian LGBTI persons abroad. GRETA was informed that about half of the persons assisted by it are transgender and nearly 80% are (or were) involved in sex work.

101. GRETA takes note of the report the UN Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity (July 2024).[87] According to it, while the Albanian authorities have made progress in aligning domestic laws and policies with international standards, there are gaps in their implementation notably due to lack of financial and human resources. It also underlined the difficulties faced by LGBTI persons in accessing education, with cases of bullying based on the sexual orientation or gender identity that led to school drop-out, or accessing employment, with a high proportion of LGBTI persons who indicated working in the informal sector.[88]

102. While welcoming the adoption of National Action Plan for the LGBTI Community and the commitment of Albanian authorities to protect the rights of LGBTI persons, GRETA considers that the authorities should take steps to address the vulnerability of LGBTI persons to trafficking in human beings, in close co-operation with civil society organisations.

2. Measures to protect and promote the rights of victims of trafficking

103. Chapter III of the Convention provides for a series of measures to protect and promote the rights of victims. In the first place, it is of paramount importance to identify victims of trafficking correctly as identification enables them to benefit from the other measures and rights contained in the Convention. Pursuant to Article 10 of the Convention, States Parties shall ensure that the authorities competent to identify victims of trafficking have persons trained and qualified to perform the identification, and that these authorities collaborate with relevant support organisations in the identification process. Further, Article 12 of the Convention sets out the assistance measures which States Parties must provide to trafficking victims. Paragraph 7 of this article requires Parties to ensure that services are provided taking due account of the special needs of persons in a vulnerable position as well as the rights of children. Given the relevance of victim identification and assistance to the thematic focus of the fourth evaluation round of the Convention, this part of the report examines the application of these two provisions. Other provisions of Chapter III of the Convention, which have been examined in detail by GRETA during the previous evaluation rounds, are discussed in the chapter of the report entitled “Follow-up issues”.

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[86] https://shendetesia.gov.al/wp-content/uploads/2022/01/LGBTI-NAP-2021-2027-EN-final.pdf (accessed on 3/11/24).
[87] 20240712-eom-stm-albania-ie-sogi-eng.pdf (accessed on 18/12/2024)
[88] https://www.ohchr.org/en/press-releases/2024/07/albania-government-must-act-counter-stigma-and-discrimination-against-lgbt (accessed on 09/10/2024)

a. Identification of victims of THB

104. Albania adopted a new National Referral Mechanism (NRM) in July 2023 following the conclusion of the "Co-operation Agreement for the Functioning of the National Referral Mechanism for Victims and Potential Victims of Trafficking" between 15 state and non-state organisations. Drafted with the support of the OSCE, it expands the list of agencies involved in the NRM by including the Ministry of Finance, the State Agency for the Rights and Protection of the Child, the State Inspectorate of Labour and Social Services (SLISS), the Directorate of Free Legal Aid, the State Agency for the Administration of Seized and Confiscated Assets, and the National Agency for Employment and Skills. The agreement describes in detail the obligations of each participatory organisation.

105. The identification procedure remains as described in GRETA's 3rd report.[89] According to the "Standard Operating Procedures for the identification and referral of victims and potential victims of Trafficking" (SOPs), there are two phases of identification: (1) initial identification, which may be carried out by a broad range of actors, including NGOs, following an initial interview; (2) formal identification, which is performed by a team comprising, in case of adult victims, a specialised police officer and a social worker, and for child victims, a specialised police officer and a child protection officer. The SOPs contain lists of indicators and the procedures to be followed. The National Action Plan for the fight against trafficking 2024-2025 foresees the revision of the SOPs. To this end, an inter-institutional working group composed of relevant organisations was set up in December 2024 and held its first meeting in February 2025. GRETA would like to be kept informed in the revision of the SOPs.

106. The co-ordination of the NRM and the monitoring of the implementation of the SOPs are performed by the so-called "Responsible Authority" which comprises representatives of state and non-state organisations. In September 2023, its composition was enlarged, reflecting the extension of the NRM.[90] The tasks of the Responsible Authority are described in the "Regulation on Organisation and Functioning of the Responsible Authority for the Identification, Referral, Protection and Reintegration of Victims or Potential Victims of Trafficking" which entered into force in May 2024.

107. With a view to detecting possible victims of trafficking among vulnerable groups, mobile units have continued to operate in the country (see also paragraph 33). They consist of two social workers of NGOs and target locations with individuals at risk. They work on the basis of standards which were drafted in 2019 by the NGO Different and Equal.[91] The number of mobile units has increased to 9 (compared to 3 in 2019), but at the time of the GRETA visit the activities of the mobile unit of Shëngjin had been suspended due to lack of funding. A new mobile unit will be established for the southern border areas, with the support of the GIZ. GRETA commends the increase in the number of mobile units and the significant work conducted by them since they have identified most potential victims of trafficking (about 80%). However, the mobile units mostly operate under temporary fundings from external donors. GRETA notes that the NAP 2024-2025 envisages to increase the funding of the mobile units from the state budget.

108. As mentioned in paragraph 33, some municipalities have also set up field teams for the detection of economically exploited children, including street children. The National Agenda on the Rights of the Child 2021-2026 envisages the drafting of a joint ministerial instruction for the setting up of a single field team to identify, refer, and manage all cases of children in need of protection, including children in street situation, economically exploited children and trafficked children. GRETA is concerned that the merging of the mobile team for persons at risk of trafficking and the field team for economically exploited children may affect the outreach work towards all persons at risk of trafficking as many victims are not children nor in a street situation.

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[89] See GRETA's 3rd report on Albania, paragraph 154.

[90] The "Responsible authority" was enlarged with representatives of the State Inspectorate for Labour and Social Services, State Agency for the Rights and Protection of the Child and the National Agency for Employment and Skills,

[91] https://differentandequal.org/en/standardet-e-sherbimit-te-njesive-levizese-per-identifikimin-dhe-referimin-e-viktimave-viktimave-te-mundshme-te-trafikimit/ (accessed on 3/11/24)

109. Efforts have been made to provide guidance to relevant professionals on identifying victims of trafficking. The Ministry of the Interior, in co-operation with the NGO Vatra, produced brochures on the implementation of the SOPs for consular staff, mobile units, local social services, labour inspectors, educational and health staff, which were distributed in 9,000 copies. Further, in 2024, OSCE published a "Guide on the implementation of the National Referral Mechanism" in Albania,[92] as well as guidance for child protection workers (2024) and a handbook for police officers (2022). The last two documents contain recommendations to professionals on identifying and interviewing victims of trafficking.[93]

110. Training activities were also organised during the reporting period. In 2021, as part of the programme "Transforming the national response to human trafficking in and from Albania", about 60 social workers, police officers, labour inspectors, prosecutors and members of NGOs, participated in a simulation-based training provided by OSCE to enhance their ability to identify and assist victims of trafficking, as well as to investigate cases. Simulation based training with OSCE was reiterated in 2024 for 50 professionals. In addition, numerous training activities have been organised on human trafficking under the NAP as well as on cross-cutting issues such as responding to cases of abuses against children, harassment and violence in the workplace, or migrant smuggling.[94] In their comments on the draft report, the authorities indicated that further training has been organised in 2024, notably for child protection officers and healthcare staff. However, despite the provision of guidance and training, GRETA notes that several officials met during the visit had limited knowledge of THB.

111. GRETA has paid particular attention to the awareness of staff working in prisons and remand prisons to the issue of THB, due to the fact that some victims of trafficking might be detained/imprisoned as a result of the failure to carry out the identification procedure and apply the non-punishment principle. However, no such sensitisation has been provided to prison staff in Albania. In their comments on the draft report (February 2025), the authorities indicated that a co-operation agreement was recently signed between the General Directorate of Prisons and the NGO Vatra, and training sessions for prison staff on human trafficking are planned in 2025.

112. GRETA notes that there are important discrepancies between the numbers of potential victims and formally identified victims. According to official statistics, there were 509 potential victims in 2020-2023, but only 13 formally identified victims (see Appendix I). NGOs reported that victims are often not invited by the police for the formal identification interview, especially if the victims do not want to participate in the criminal proceedings. Although requested by GRETA, no information was provided on the number of potential victims who were invited to participate in the formal interview, but only on the number of victims identified following a formal interview (15 in 2024). The Albanian authorities explained that all cases of potential victims are followed up by the police, and that it often happens that the status of "identified victim" is not granted because the facts of trafficking are not confirmed, or the facts indicate that another offence was committed. They also argued that, irrespective of the outcome of the formal identification, potential victims benefit from the same support as identified victims and can be accommodated in the specialised shelters. However, GRETA notes that the support received by potential victims is not strictly the same as identified victims, notably they do not have access to the recovery and reflection period (see paragraph 168). Further, GRETA underlines that having a number of identified victims which is as accurate as possible is important for several reasons. It is an important indicator of the effectiveness of the multi-agency co-operation in the victim identification and referral system. It is also crucial for better understanding the phenomenon of trafficking and to take appropriate measures to remedy it. GRETA

[92] https://www.osce.org/files/f/documents/e/e/570942.pdf (in Albanian, accessed on 3/11/24).

[93] https://www.osce.org/files/f/documents/3/1/573797.pdf and https://www.osce.org/files/f/documents/8/f/513298.pdf (in Albanian, accessed on 3/11/24).

[94] See the Albanian authorities' reply to GRETA's questionnaire under the fourth evaluation round, pages 12-13, 28, 34, 37 et al. In their comments on the draft report, the Albanian authorities referred to numerous training activities conducted in 2024, notably several simulation-based training sessions, a training for police officers and child protection officers on the early identification of and support to child victims of trafficking, and others for health care professionals in order to detect signs of trafficking and to respond to the medical needs of victims.

notes that the draft NAP for 2024-2025 provides for an analysis of the problems in the implementation of the SOPs and stresses that this analysis should address the shortcomings in the formal identification phase.

113. According to information obtained during the visit, the police detected 18 potential and/or formally identified victims in 2020, 9 in 2021, 44 in 2022, 8 in 2023 and 40 in 2024 (compared to an average of more than 100 victims in total each year). Non-state actors indicated that the police lack time and capacities to carry out proactive identification of victims and that most victims primarily identified by the police were detected after being arrested for prostitution.

114. The number of victims of labour trafficking has increased but continues to be very low (43 out of 700 victims or potential victims in 2020-2024, compared to four during the previous reporting period). The revision of the Memorandum of Understanding between relevant ministries and agencies (including SLISS) on "Cooperation procedures for the identification of cases of forced labour and trafficking for the purpose of labour exploitation" has been ongoing since 2020, but in their comments on the draft report the authorities indicated that a revised document has been sent for signature. Further, despite the provision of training, the number of potential victims detected by labour inspectors was only five in 2020-2024. As explained in paragraph 88, there are concerns with regard to the human and material resources of the SLISS that would not allow to effectively prevent trafficking and detect possible victims.

115. In 2020-2024, 65 foreigners were identified as (potential) victims of trafficking out of 700 victims in total. Most of them were identified in 2024 (82%). Two of them were unaccompanied foreign children from Syria and Afghanistan who were later granted international protection. Officials of the detention centre for foreigners of Karreç reported a high number of potential victims of trafficking detected in the centre (16 in 2020, 32 in 2021, 24 in 2022 and 29 in 2023). Subsequently, it became clear that they had been smuggled, and not trafficked. As mentioned in paragraph 71, there is insufficient screening of vulnerabilities of migrants, including victims of trafficking, at borders or in the territory of Albania because of shortage of staff and lack of capacities. Further, there have been allegations of pushbacks at the border between Albania and Greece.[95] While these allegations have been denied by the Albanian authorities, GRETA stresses that pushbacks impede the detection of victims of THB amongst irregular migrants and asylum seekers and raise concerns as regards Albania's compliance with certain obligations of the Convention, including the positive obligations to identify victims of trafficking and to refer them to assistance, as well as to conduct a pre-removal risk assessment to ensure compliance with the obligation of non-refoulement.

116. While welcoming the revision of the NRM, the provision of guidance and training to relevant professionals, as well as the proactive work conducted by mobile units of the specialised NGOs, GRETA is concerned by the persistent shortcomings in the identification of victims of trafficking in Albania and the fact that the formal identification process continues to be closely linked with the willingness of the victims to co-operate in the criminal investigation.

117. Consequently, GRETA urges the Albanian authorities to take further steps to improve the identification of victims of trafficking in human beings, including by:

- analysing gaps in the implementation of the National Referral Mechanism and the Standard Operating Procedures, notably with regard to the low number of formal identifications, and taking measures to address these gaps;

- ensuring that the formal identification of victims of trafficking is not dependent on their willingness to co-operate in the criminal proceedings;

[95] https://balkaninsight.com/2024/06/28/frontex-officers-failing-to-report-migrant-abuses-on-albania-greece-border/ accessed on 14/10/2024

- increasing the state funding provided to the mobile units of specialised NGOs and ensuring that it is sustainable;

- strengthening the guidance, training and resources of relevant professionals (including police officers, labour inspectors, child protection officers and social workers) on the identification of victims of trafficking;

- proactively identifying victims of trafficking for the purpose of labour exploitation, notably by increasing unannounced inspections in high-risk sectors;

- proactively identifying victims of trafficking among migrant workers, asylum seekers, irregular migrants and unaccompanied or separated foreign children;

- ensuring that a prior assessment of the risks is carried out prior to any forced return or expulsion from Albania, taking full account of the risks of trafficking or re-trafficking on return, in compliance with the obligation of non-refoulement (see also recommendation in paragraph 80). In this context, full consideration to GRETA's Guidance note on the entitlement of victims of trafficking, and persons at risk of being trafficked, to international protection.

b. Assistance to victims

118. According to the SOPs, when a potential victim of trafficking is identified, the officers who conducted the initial interview must carry out the first assessment of the victim's needs and inform him or her of the assistance measures available, including the possibility of being referred to a specialised shelter. In case of child victims, the child protection unit of the relevant municipality shall also be informed so that a child protection officer is assigned to manage the case.

119. There continues to be four specialised shelters for victims of trafficking in Albania. One of these, the National Centre for Victims of Trafficking, is run by the state near Tirana. GRETA welcomes the fact that, in 2024, the state shelter underwent some renovation and can now accommodate 40 persons and is accessible for victims with physical disabilities. Trafficked children are accommodated in the shelter of the NGO Another Vision in Elbasan which has a capacity of 18. The NGOs Different and Equal and Vatra run shelters for trafficked women and teenage girls in Tirana and Vlora respectively. All shelters receive victims irrespective of their nationality, as well as victims who have been exploited abroad. Victims with particular security concerns are usually accommodated in the state-shelter.[96]

120. In addition, emergency centres for vulnerable people, such as those run by Nisma ARSIS (see paragraph 35) or World Vision, can also accommodate potential victims of trafficking, usually for a short period, before referring them to a specialised shelter. The shelter of the NGO Streha Centre (see paragraph 100) could accommodate LGBTI victims, but this has not been the case as it is not a member of the NRM. In theory, children can also be placed in foster families if this corresponds to their needs, but the number of foster families is very limited (see paragraph 38). There is still no shelter for male victims. GRETA was informed by the authorities that, in theory, men could be accommodated in the state shelter for victims of trafficking, and this was the case for several of them in 2024. However, male victims are usually assisted by the specialised NGOs and accommodated in rented flats.

121. Once entering the specialised shelter, victims are assigned a case manager, usually a social worker, who draws an individual assistance plan in consultation with the victim. Victims have access to medical care, counselling, a reintegration project, legal advice, therapeutic activities, education, vocational training and assistance in finding a job. The shelters have multidisciplinary teams made of social workers,

[96] See GRETA's 3rd report on Albania, paragraph 167; GRETA's 2nd report on Albania, paragraph 101.

lawyers, psychologists, and administrative staff. The duration of the stay ranges from three to six months, but it can be extended depending on the situation of the victim. After the crisis intervention phase, victims can be accommodated in rented flats, but continue to be supervised by the shelter staff.

122. According to official statistics (see appendix I), there were 101 newly assisted victims in 2020, 167 in 2021, 121 in 2022, 162 in 2023 and 167 in 2024. The specialised shelters also assisted 30 children of victims in 2020, 63 in 2021, 34 in 2022, 69 in 2023 and 12 in 2024. Most newly assisted victims were between 11 and 35 years-old and were trafficked in Albania. Few newly assisted victims were trafficked in Germany, Kosovo, Italy, Belgium and France.[97] The child protection units in the municipalities managed the cases of 60 child victims in 2020, 38 in 2021, 35 in 2022, 37 in 2023 and 47 in 2024. 20 potential victims were assisted in their voluntary return to their country of origin.

123. GRETA was informed that the state funding provided annually to the specialised shelters has increased, notably to raise salaries of staff. In 2023, more than 24 million ALL was provided to the state-run shelter (about 241,500 euros), 11.8 million ALL to the NGO Vatra (about 118,700 euros), 9 million ALL to each of the NGOs Another Vision and Different and Equal (about 90,500 euros). In addition, in 2021, the shelters received exceptional fundings from confiscated assets from the Special Fund for the Prevention of Organised Crime (3,4 million ALL (about 34,500 euros) for the state-run shelter and about 2.3 million ALL (about 23,400 euros) to each of the NGO shelters). As mentioned in paragraph 178, the NGO Vatra also receives specific funding from the Ministry of Justice for the provision of primary legal aid.[98] However, state funding provided to NGOs shelters continues to be considered insufficient to adequately meet victims' needs. In particular, it only covers salaries of staff and food for victims, excluding other significant expenses such as operational or maintenance expenses. As an example, the annual budget of the shelter of the NGO Another Vision is about 340,000 euros, but only about 26% is covered by state funding. NGO shelters are therefore extremely dependent on external funding, which are not necessarily sustainable.

124. GRETA commends the efforts made by the National Coalition of Anti-Trafficking Shelters to provide all victims of trafficking with services. However, while an important part of victim assistance is delegated by the Albanian state to NGOs, GRETA is concerned that insufficient amount of state funding will ultimately undermine the individualisation, quality and sustainability of the services provided to victims despite the involvement of very dedicated personnel. In their comments on the draft report, the authorities indicated that annual funds provided to the NGO-shelters increased by 45% in 2024 (43,7 million ALL in total, about 440,000 euros), and exceptional funding was also provided. GRETA welcomes this increase and stresses that it should be made adequate and sustainable.

125. With regard to reintegration services, GRETA was informed that 87 victims of trafficking registered as job seekers at the NAES during the reporting period. In addition, in the framework of the programme "Transforming National Response to Human Trafficking in and from Albania", 24 victims or persons at risk of trafficking participated in internship programmes in private companies and 25 received support in starting their own business. However, in general terms, reintegration of victims of trafficking remains challenging. According to a study published in 2022, there is lack of decent job opportunities for victims and only few can quickly find a job after registering at the NAES. Further, there are limited offers for vocational training courses, notably in rural areas, and the short duration and the low quality of courses provided in vocational training centres are criticised. The lack of access to free or affordable childcare as well as stigma are identified as additional challenges faced by victims in their economic reintegration.[99]

[97] The data only concerns newly assisted victims and their children, so it does not capture the real number of assisted victims each year. GRETA was informed that in 2024, the specialised shelters assisted 369 victims in total (either new and pre-existing) and 120 of their children.

[98] See the Albanian authorities' reply to GRETA's 4th questionnaire, p. 50 and 67-68.

[99] Davy, D., *'Economic reintegration of trafficking survivors in Albania: A qualitative study of the experiences of survivors in accessing and frontline professionals in providing economic reintegration support'*, UNICEF Albania and IDRA, 2022.

126. While access to housing is critical for victims' economic and social inclusion, there are difficulties in this regard once victims leave the shelters or the rented flats of the specialised NGOs. In July 2022, the economic aid received by victims of trafficking who leave the shelters and are unemployed was raised from ALL 3,000 to 9,000 per month (from about 30 euros to 90 euros). While welcoming the increase in the amount of the economic aid, GRETA notes that it is insufficient to pay for rent or other essentials needs of victims. As a result, a low number of victims apply for it. In addition, victims can receive a rent subsidy, but very few victims are able to access it because of the bureaucracy involved.[100]

127. As mentioned in the second evaluation report by GRETA, victims of trafficking can receive a health card entitling them to free access to medical care provided outside shelters.[101] GRETA was informed that, in 2020-2024, 329 victims were supported with medical services and health cards. NGO-run shelters also receive funding from foreign donors for specific medical needs of victims or the purchase of medicine. It is reported that many victims of THB do not request the health card because of the stigma associated to it. Further, there is a lack of mental healthcare services, especially in rural areas,[102] and it is difficult to provide specialised healthcare for victims who suffer substance abuse or addiction.

128. While welcoming the efforts made to provide assistance to victims of trafficking, ensuring that it is tailored to their needs, GRETA is concerned about the numerous challenges faced by victims in their reintegration and underlines that such challenges may increase risks of re-trafficking.

129. GRETA considers that the Albanian authorities should make additional efforts to improve victim assistance and the economic and social inclusion of victims, in particular by:

- provide adequate and sustainable state funding for NGOs which provide assistance measures and accommodation to victims of trafficking;

- improving victims' access to the labour market, vocational training and education, through raising awareness among employers and the promotion of micro-businesses, social enterprises and public-private partnerships;

- providing adequate accommodation to male victims of trafficking;

- improving access to housing once victims leave the shelters, including by raising the amount of economic aid;

- improving access to mental healthcare and specialised care for victims of trafficking who suffer substance abuse or addiction across the country.

3. Substantive criminal law and procedural law

130. The Convention places on States Parties a series of obligations aimed at enabling the effective prosecution of traffickers and ensuring that they are punished in a proportionate and dissuasive manner. As the implementation of these provisions of the Convention was examined in detail by GRETA during the preceding evaluation rounds, given the focus of the fourth round, particular attention is paid to the notion of "abuse of a position of vulnerability" and its application in case-law. Further, GRETA has decided to examine as part of the fourth evaluation round the application of Article 19 of the Convention on the criminalisation of the use of services of victims of trafficking.

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[100] Ibid, p. 47.
[101] See GRETA's 2nd report on Albania, paragraph 111.
[102] See footnote 99, page 45.

a. Notion of "abuse of a position of vulnerability" in the law and case-law

131. Abuse of a position of vulnerability is an integral part of the international legal definition of trafficking in human beings and is central to any understanding of trafficking.[103] It is one of the means by which trafficking acts are committed and is relevant to all forms of trafficking and all exploitative purposes. Abuse of a position of vulnerability occurs when "an individual's personal, situational or circumstantial vulnerability is intentionally used or otherwise taken advantage of, to recruit, transport, transfer, harbour or receive that person for the purpose of exploiting him or her, such that the person believes that submitting to the will of the abuser is the only real or acceptable option available to him or her, and that belief is reasonable in light of the victim's situation."[104]

132. Article 110/a of the Criminal Code (CC), which criminalises trafficking in adults, includes "taking advantage of a social, physical or psychological condition" in the list of means to commit the criminal offence. According to the Albanian authorities, it corresponds to the notion of "abuse of a position of vulnerability" under the Convention. The criminalisation of trafficking in children (Article 128/b) of the CC does not contain such an element as the use of means is not required when the victim is a child. The authorities have indicated that, in practice, traffickers very often resort to abusing the vulnerable situation of their victims, such as poverty, unemployment, illiteracy, disability or mental problems, addiction to alcohol or drugs, the lack of parental care, domestic violence or sexual abuse in the family.

133. The vulnerability of the victim can be considered, to a certain extent, as an aggravating factor when determining the sentence of the offender. According to general rules on aggravating circumstances, the penalty of any criminal offence is increased when it is committed "against children, pregnant women, or other people who, due to different reasons, cannot protect themselves".[105]

134. In July 2022, the Albanian Supreme Court adopted a unifying decision which clarifies the interpretation of the criminal offences of trafficking in adults and trafficking in children (see also paragraph 139).[106] According to the Supreme Court, the element of "taking advantage of social, physical or psychological condition" corresponds to the "vulnerable state" or "vulnerable position of the victim" in international law and is defined as a "situation in which the person concerned has no real or acceptable alternative but to submit to the abuse involved" (referring to the EU Directive 2011/36/EU). It also recalled that the consent of the victim is irrelevant.

135. The above-mentioned case has revealed that the element of abuse of a position of vulnerability is poorly applied by lower courts, some requiring a certain degree of coercion over the victim. In this case, although the victim had physical and mental disabilities and was assessed as having the mental age of a child aged 13-14, the Court of First Instance for Serious Crime in Tirana, confirmed by the Court of Appeal for Serious Crimes, ruled that the offence of trafficking in adults had not been committed because "it was not proven that the defendants recruited the victims and then restricted her freedom of will and forced her to beg".[107] They did not consider the element of abuse of a position of vulnerability. The Supreme Court overturned the decisions of the lower courts, stating that the offenders had benefited from the physical and mental condition of the victim who was a person with disability and had mental health problems. The Supreme Court affirmed that the consent by the person with disabilities or a mental health problem does not affect the qualification of the criminal act as human trafficking as long as his/her physical or mental condition is used to achieve this consent.

136. GRETA welcomes the Supreme Court's decision, which clarifies the notion of abuse of a position of vulnerability particularly with regard to people with disabilities or mental health problems. The above-

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[103] See UNODC Issue Paper *Abuse of a position of vulnerability and other "means" within the definition of trafficking in persons*, United Nations, April 2013, p. 3.
[104] UNODC Guidance Note on "abuse of a position of vulnerability" as a means of trafficking in persons in Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized.
[105] Article 50 of the Criminal Code.
[106] Supreme Court of Albania (Criminal College), Unified Decision n° 00-2022- 1679 (217), of 27 July 2022.
[107] Unofficial translation.

mentioned case highlights the need for training and guidance on the application of the notion by members of the judiciary, and many interlocutors met during the visit were not aware of this decision. While numerous training courses on dealing with human trafficking cases have been organised for prosecutors, judges and judicial police officers (see also paragraph 147), it is not clear to what extent they have addressed the notion of abuse of a position of vulnerability.

137. GRETA considers that the Albanian authorities should strengthen training and guidance to the relevant professionals (in particular judicial police officers, prosecutors and judges) on how victims' position of vulnerability may exist or arise and how its abuse may operate in the context of trafficking.

b. Investigation, prosecution and sanctions

138. As noted in previous reports, the criminalisation of trafficking in adults is set out in Article 110/a of the CC, which provides for a prison term of 8 to 15 years (10 to 15 years if the victim is a women) and trafficking in children in Article 128/b CC with 10 to 20 years of imprisonment.[108] Several interlocutors reiterated the concerns expressed during the 3rd round that, unlike the article on trafficking in adults, the one on trafficking in children does not contain an express reference to internal trafficking, and this would lead cases of internal trafficking in children not being prosecuted as such.[109] Further, in a previous report on Albania, GRETA stressed the importance of the non-discrimination principle under the Convention and invited the authorities to keep under review the effectiveness of the different penalties for trafficking in women and trafficking in men.[110] While the criminalisation of trafficking may evolve in the framework of the revision of the CC, GRETA stresses that the criminal offence should continue to be in line with the Convention (in particular Articles 3, 4, and 18 to 26) and address the gaps mentioned previously.

139. The previously mentioned Unifying Decision of the Albanian Supreme Court on the criminalisation of THB (see paragraph 134) provides guidance to prosecutors, judges and other legal professionals on the different elements of the crime of trafficking, including the abuse of a position of vulnerability or the irrelevance of the consent of the victim, and refers to the Anti-Trafficking Convention and GRETA's findings on Albania. GRETA welcomes this decision and underlines the need to include it in the training of legal and judicial professionals. According to the authorities' comments on the draft report, in 2024, 11 training activities were organised for 226 police officers in local police departments on the Unifying Decision.

140. As mentioned in the previous GRETA report, the investigation of THB cases is performed by police officers of the Anti-Trafficking Section of the State Police, which comprises a central unit and 12 regional units.[111] Its jurisdiction covers other criminal offences such as trafficking in weapons, vehicles and artworks, as well as illegal border crossings. In theory, there should be an investigator in charge of THB cases in each unit. GRETA was informed that following reorganisation of the State Police in 2023, there has been a high turnover of staff. Several positions remain vacant in the Anti-Trafficking Section and the replacement staff are not yet familiar with trafficking issues. Regional units are usually composed of one head of sector, one specialist for trafficking and one for prostitution, except in Tirana and Durrës where units have four specialists.

141. Since the 2019 judicial reform the prosecution and adjudication of trafficking cases has been under the responsibility of prosecutor's offices and courts with general jurisdiction, except for cases involving organised crime or high level corruption which fall under the jurisdiction of the Special Prosecutor's Office against Corruption and Organised Crime (SPO) and the Special Court of First Instance and the Special

[108] See the 3rd GRETA report on Albania, paragraph 78. Un-official translation of the Albanian Criminal Code (2017)
[109] See the 3rd GRETA report on Albania, paragraph 152.
[110] See the 2nd GRETA report on Albania, paragraph 152.
[111] Following a reorganisation of the State Police in 2023, the Anti-Trafficking Section is now under the Directorate of Investigations of Narcotics and Trafficking (previously it was under the Directorate of Organised Crime).

Court of Appeal for Corruption and Organized Crime (SPAK courts). There is an independent investigative structure, the National Bureau of Investigation (NBI), which is only accountable to the SPO and co-operates with the State Police in case of THB involving organised crime. It is reported that the reform did not have a positive impact on the investigation, prosecution and adjudication of trafficking cases, given that prosecutors and judges with general jurisdiction are not specialised in THB.[112] Further, GRETA was informed of several investigations of THB cases which revealed the presence of an organised criminal group, but were not transferred to the SPO. Many interlocutors underlined the need for better co-operation and exchange of information between the police, the General Prosecutor's offices and the Special Prosecutor's Office.

142. According to official statistics (see Appendix I), the number of investigations for adult trafficking was relatively stable in 2020-2022, and has increased since 2023 (22 in 2020, 14 in 2021, 21 in 2022, 36 in 2023, and 37 in 2024). For child trafficking, the number of investigations has increased (five in 2020, nine in 2021, 12 in 2022, 15 in 2023 and 23 in 2024).[113] According to the authorities, a high proportion of investigations were proactive in 2024.[114] To these figures should be added four cases registered by the SPO concerning trafficking in connection with an organised criminal group. The number of investigations launched for related offences, such as exploitation in prostitution or facilitation of irregular border crossing, is very high.[115]

143. With regards to prosecution for trafficking in human beings, six cases of trafficking in adults (25 defendants) and six cases of trafficking in children (23 defendants) were sent to courts in 2020-2024. There is a noticeable increase of prosecutions in cases of trafficking in adults. Only 12 persons were convicted for trafficking in adults and three for trafficking in children during the same period (see Appendix I). While noting positively the increase in the number of investigations and prosecutions for trafficking in adults, GRETA is concerned by the low numbers of prosecutions for trafficking in children and convictions in both adult and child trafficking cases.

144. According to information provided during the visit, only in one case of trafficking in children were the perpetrator's assets confiscated, for a total value of 83,000 Euros.

145. The protection measures of victims of trafficking during the criminal proceedings were described in previous GRETA reports.[116] Efforts have been made to extend the number of victims co-ordinators in police stations and prosecutor's offices. These psychologists or social workers provide information to victims, refer them to service providers and assist children or any victim with a physical or mental disability in criminal proceedings. Victims who have been sexually abused and victims of trafficking have the right to be heard by an officer of the same gender, and to request to be heard through audio-visual means. Additionally, for child victims, the questioning shall be audio-video recorded and may be used as evidence in the proceedings. Children should be questioned in child-friendly premises, with the presence of a psychologist. The NGO Nisma ARSIS has concluded an agreement with the police so that one of its staff is present during interview with child victims in the absence of a psychologist. Further, UNICEF has supported the set-up of child friendly interview rooms in seven police stations. According to the authorities, construction work is underway to improve the existing interview rooms and set up additional ones. The NGO Child Rights Centre Albania (CRCA) also operates a centre with integrated services for children and youth who have experienced sexual violence (Barnahus Model). Despite these positive steps, it is reported that the special rules on questioning child victims are rarely applied, and children may be asked to testify on multiple occasions and in confrontation with the accused. Further, GRETA has been

[112] UNODC, "Analysis of cases of trafficking in persons in the Republic of Albania", Tirana, April 2022, page 8.

[113] In 2015, there were 38 investigations for trafficking in adults and 11 for child trafficking; in 2016, 18 for trafficking in adults and eight for child trafficking, as well as two cases of THB by criminal organisations; in 2017, 20 for trafficking in adults and six for child trafficking, as well as one case of THB by criminal organisations; in 2018, 12 for trafficking in adults and five for child trafficking; and in 2019, 19 for trafficking in adults and six for child trafficking (See 3rd GRETA report, paragraph 81).

[114] 23 proactive investigations for trafficking in adult, and 15 for trafficking in children.

[115] Exploitation in prostitution: 59 in 2020, 39 in 2021, 69 in 2022, and 89 in 2023. Facilitation of irregular border crossing: 304 in 2020, 389 in 2021, 418 in 2022; and 154 in 2023.

[116] See the 3rd GRETA report, paragraphs 95-96 and 126-130.

informed of cases of sexual abuses against children which were reported in the media in violation of the right to privacy.

146. Another issue for the protection of victims of trafficking is the correct application of the principle of non-punishment of victims for their involvement in unlawful activities. While the Albanian Criminal Code contains a specific non-punishment provision (Article 52/a of the CC), GRETA was once again informed of cases of women who were potential victims of trafficking but not formally identified and were convicted for engaging in prostitution. There are also reports of potential child victims who were prosecuted and convicted for drug trafficking.

147. Training and guidance has been provided to judicial police officers, prosecutors and judges on human trafficking and other related issues, notably in co-operation with international organisations.[117] In 2020-2024, the School of Magistrates regularly organised training on the prosecution and adjudication of trafficking cases, trafficking in children, seizure and confiscation of criminal assets, the process for interviewing child victims, special investigative techniques, or online exploitation of minors. Training is also regularly organised by the Police Academy. As mentioned in paragraph 109, in 2021 and 2024 a simulation-based training was organised by OSCE. Further, in the framework of a Memorandum of Understanding between the General Prosecutor's Office, the OSCE prepared a Handbook on Human trafficking for judges, prosecutors and other legal professionals which was published in 2022 and distributed to the professionals concerned.[118]

148. While welcoming the provision of guidance and training to criminal justice professionals and the important co-operation with international counterparts, GRETA notes that significant gaps remain in the effective investigation, prosecution and punishment of trafficking cases. The Albanian authorities acknowledged during the visit that this is the most problematic area, where the least progress has been made since the adoption of the NAP 2020-2023. Several interlocutors expressed concern that police officers rely too heavily on the victim's testimony and rarely open an investigation if the victim is not prepared to incriminate the traffickers. Furthermore, it is reported that many cases of trafficking are qualified/requalified under other offences, such as exploitation of prostitution, either due to lack of knowledge or resources or because the file sent to the prosecutor's office is insufficiently substantiated.

149. According to a UNODC publication “Analysis of cases of trafficking in persons in the Republic of Albania” (April 2022), the most frequent reason for the dismissal of cases by the prosecutors or in pre-trial hearing was gaps in the investigation. In some cases, no timely actions were taken to collect relevant evidence, special investigative methods were not applied, and the qualification and requalification of the criminal act were done without a proper analysis of the elements of the offence. In addition, the analysis found that law enforcement officers do not always consider the trauma suffered by victims, and that in some cases the court did not request a psychological assessment of the victim.[119] GRETA underlines that the European Court of Human Rights ruled in 2024 that by failing to act promptly and to pursue several obvious lines of inquiry into a trafficking case, States violate their obligation to investigate serious allegation of human trafficking under the European Convention on Human Rights.[120]

150. Finally, while recognising the importance of the vetting process in strengthening the rule of law in Albania, GRETA was informed that 60% of prosecutors, judges and legal officers were vetted out and this inevitably had an impact on the length of legal proceedings, including in THB cases, as well as on developing specialised knowledge of THB among criminal justice actors.

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[117] See the Albanian’s authorities reply to the GRETA questionnaire under the 4th round of evaluation, pp. 57-61, 63-64.
[118] https://www.osce.org/files/f/documents/f/6/512644.pdf (in Albanian, accessed on 3/11/24).
[119] See footnote 112.
[120] *T.V. v. Spain,* n° 22512/21, judgment of 10 October 2024.

151. GRETA once again urges the Albanian authorities to take measures to strengthen the criminal justice response to trafficking in human beings, in particular by:

- making use of special investigation techniques in order to gather material, documentary, financial and digital evidence, and not having to rely exclusively on testimony by victims or witnesses;

- ensuring that human trafficking offences are prosecuted as such, rather than as other/lesser offences, every time the circumstances of the case allow this, and lead to effective, proportionate and dissuasive sanctions for those convicted;

- improving co-operation between the police, prosecutor's offices with general jurisdiction and the Special Prosecutor's Office on trafficking cases;

- strengthening the participation of the Special Structures against Corruption and Organised Crime (SPAK) in cases of human trafficking involving an organised crime element, notably by increasing its resources so that it can be actively involved in THB cases;

- further developing the training of investigators, prosecutors and judges on the offence of trafficking in human beings, in particular the different constituent elements on this offence, its differences with other related offences and the non-punishment principle. Newly appointed investigators in the police anti-trafficking units should be trained prior to taking up their duty;

- ensuring that victims and witnesses of human trafficking, as well as their family members, are provided with effective and appropriate protection from potential retaliation or intimidation, including testimony through audio-visual means and avoiding direct confrontation with defendants;

- further developing training of professionals on child-friendly interviews. In this context, reference is made to the Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice;[121]

- encouraging the media to protect the identity and private life of victims of THB through training for media professionals.

c. Criminalisation of the use of services of a victim

152. As mentioned in a previous GRETA report, since 2013 the use of services of victims of trafficking has been criminalised in Albania.[122] According to Article 110/b of the CC, benefiting or using services provided by trafficked persons, or services that are the object of exploitation by trafficking, knowing that the person is trafficked, is punishable by imprisonment from two to five years. When the offense is committed against a child, it is punishable by imprisonment from three to seven years.

153. During the reporting period, there have been 8 investigations opened for the use of services of victims, but none led to conviction or prosecution. At the time of the authorities' comments to the draft report (February 2025), one investigation concerning five defendants was still ongoing. According to interlocutors met by GRETA, it is difficult to prove the knowingly use of services.

[121] Guidelines of the Committee of Ministers of the Council of Europe on child friendly justice and explanatory memorandum, adopted on 17 November 2010.
[122] See GRETA's 2nd report on Albania, paragraph 156.

IV. Addressing human trafficking facilitated by information and communication technology (ICT)

154. Countries monitored by GRETA have reported an increased use of information communication technologies (ICT) for recruiting and controlling victims of trafficking. In 2022, GRETA conducted a study to assess the extent to which technology impacts trafficking and explore the operational and legal challenges that states face in detecting, investigating and prosecuting online and ICT-facilitated trafficking.[123] As highlighted by the study, the impact of technology is particularly acute in relation to the recruitment and exploitation of victims, including their control throughout the different stages of the trafficking process. This study highlighted a number of challenges to the identification, investigation and prosecution of THB cases due to the high volume of online activities and the associated high volume of digital evidence, the use of encrypted communications, nicknames and aliases, and the time-consuming process of acquiring evidence from private companies and/or other jurisdictions. At the same time, anti-trafficking stakeholders are using technological innovations to prevent human trafficking, protect victims, and prosecute traffickers. It is therefore essential to invest in human capital and technological tools to harness the potential of ICT for effectively combating human trafficking.

155. In Albania, state and non-state actors have underlined that ICT is used to recruit and control victims of trafficking. Traffickers use social media and mobile applications to identify young women with whom they establish fake relationships before trafficking them for sexual exploitation. There are also reports of young persons recruited through false job offers online. Further, traffickers have recourse to GPS software and video surveillance to control victims' movements. They also use videos of the victims' sexual activities to blackmail them into continuing to be sexually exploited. Members of trafficking networks also make financial transactions through virtual currency.[124] Despite these trends, there has been no study on trafficking facilitated by ICT in Albania. According to a UNICEF report, more research is needed to better understand the ways in which human traffickers in Albania use social media and other channels and to identify new preventive measures.[125]

156. Over the past years, cyber security and online safety, notably of children, have received increased attention from the Albanian authorities. Law No. 18/2017 on the Rights and Protection of the Child enshrines, for the first time, children's right to protection from access to materials of harmful or illegal content on Internet, as well as the obligation of internet service centres, educational institution, and other public or private institutions to apply technical instruments or other measures to protect children from accessing such content. In December 2020, the Albanian government endorsed a new National Strategy on Cyber Security and its Action Plan 2020-2025. It is the first national strategy on cyber security adopted by Albania to ever include a specific focus on children.

157. A new Law on Cyber Security entered into force in May 2024 (Law No. 25/2024) with the aim of strengthening the legislative framework on cyber security, establishing the rights and obligations of public and private entities, and strengthening the institutional framework and the reporting mechanisms. The National Authority for Cyber Security (formerly National Authority for Electronic Certification and Cyber Security) is the main body responsible for monitoring the implementation of the law as well as the previously mentioned National Strategy on Cyber Security. In 2024, its human resources capacities have been considerably increased (from 20 to 85 staff). Few staff have been trained on human trafficking.

158. With a view to improving the reporting of harmful or illegal content online, including trafficking, the Albanian authorities have established a new online platform managed by the National Authority for Cyber Security. The authorities have underlined that the number of reports has constantly increased (80

[123] Paolo Campana, Online and Technology-Facilitated Trafficking in Human Beings, Council of Europe: https://rm.coe.int/online-and-technology-facilitated-trafficking-in-human-beings-full-rep/1680a73e49, published in April 2022.
[124] See the Albanian authorities' reply to GRETA questionnaire for the 4th evaluation round.
[125] See footnote 15.

in 2023 and 86 in 2024). They indicated that most reports concern cyber bullying, and there has never been a report linked with human trafficking. In addition, the NGO Child Rights Centre Albania (CRCA) manages the national platform for internet safety (www.isigurt.al), which is not funded by the government and to which individuals can report illegal and harmful content online. In 2023, the CRCA platform received 300 reports of online incidents against children and young people, of which 40% concerned hate speech and bullying and 25% child sexual abuse material and sexual exploitation online.[126]

159. Efforts have been made to raise awareness of vulnerable groups and professionals on risks of trafficking facilitated by ICT and online safety. In 2023, the NGO Vatra prepared a specific brochure on "Trafficking and online exploitation of children" which was distributed in schools during informative meetings.[127] The State Agency for Child Rights and Protection, in co-operation with the National Authority on Cyber Security and the NGO Nisma ARSIS, has also organised information meetings in different municipalities for children, young people, parents, educational staff, police and the private sector, on the dangers in the cyber-space. Further awareness raising activities are organised every year during the Safer Internet Day (11 February). In February 2024, the State Agency for Child Rights and Protection and the National Authority for Cyber Security signed a co-operation agreement which has allowed to increase raising awareness activities on the safety and protection of children in the cyberspace.

160. Albania is a party to the Council of Europe Convention on Cybercrime (Budapest Convention). However, it has not ratified the Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence. Following the reorganisation of the State Police in 2023, the cybercrime unit was replaced by a directorate for cybercrime investigations (Criminal Police Department) with specialised police officers at the central and local levels. It is responsible for investigating the criminal offences specified in the Budapest Convention, including child pornography. It also provides support to other police units, such as the Anti-Trafficking Section. There is also a cybercrime unit in the General Prosecutor's Office.

161. GRETA was informed that during the reporting period the cybercrime directorate co-operated with the Anti-Trafficking section in three cases. One case concerned a criminal network operating in various towns in Albania and exploiting women in prostitution. The cybercrime directorate provided support in obtaining information on offers of sexual services published online by the traffickers. However, the case is being investigated as sexual exploitation as part of a criminal gang, not human trafficking. In general terms, investigation of cases of THB committed online are difficult because traffickers hide themselves under false name and change their IP address, and their modus operandi evolve very quickly. Several interlocutors underlined that there is a need for more capacity and human resources of the police and prosecutors to deal with cybercrime. Others claimed that the Criminal Code needs to be amended with a view to broadening the scope of criminal offences committed in the cyberspace.

162. With a view to improving the investigation of crimes committed online, a specific Strategy on the investigation of cybercrimes and its Action Plan 2021-2025 were adopted by the Albanian authorities in December 2020. The Strategy focuses on four pillars: 1) improving the institutional and legal framework; 2) public awareness and professional capacity building; 3) prevention, follow-up and investigation cybercrimes against children in cyberspace; 4) national and international co-operation in cybercrime investigation. According to the authorities, there is a strong co-operation between the police and other institutions (including the National Authority for Cyber Security or the National Centre for Missing and Exploited children) which allows rapid exchange of information to address cybercrimes. The Police has access to ICACCOPS (Internet Crimes Against Children Child On-line Protection System) software, which allows to detect the downloading/making/producing of material relating to the exploitation of children in pornography. Efforts are underway to establish direct access to INTERPOL's database on International Child Sexual Exploitation (ICSE).

[126] https://www.isigurt.al/ (accessed on 3/11/24).
[127] The brochure is accessible at: http://qendravatra.org.al/wp-content/uploads/2024/01/interneti-dhe-trafikimi-ok.pdf.

163. In February 2024, 30 representatives of state institutions and civil society organisations participated in the first hackathon against trafficking in Albania, organised in co-operation with OSCE.[128] With the assistance of experts on cyber security, participants engaged in developing tools to detect online trafficking and sexual exploitation. The event was also an opportunity to raise the awareness of professionals on online trafficking, identify platforms which can be used by traffickers and build a network of experts on the issue.

164. The authorities have also reported different training courses provided to professional of the criminal justice system on cybercrime. Reference can be made to a training on online sexual exploitation of minors organised in 2021 and 2022 for judicial police officers, prosecutors and judges which covered the aspects of the investigation and adjudication, the use of special investigative techniques, the co-operation with online platforms and companies, etc.[129] Further, members of the General Prosecutor's Office participated in several international events or training activities. In 2024, a training of trainers was organised by IOM for professionals from Albania and other countries of the Western Balkans on digital investigations.

165. Little information was provided on the co-operation with Internet service providers to prevent online trafficking and investigate cases. GRETA was informed that, in general terms, co-operation to remove illegal or harmful content online is good, but it is much more complicated when it comes to obtaining electronic evidence in the framework of a criminal investigation.

166. While welcoming the efforts made to strengthen online safety and prevent risks of ICT-facilitated trafficking in human beings as well as to develop the specialisation of police officers on cybercrime, GRETA considers that the Albanian authority should develop further measures, including co-operation with service providers and investing in capacity building and digital tools to conduct proactive investigations of all forms of trafficking and gather electronic evidence.

167. Further, GRETA invites the Albanian authorities to ratify the Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence.

[128] https://www.osce.org/presence-in-albania/562467 (accessed on 06/03/2025).
[129] See the Albanian authorities' reply to the GRETA questionnaire under the 4th round, pages 58 and 60.

V. Follow-up topics specific to Albania

1. Recovery and reflection period

168. The recovery and reflection period is now regulated by Article 53, paragraphs 4 to 6 of the 2021 Law on Foreigners,[130] but its scope and conditions of access and revocation remain unchanged.[131] As described in the previous GRETA report, a temporary residence permit of three months shall be provided "when there are reasonable grounds to believe that the foreigner is a victim or potential victim of trafficking, identified as such by the competent entities". It is granted regardless of the willingness of the foreigner to co-operate with the justice system. However, it is necessary to go through the formal identification, and as mentioned in paragraph 112, mostly victims who co-operate with the authorities are invited to this interview.

169. Although no statistics are available on the recovery and reflection period, NGOs reported that in practice very few victims or potential victims benefit from it. During the visit, GRETA was informed that three Venezuelan nationals who were identified as potential victims of trafficking had been granted the recovery and reflection period while staying in the government-run shelter. While several foreigners in the Detention Centre for Foreigners were identified as potential victims of trafficking during the reporting period (see paragraph 115), none of them benefited from the recovery and reflection period. Although requested by GRETA, the authorities did not provide information on the reason why the recovery and reflection period was not granted to them.

170. GRETA considers that the Albanian authorities should ensure that all foreigners for whom there are reasonable grounds to believe that they are victims of trafficking are offered a recovery and reflection period, in compliance with Article 13 of the Convention. It is a clear breach of this provision to deny access to the recovery and reflection period to victims who are not co-operating with the authorities, or those who are awaiting their expulsion from the territory. GRETA refers to its Guidance Note on the recovery and reflection period.[132]

2. Residence permit

171. Significant changes have been made following the 2021 Law on Foreigners which introduced a specific residence permit for victims of trafficking. Pursuant to Article 53 of this Law, foreigners who are victims or potential victims of trafficking are provided with a temporary residence permit which is issued for a period of one year and renewed in cases when: a) it is assessed that the person does not pose a threat to public and national security; b) it is assessed that there is a clear will of the person to co-operate with the judiciary during the investigation or criminal proceedings; c) the person is awaiting a status assessment by the competent authorities.

172. The new temporary residence permit can be issued only for the purpose of co-operating with the justice system, but it is now also available to potential victims. The residence permit can be renewed if a victim is formally identified if the person's stay is necessary because of his/her social and personal situation and/or for the purpose of co-operation in the criminal investigation or procedure.[133] The residence permit for victims of trafficking allows to stay in Albania, but not to re-enter the country. Based on it, victims receive health care, financial assistance, support, as well as the right to work.

173. Victims or potential victims of trafficking can also have access to a residence permit issued on humanitarian grounds (Article 52 of the Law on Foreigners). This permit can be granted to persons who

[130] Law No. 79/2021 of 24 June on Foreigners, which entered into force on 2 November 2021.
[131] See the 2nd GRETA report on Albania, paragraphs 131-132.
[132] GRETA, Guidance note on the recovery and reflection period, THB-GRETA(2024)14, September 2024.
[133] In the previous system, only victims of trafficking (not potential victims) had access to residence permit which could be granted based on the personal situation of the victim or for the purpose of co-operating with the authorities, did not have a fixed validity (type B residence permit) and allowed to stay, move and re-enter Albania.

were subject to exploitative working conditions in Albania and are collaborating in the legal proceedings against the employer, as well as asylum seekers, stateless persons, or unaccompanied or separated foreign children. The permit is granted for one year and can only be renewed for the purpose of co-operating with the justice system or if the foreigner is awaiting confirmation of his/her status by the competent authorities.

174. No victims or potential victims of trafficking have received a residence permit for victims of trafficking during the reporting period, but one victim and eight potential victims received a residence permit on humanitarian grounds with a duration of three to six months.[134] Although requested by GRETA, the authorities did not explain why the victims did not receive residence permits for victims of trafficking and why the duration of the humanitarian residence permits was less than one year.

175. While welcoming the fact that potential victims can now be granted a residence permit for victims of trafficking, GRETA is concerned that the condition to access such a permit has been restricted to the purpose of co-operating with the authorities. The only possibility to obtain a residence permit based on the personal situation is that the status of victims has been confirmed, which rarely happens (see paragraph 112). As a result, no victims or potential victims have ever been granted a residence permit for victims of trafficking, and the only way to regularise their stay is to request a humanitarian residence permit, but its length is shorter. It was also reported that the process for obtaining the residence permit is sometimes long.

176. GRETA considers that the Albanian authorities should take additional measures to ensure that victims of trafficking can effectively benefit from the right to obtain a residence permit under Article 14, paragraph 1 of the Convention, including because of their personal situation.

3. Legal assistance and free legal aid

177. In its third report on Albania, GRETA urged the authorities to ensure that victims of trafficking receive legal assistance and free legal aid, and to provide training to lawyers representing victims.[135]

178. The legal framework on access to legal assistance and free legal aid has not changed. Under the Law on Legal Aid Guaranteed by the State, victims of trafficking have access to the following measures: (1) primary legal aid, which consists mainly in legal information and counselling and can be provided in centres for primary legal aid, law clinics or NGOs; (2) secondary legal aid, which includes representation in legal proceedings and can only be provided by lawyers registered at a local bar chamber; (3) exemption of court fees and/or court costs. In criminal proceedings, these measures are available irrespective of the victim's income, but not in administrative or civil proceedings where they are means-tested. Victims who are children have free access to these measures in all proceedings.[136]

179. There are 20 centres for primary legal aid in Albania, of which 14 are funded by the State budget and the remaining ones by the United Nations Development Programme (UNDP). However, the agreement with UNDP ended in February 2025 and the funding of all 20 centres will have to be transferred to the state budget to ensure their sustainability. When these centres were closed during the COVID-19 pandemic, it remained possible to receive primary legal aid online and through the hotline of the Free Legal Aid Directorate.[137] Several NGOs assisting victims or potential victims of trafficking have been authorised to provide primary legal aid, such as Different and Equal and the Centre for the Protection of

[134] See the Government's reply to the GRETA questionnaire, p. 77-78.
[135] See the 3rd GRETA report on Albania, paragraph 54. "Primary legal aid" corresponds to legal assistance under the Convention, and "secondary legal aid" to free legal aid.
[136] Law on Legal Aid Guaranteed by the State, Articles 11 and 12.
[137] www.juristionline.al / Toll free number: 08001010

Children's Rights in Albania (CRCA) since 2020, and the Vatra Centre since 2022. While most victims of trafficking receive primary legal aid through the authorised NGOs, the funding they receive for this purpose is limited. In 2023, only two NGOs were funded by the Ministry of Justice (including the Vatra Centre), out of the nine that applied to the grant. In 2024, staff of NGOs authorised to provide primary legal aid were trained by the OSCE, in partnership with the Directorate of Free Legal Aid, on communicating with and receiving victims from special categories, including victims of trafficking.

180. The number of lawyers registered to provide secondary legal aid to victims of crime has increased (166 lawyers in 2024, compared to 70 in 2020). In 2019-2022, with the support of the UNDP, lawyers, jurists, public officials and other legal professionals were trained on free legal aid based on two specific modules developed in partnership with the Free Legal Aid Directorate, the Albanian School of Public Administration and the National Chamber of Advocacy.[138] The training covered the special categories of victims, but no training was specifically organised on assisting victims of human trafficking.

181. GRETA positively notes that, in 2022, the NGO Different and Equal, with the support of UNDP and in co-operation with the Free Legal Aid Directorate, developed a network of professionals providing primary and secondary free legal aid to victims of crime, including victims of trafficking. In December 2022, the network comprised 70 members. They received training and a handbook with practical information on primary and secondary legal aid. The NGO Another Vision also organised online workshops for lawyers and other professionals in Elbasan on responding to victims' needs.

182. According to official statistics, in 2020-2024, 333 victims or potential victims of trafficking received free primary legal aid, and only one received free secondary legal aid.

183. While welcoming the measures taken to improve victims' access to legal assistance, GRETA is concerned that NGOs authorised to provide primary legal aid (legal assistance) do not receive sufficient funding. The number of victims or potential victims who have received secondary free legal aid is low, particularly compared to the number of criminal proceedings that have been initiated for the offence of trafficking. It has been reported that the procedure for appointing lawyers under the free legal aid system is slow, and that very few of the lawyers are specialised in human trafficking. GRETA recalls that as legal and administrative procedures are often very complex, legal assistance and free legal aid are of paramount importance in enabling victims of trafficking to obtain justice and assert their rights, and therefore in supporting their recovery, empowerment and social integration.

184. GRETA considers that the Albanian authorities should take additional measures to guarantee effective access to legal assistance and free legal aid of victims of THB, including by:

- ensuring that trafficking victims are systematically appointed a specialised lawyer to represent them in legal proceedings;

- making available adequate funding to NGOs providing legal assistance (primary legal aid) to victims of trafficking in human beings;

- encouraging the National Chamber of Advocacy to offer training on human trafficking to lawyers providing free legal aid to victims of trafficking.

[138] https://www.undp.org/albania/projects/expanding-free-legal-aid-services-women-and-men-albania

4. Compensation

185. In its third report on Albania, GRETA urged the authorities to facilitate and guarantee access to compensation for victims of human trafficking, both from perpetrators and from the State.[139]

186. The legal framework for access to compensation remains as described in the third report.[140] Victims can claim compensation from perpetrators for the full harm suffered during criminal proceedings or through separate civil proceedings.

187. Few measures were taken during the reporting period to improve access to compensation for victims of trafficking. Reference can only be made to training activities organised under the National Action Plan (2020-2023) for judges, prosecutors and lawyers on compensation claims and decisions.

188. Since the entry into force of the Convention for Albania in 2008, only two victims of trafficking have been granted compensation by courts, but neither received it.[141] GRETA was also informed of one case of trafficking for the purpose of sexual exploitation where the victim, with the assistance of a specialised NGO and her lawyer, requested compensation from the traffickers as part of the criminal proceedings. The case ended in October 2024 with a plea-bargaining agreement. The court considered that in such summary proceedings compensation cannot be requested and referred the victim to a civil court.

189. GRETA is concerned that access to compensation from the perpetrators continues to be ineffective for victims of human trafficking. In practice, very few victims make a request for compensation in criminal proceedings for different reasons, including lack of information, or the willingness to move on from their trafficking experience. In its "Analysis of cases of trafficking in persons in the Republic of Albania", published in April 2022, UNODC noted that in none of the 13 cases analysed compensation was neither claimed nor initiated for the victims.[142] Further, even if victims make such request, they are usually referred to civil courts on the ground that the amount of the damages suffered is too difficult to calculate. However, civil proceedings are not considered as an appropriate path neither, because they are long, and the burden of proof of the damage suffered is on the victim. Another gap relates to the enforcement of compensation orders as traffickers often lack assets to compensate victims and the latter are not exempted from court fees in execution proceedings even if they were granted secondary free legal aid.[143] In their comments on the draft report, the authorities recognised that despite training on access to justice for victims with the involvement of the School of Magistrates, there is a need to improve the capacity building of justice professionals.

190. Access to state compensation also continues to be ineffective. The law provides for the possibility to compensate victims of trafficking from the Special Fund on Preventing Organised Crime which is supplied by criminal assets confiscated by court orders.[144] However, no victim of trafficking has ever received compensation from the Special Fund, nor has any victim of crime. It seems that the Fund is not operating for that purpose but to fund specialised NGOs assisting victims (see paragraph 123).

191. There are no specific measures in the new draft NAP 2024-2026 on the compensation of victims of trafficking apart from training of lawyers in supporting compensation claims. Nevertheless, with a view

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[139] See GRETA's 3rd report on Albania, paragraph 74.
[140] See GRETA's 3rd report on Albania, paragraphs 67-68 and 71-72.
[141] In 2010, a civil court awarded 40,000 euros of compensation to a victim of trafficking for the purpose of sexual exploitation. Further, in 2023, the decision of a first instance court to award 44,000 euros of compensation to a victim of trafficking was confirmed by the Tirana Court of Appeal.
[142] See footnote 112.
[143] Albana Boksi and Arta Mandro-Balili, Study on the Compliance of the Albanian legal framework with the *Acquis Communautaire* of the European Union on the fight against Trafficking in Human Beings, Vatra Centre, 2021, p. 108.
[144] See the 3rd GRETA report on Albania, paragraphs 71-72; Ibid, p. 110-111.

to aligning the Albanian legal framework with the EU Acquis on the rights of victims of crime, the Intersectoral Strategy for the Protection of Victims of Crime 2024-2030 foresees the establishment of a state compensation scheme for victims of serious crimes,[145] which should cover victims of trafficking.

192. GRETA once again urges the Albanian authorities to facilitate and guarantee access to compensation for victims of trafficking, including by:

- building the capacity of legal practitioners to support victims to claim compensation and including compensation into existing training programmes for lawyers, law enforcement officials and the judiciary;

- ensuring that victims can obtain a decision on compensation from the offender as part of the criminal proceedings within a reasonable time. The plea-bargaining agreement should not be in any way detrimental to the rights of the victims, in particular their effective access to compensation;

- ensuring that the collection of evidence about the harm the victim has suffered, including the financial gain from the exploitation of the victim, is part of the criminal investigations with a view to supporting compensation claims in court;

- making full use of the legislation on the freezing and forfeiture of assets to secure compensation to victims of THB;

- setting a state compensation scheme for victims of trafficking in human beings in case of the failure of the perpetrators to compensate the victims.

[145] https://qbz.gov.al/eli/fz/2023/186/198e150f-ed3e-4938-846f-d6afb328dd0b (in Albanian, accessed on 3/11/2024).

VI. Conclusions

193. Since the publication of GRETA's third report on Albania on 15 December 2020, progress has been made in a number of areas covered by that report.

194. The National Action Plans for the fight against trafficking in Human Beings for 2021-2023 and 2024-2025 were adopted through broad consultations with NGOs and international organisation. A new National Referral Mechanism (NRM) entered into force in July 2023 and has expanded the list of agencies involved in its implementation. The authorities have continued to provide training and guidance to professionals involved in the fight against trafficking. In 2022, the Supreme Court adopted an important unifying decision which clarifies the interpretation of the offence of trafficking, and refers to the Anti-Trafficking Convention and GRETA's findings on Albania. Further, the authorities have maintained close co-operation with specialised NGOs. The annual funds provided by the State to the NGO-shelters increased significantly in 2024 and GRETA stresses that this increase should be made adequate and sustainable.

195. GRETA welcomes these positive developments in Albania. However, despite the progress achieved, several issues continue to give rise to concern. A certain number of recommendations made repeatedly by GRETA in its preceding reports have not been implemented or have been only partially implemented. In this report, GRETA once again urges the Albanian authorities to take action in the following areas:

- Identification of victims (Article 10 of the Convention). The Albanian authorities should address the gaps in the implementation of the NRM and the Standard Operating Procedures, notably with regard to the low number of formal identifications and ensure that the formal identification of victims of trafficking is not dependent on their willingness to co-operate in the criminal proceedings. Further, they should proactively identify victims of trafficking for the purpose of labour exploitation, notably by increasing unannounced inspections in high-risk sectors, as well as the identification of victims of trafficking amongst asylum seekers, irregular migrants and unaccompanied or separated foreign children. Efforts should also be made to increase the state funding provided to the mobile units of specialised NGOs and ensure that it is sustainable;

- Compensation (Article 15 of the Convention). The Albanian authorities should facilitate and guarantee access to compensation for victims of trafficking, by ensuring that victims can obtain a decision on compensation from the offender as part of the criminal proceedings within a reasonable time, and that the collection of evidence about the harm the victim has suffered is part of the criminal investigations. Further, the authorities should set up a state compensation scheme for victims of trafficking in human beings in case of the failure of the perpetrators to compensate the victims;

- Investigation, prosecution and sanctions (Articles 23 and 27 of the Convention). The Albanian authorities should strengthen the criminal justice response to trafficking in human beings including by ensuring that human trafficking offences are prosecuted as such, rather than as other/lesser offences, every time the circumstances of the case allow this, and lead to effective, proportionate and dissuasive sanctions for those convicted. The authorities should also improve co-operation between the police, prosecutor's offices with general jurisdiction and the Special Prosecutor's Office on trafficking cases.

196. Given that these recommendations have been made repeatedly, their priority implementation is requested and will be followed up as part of the monitoring of the implementation of the Convention.

197. As regards the thematic focus of the fourth evaluation round, which is on vulnerabilities to trafficking in human beings, the Albanian authorities have acknowledged the vulnerabilities related to gender, age, ethnicity, as well as migration status. With a view to reducing vulnerabilities, the National Action Plans for 2020-2023 and 2024-2025 make the prevention of trafficking in human beings one of their main objectives.

198. While welcoming the measures taken by the Albanian authorities to prevent trafficking through proactive measures addressed at vulnerable groups, GRETA has identified a number of areas of concern which require further action. The following issues should be addressed as a matter or priority:

- increase the resources of the child protection services so that they can play an effective role in the prevention of trafficking of children and the management of cases of children at risk;

- ensure that all unaccompanied or separated foreign children are referred to the child protection authorities and appointed a legal guardian, and provide them with safe and appropriate accommodation as well as access to education health and other services necessary to their needs;

- strengthen awareness-raising and outreach work among the Roma and Egyptian minorities on risks of human trafficking, and ensure their access to birth registration as well as to education, employment, housing, health care and social services;

- ensure that all migrant workers enjoy the same rights and protection as Albanian workers, and increase inspections in private employment agencies (including those operating de facto) and in sectors at high risks of exploitation;

- prevent human trafficking of asylum seekers, refugees and irregular migrants, in particular by ensuring that a proper vulnerability assessment is carried out in order to identify their individual vulnerabilities and needs.

199. GRETA welcomes the efforts made to strengthen online safety, prevent trafficking in human beings facilitated by ICT and develop the specialisation of investigators on cybercrime. In order to address the routine use of ICT to recruit and exploit victims of trafficking, the Albanian authorities should develop further measures specifically aimed at addressing ICT-facilitated trafficking in human beings, including co-operation with service providers and investing in capacity building and digital tools to conduct proactive investigations on trafficking cases.

200. GRETA invites the Albanian authorities to keep it regularly informed of developments as regards the implementation of the Convention. GRETA trusts that there will continue to be a political commitment in Albania to sustain the efforts to combat human trafficking by following the human-rights based approach of the Convention, and looks forward to continuing the dialogue with the Albanian authorities and civil society.

Appendix 1

Table with statistics on victims and cases of THB in Albania in 2020-2024

The data presented in the table is not directly comparable across States Parties to the Convention due to variations in the methodologies used for data collection

Indicators[1]		Years				
		2020	2021	2022	2023	2024
Number of potential victims		81	154	110	164	163
Number of formally identified victims		5	5	2	1	15
By:						
Sex	Female	62	99	81	115	113
	Male	24	60	31	50	65
Age	Adults	28	47	38	56	82
	Children	58	112	74	109	96
Nationality	Albanian	83	156	109	161	126
	Foreign	3	3	3	4	52
Type of exploitation	Sexual	48	59	60	80	70
	Begging	24	51	37	60	59
	Labour	3	16	5	3	16
	Criminality	7	25	9	20	33
	Forced marriage	1	1	1	2	0
	Others[3]	3	7	0	0	0
Number of newly assisted victims[2]		101	167	121	162	178
By:						
Sex	Female	71	113	85	116	115
	Male	30	54	36	46	63
Age	Adults	31	49	43	54	82
	Children	70	118	88	108	96
Country of exploitation	Albania	93	161	105	150	175
	Abroad	8	6	16	12	3
Type of exploitation	Sexual	59	55	61	68	68
	Begging	25	78	34	57	58
	Labour	4	17	8	6	16
	Criminality	2	12	9	15	30
	Forced marriage	4	2	2	0	0
	Two types of exploitation[4]	7	3	7	16	6
Number of investigations (by police or SPO)		27	25	35	37	60
Trafficking in adults		22	16	23	22	37
Trafficking in children		5	9	12	15	23
Number of prosecutions (defendants sent to trial)		13	6	2	14	13
Trafficking in adults		2	4	2	6	11
Trafficking in children		11	2	0	8	2
Number of convictions (persons)		2	4	3	0	6
Trafficking in adults		2	3	3	0	4
Trafficking in children		0	1	0	0	2

[1] Source: Ministry of Interior.

[2] Source: National Coalition of Anti-Trafficking Shelters.

[3] "Others" include individuals in street situation.

[4] It can be sexual exploitation and exploitation in begging / sexual and labour exploitation / sexual exploitation and exploitation in criminality / exploitation in begging and criminality / labour exploitation and exploitation in begging.

Appendix 2

List of GRETA's conclusions and proposals for action

The position of the proposals for action in the text of the report is shown in parentheses.

1. Topics related to the fourth evaluation round of the Convention

Measures to prevent the vulnerability of specific groups to trafficking in human beings

Children and young people

- GRETA urges the Albanian authorities to take additional measures to prevent trafficking of unaccompanied or separated foreign children, and in particular to:

  - ensure that all unaccompanied or separated foreign children, including those who do not seek asylum in Albania, are referred to the child protection authorities and appointed a legal guardian;

  - provide safe and appropriate accommodation to all unaccompanied or separated foreign children, as well as access to education, health and other services necessary to their needs;

  - train professionals likely to be in contact with unaccompanied or separated foreign children (such as officers of the Border and Migration Police, staff of the Directorate for Asylum and Citizenship, and child protection officers) on detecting, interviewing, referring and supporting these children, as well as on detecting victims of trafficking among them;

  - ensure that age assessment is conducted in line with international standards, including the Council of Europe Committee of Ministers Recommendation to Member States CM/Rec(2022)22 on human rights principles and guidelines on age assessment in the context of migration (paragraph 44);

- GRETA urges the Albanian authorities to increase the resources of the child protection services so that they can play an effective role in the prevention of trafficking of children and the management of cases of children at risk (paragraph 45);

- GRETA considers that the Albanian authorities should take additional measures to prevent trafficking of children and young persons, including by:

  - continuing to raise the awareness of children, parents and caregivers of the risks of human trafficking (including recruitment and abuse through Internet/social networks), paying particular attention to children in vulnerable situations, including children living in and leaving residential care, Roma and Egyptian children, refugee children and unaccompanied or separated foreign children;

  - providing further training on trafficking in human beings to child protection officers and other professionals working with children, such as teachers;

  - accelerating the deinstitutionalisation of children with a view to reducing vulnerabilities to trafficking, and ensuring that all children placed under the child protection system have access to secure and appropriate accommodation (paragraph 46).

Vulnerabilities related to the gender dimension of human trafficking

- GRETA considers that the Albanian authorities should take additional measures to address the gender dimension of trafficking in human beings, including by:

  - raising awareness of the general public aimed at eliminating sexual and gender-based violence as an essential measure to prevent harmful practices leading to trafficking and exploitation of women and girls;

  - decriminalising persons in prostitution, developing exit programmes for women wishing to leave prostitution and discouraging demand for the services of trafficked persons;

  - addressing risks of child and forced marriage, including by amending the legislation, training professionals and raising awareness of the general public (paragraph 53).

Disadvantaged minorities

- GRETA urges the Albanian authorities to make additional efforts to prevent trafficking in human beings of members of the Roma and Egyptians minorities, including to:

  - strengthen awareness-raising and outreach work with Roma and Egyptians on risks of human trafficking;

  - ensure access to birth registration, by simplifying the necessary documents and raising awareness among the Roma and Egyptian minorities on the importance of birth registration and on the procedure to be followed;

  - take additional measures to improve the inclusion of Roma and Egyptians, including their access to education, employment, housing, health care and social services;

  - involve Roma and Egyptians organisations in the design and implementation of anti-trafficking policies and measures (paragraph 60).

Persons with disabilities

- GRETA considers that the Albanian authorities should conduct research into the vulnerabilities of persons with disabilities to trafficking in human beings and develop preventive measures specifically aimed at this group. Access to economic, social and health services for persons with disabilities should be developed as a way to reduce vulnerabilities and risks of trafficking of persons with disabilities (paragraph 68).

Asylum seekers, refugees and irregular migrants

- GRETA urges the Albanian authorities to take appropriate measure to prevent human trafficking of asylum seekers, refugees, and irregular migrants, in particular by:

  - ensuring that a proper vulnerability assessment is carried in respect of all foreigners apprehended at the borders or in the Albanian territory, as well as in the detention centre for foreigners, in order to identify their individual vulnerabilities and needs;

  - strengthening the training of professionals (notably officers of the Border and Migration Police, the Detention Centre for Foreigners, and staff of the Directorate of Asylum and

Citizenship) and monitoring the implementation of the procedures, on the detection of vulnerable individuals and the referral of cases;

- further raising awareness of asylum seekers, refugees and irregular migrants on their rights and risks of human trafficking;

- improving the social and economic integration of asylum seekers and refugees, notably their access to education, employment and vocational training.

- GRETA considers that the Albanian authorities should take measures to ensure that the Protocol with Italy in relation to migration does not relieve Albania from its obligations under the Convention, notably to prevent trafficking in human beings, as well as to identify possible victims of trafficking and refer them to assistance (paragraph 81).

Migrant workers

- Referring to its Guidance Note on combating trafficking for labour exploitation and the Council of Europe Committee of Ministers Recommendation to Member States CM/Rec(2022)21 on preventing and combating trafficking in human beings for the purpose of labour exploitation, GRETA considers that the Albanian authorities should take measures to:

  - ensure that all migrant workers enjoy the same rights and protection as Albanian workers;

  - increase inspections of private employment agencies (including those operating de facto) and in sectors at high risks of exploitation;

  - provide appropriate human and material resources to the State Inspectorate of Labour and Social Services so that it can carry sufficient labour inspections;

  - provide further training on trafficking in human beings to labour inspectors, staff of migration counters and other relevant officials, with a focus on vulnerabilities that lead to THB and on early detection of cases of THB for the purpose of labour exploitation;

  - put in place practical co-operation and data sharing agreements between labour inspectors and law enforcement in order to ensure that personal information of workers, whether collected in the course of labour inspections, joint inspections, reporting or complaints mechanisms, is not used for immigration enforcement purposes, but to tackle the perpetrators of trafficking offences;

  - raise awareness among the general public as well as, in a targeted manner, among migrant workers, about the risks of THB for the purpose of labour exploitation, the rights of victims of trafficking, and workers' rights under labour laws (paragraph 92).

Albanian returnees

- While welcoming the efforts made to address the vulnerabilities of Albanian returnees, GRETA considers that the Albanian authorities should reinforce their preventive efforts, in particular by:

  - raising awareness of the risks of trafficking of Albanian returnees and further developing opportunities for their social and economic reintegration in Albania;

  - strengthening the detection of Albanian returnees at risk of trafficking, including by migration counters (paragraph 97).

LGBTI persons

- While welcoming the adoption of National Action Plan for the LGBTI Community and the commitment of Albanian authorities to protect the rights of LGBTI persons, GRETA considers that the authorities should take steps to address the vulnerability of LGBTI persons to trafficking in human beings, in close co-operation with civil society organisations (paragraph 102).

Identification of victims of THB

- GRETA urges the Albanian authorities to take further steps to improve the identification of victims of trafficking in human beings, including by:

  - analysing gaps in the implementation of the National Referral Mechanism and the Standard Operating Procedures, notably with regard to the low number of formal identifications, and taking measures to address these gaps;

  - ensuring that the formal identification of victims of trafficking is not dependent on their willingness to co-operate in the criminal proceedings;

  - increasing the state funding provided to the mobile units of specialised NGOs and ensuring that it is sustainable;

  - strengthening the guidance, training and resources of relevant professionals (including police officers, labour inspectors, child protection officers and social workers) on the identification of victims of trafficking;

  - proactively identifying victims of trafficking for the purpose of labour exploitation, notably by increasing unannounced inspections in high-risk sectors;

  - proactively identifying victims of trafficking among migrant workers, asylum seekers, irregular migrants and unaccompanied or separated foreign children;

  - ensuring that a prior assessment of the risks is carried out prior to any forced return or expulsion from Albania, taking full account of the risks of trafficking or re-trafficking on return, in compliance with the obligation of non-refoulement. In this context, full consideration to GRETA's Guidance note on the entitlement of victims of trafficking, and persons at risk of being trafficked, to international protection (paragraph 117).

Assistance to victims

- GRETA considers that the Albanian authorities should make additional efforts to improve victim assistance and the economic and social inclusion of victims, in particular by:

  - provide adequate and sustainable state funding for NGOs which provide assistance measures and accommodation to victims of trafficking;

  - improving victims' access to the labour market, vocational training and education, through raising awareness among employers and the promotion of micro-businesses, social enterprises and public-private partnerships;

  - providing adequate accommodation to male victims of trafficking;
  - improving access to housing once victims leave the shelters, including by raising the amount of economic aid;

- improving access to mental healthcare and specialised care for victims of trafficking who suffer substance abuse or addiction across the country (paragraph 129).

Notion of "abuse of a position of vulnerability" in the law and case-law

- GRETA considers that the Albanian authorities should strengthen training and guidance to the relevant professionals (in particular judicial police officers, prosecutors and judges) on how victims' position of vulnerability may exist or arise and how its abuse may operate in the context of trafficking (paragraph 137).

Investigation, prosecution and sanctions

- While the criminalisation of trafficking may evolve in the framework of the revision of the CC, GRETA stresses that the criminal offence should continue to be in line with the Convention (in particular Articles 3, 4, and 18 to 26) and address the gaps mentioned previously (paragraph 138);

- GRETA once again urges the Albanian authorities to take measures to strengthen the criminal justice response to trafficking in human beings, in particular by:

  - making use of special investigation techniques in order to gather material, documentary, financial and digital evidence, and not having to rely exclusively on testimony by victims or witnesses;

  - ensuring that human trafficking offences are prosecuted as such, rather than as other/lesser offences, every time the circumstances of the case allow this, and lead to effective, proportionate and dissuasive sanctions for those convicted;

  - improving co-operation between the police, prosecutor's offices with general jurisdiction and the Special Prosecutor's Office on trafficking cases;

  - strengthening the participation of the Special Structures against Corruption and Organised Crime (SPAK) in cases of human trafficking involving an organised crime element, notably by increasing its resources so that it can be actively involved in THB cases;

  - further developing the training of investigators, prosecutors and judges on the offence of trafficking in human beings, in particular the different constituent elements on this offence, its differences with other related offences and the non-punishment principle. Newly appointed investigators in the police anti-trafficking units should be trained prior to taking up their duty;

  - ensuring that victims and witnesses of human trafficking, as well as their family members, are provided with effective and appropriate protection from potential retaliation or intimidation, including testimony through audio-visual means and avoiding direct confrontation with defendants;

  - further developing training of professionals on child-friendly interviews. In this context, reference is made to the Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice;

  - encouraging the media to protect the identity and private life of victims of THB through training for media professionals (paragraph 151).

Addressing human trafficking facilitated by information and communication technology (ICT)

- While welcoming the efforts made to strengthen online safety and prevent risks of ICT-facilitated trafficking in human beings as well as to develop the specialisation of police officers on cybercrime, GRETA considers that the Albanian authority should develop further measures, including co-operation with service providers and investing in capacity building and digital tools to conduct proactive investigations of all forms of trafficking and gather electronic evidence (paragraph 166);

- GRETA invites the Albanian authorities to ratify the Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence (paragraph 167).

2. Follow-up topics specific to Albania

Recovery and reflection period

- GRETA considers that the Albanian authorities should ensure that all foreigners for whom there are reasonable grounds to believe that they are victims of trafficking are offered a recovery and reflection period, in compliance with Article 13 of the Convention. It is a clear breach of this provision to deny access to the recovery and reflection period to victims who are not co-operating with the authorities, or those who are awaiting their expulsion from the territory. GRETA refers to its Guidance Note on the recovery and reflection period (paragraph 170).

Residence permit

- GRETA considers that the Albanian authorities should take additional measures to ensure that victims of trafficking can effectively benefit from the right to obtain a residence permit under Article 14, paragraph 1 of the Convention, including because of their personal situation (paragraph 176).

Legal assistance and free legal aid

- GRETA considers that the Albanian authorities should take additional measures to guarantee effective access to legal assistance and free legal aid of victims of THB, including by:

  - ensuring that trafficking victims are systematically appointed a specialised lawyer to represent them in legal proceedings;

  - providing adequate funding to NGOs providing legal assistance (primary legal aid) to victims of trafficking in human beings;

  - encouraging the National Chamber of Advocacy to offer training on human trafficking to lawyers providing free legal aid to victims of trafficking (paragraph 184).

Compensation

- GRETA once again urges the Albanian authorities to facilitate and guarantee access to compensation for victims of trafficking, including by:

  - building the capacity of legal practitioners to support victims to claim compensation and including compensation into existing training programmes for lawyers, law enforcement officials and the judiciary;

- ensuring that victims can obtain a decision on compensation from the offender as part of the criminal proceedings within a reasonable time. The plea-bargaining agreement should not be in any way detrimental to the rights of the victims, in particular their effective access to compensation;

- ensuring that the collection of evidence about the harm the victim has suffered, including the financial gain from the exploitation of the victim, is part of the criminal investigations with a view to supporting compensation claims in court;

- making full use of the legislation on the freezing and forfeiture of assets to secure compensation to victims of THB;

- setting a state compensation scheme for victims of trafficking in human beings in case of the failure of the perpetrators to compensate the victims (paragraph 192).

Appendix 3

List of public bodies, intergovernmental organisations and civil society organisations with which GRETA held consultations

Public bodies

- Ministry of Economy, Culture and Innovation
  - National Agency for Employment and Skills
  - National Business Centre
  - State Labour and Social Services Inspectorate
- Ministry of Education and Sport
- Ministry of Finance
- Ministry of Foreign Affairs
- Ministry of Health and Social Protection
  - State Agency for the Protection of Children's Rights
  - State Social Service
- Ministry of the Interior
  - Directorate of Migration, Asylum and Anti-Trafficking Policies (Office of the National Anti-Trafficking Co-ordinator)
  - Directorate for Asylum, Foreigners and Citizenship
  - State Police
- Ministry of Justice
- National Authority for Electronic Certification and Cyber Security
- National Centre for Victims of Trafficking
- National Youth Agency
- Parliament
- Supreme Court
- General Prosecutor's Office
- Special Prosecutor's Office (SPAK)
- People's Advocate (Ombudsperson)
- Commissioner for the Protection from Discrimination
- Regional Anti-Trafficking Committee of Durrës

Intergovernmental organisations

- Delegation of the European Union in Albania
- International Organization for Migration (IOM)
- Organization for Security and Co-operation in Europe (OSCE)
- United Nations Children's Fund (UNICEF)
- United Nations High Commissioner for Refugees (UNHCR)

NGOs and other civil society organisations

- Child Rights Centre Albania
- Different and Equal
- Initiative ARSIS
- Institute for Romani Culture
- Psycho-social centre Vatra
- Safer Internet Platform (iSUGURT.al)
- Streha Centre
- Terres des Hommes Albania
- Tjeter Vision (Another Vision)
- World Vision Albania

Government's comments

The following comments do not form part of GRETA's analysis concerning the situation in Albania

GRETA engaged in a dialogue with the Albanian authorities on a first draft of the report. A number of the authorities' comments were taken on board and integrated into the report's final version.

The Convention requires that "the report and conclusions of GRETA shall be made public as from their adoption, together with eventual comments by the Party concerned." GRETA transmitted its final report to the Albanian authorities on 22 April 2025 and invited them to submit any final comments. The comments of the authorities, submitted on 14 May 2025, are reproduced hereafter.

ALBANIAN GOVERNMENT'S COMMENTS

The Albanian authorities would like to express their gratitude for recommendations made by GRETA within its final report and at the same time to take the opportunity of submitting final comments to be published together with the text of the final report. Below you will find additional information on some points of the report.

Point 38:

We would like to add the following updated information (in red):

To support transition from institutional care to family and community-based care, the Albanian authorities adopted the first national deinstitutionalisation plan in 2019. Measures are now included in the National Social Protection Strategy 2024-2030. Two pilot projects have been set up in Vlora and Korça (Child and Family Centres"). Further, standards for mobile social care service and emergency social care have been designed, but have not been broadly implemented so far. In general terms, the deinstitutionalisation process is progressing slowly, notably due to lack of sufficient funding. The number of foster families is low, and civil society has criticized their limited supervision.
45 children transitioned to alternative care in 2024, through adoption, independent living, and reintegration with biological families.
• A national assessment of children with disabilities in residential care was launched in 2024 to develop individualized transition plans.
• Residential Care Institutions (RCIs) in Vlora and Korçë are being transformed into Child and Family Hubs, offering emergency, foster care, and family support services.
• Investment in RCI transformation (2024-2025) includes facility upgrades and staff training with UNICEF support.

Point 39:

We would like to add the following updated information (in red):

While welcoming the efforts made to prevent trafficking of children and young people, GRETA is particularly concerned by the large number of victims of trafficking detected among them each year. Many interlocutors underlined that the State Agency for Child Rights and Protection, which co-ordinates the integrated child protection system, lack sufficient financial and human resources to carry out all its responsibilities. While efforts have been made to provide economic aid to families in need, other forms of support from social services are lacking. It is reported that there are still municipalities without social services, leading many individuals to depend on the support of civil society organisations, and the access to mental health or psycho-social services free of charge is limited. As mentioned in paragraph 27, many child victims are exploited by their family, and this generates challenges for child protection services which are not always equipped to deal with such situations and increases risks of re-trafficking. Given that within the social fund-financial support mechanism- are set up 84 Social Care Services, there are at least one community-based service in 61 municipalities.

Point 42:

We would like to add the following updated information (in red):

In addition, under Albanian legislation, unaccompanied or separated children are mostly excluded from accessing public services and facilities. They can be accommodated in temporary reception centres at the borders for up to 15 days, or in the Reception Centre for Asylum seekers in Tirana if they apply for asylum and are above 16. However, in both cases they would be accommodated together with adults and the living conditions in the centres are inappropriate for children. If they are identified as potential victims of trafficking, they can be accommodated in the shelter for child victims of trafficking in Elbasan. However, if they are in none of the previous mentioned categories, which is the case for many of them, there are no centres which can support these children. Over the years, the NGO Nisma ARSIS (see paragraph 35) has tried to fill the gaps by providing services to unaccompanied or separated foreign children in its emergency shelter in Tirana. According to the Albanian authorities, in 2024, the children were also accommodated in the centre of the NGO CARITAS Albania ("Village of Peace") in Shkodra. Among the most vulnerable groups of irregular migrant flows in Albania are unaccompanied children – those who travel without their parents or legal guardians. Albania, as a transit country, is faced with the need to guarantee the protection and rights of these children. The Albanian legal framework, harmonized with international standards, recognizes the need for special protection of children of irregular migrants. The Law "On Asylum" and the Juvenile Justice Code also stipulate that every child, regardless of their migration status, must be treated on the principle of the best interests of the child. External experts of the Ombudsman, during border monitoring, have evidenced that as soon as an unaccompanied child is identified, the Albanian border authorities refer the case to the Child Protection Unit (CPU) established at the Municipalities. The selection interview by migration officers is conducted in the presence of CPU employees.

Point 53:

We would like to add the following updated information (in red):

GRETA considers that the Albanian authorities should take additional measures to address the gender dimension of trafficking in human beings, including by:

- raising awareness of the general public aimed at eliminating sexual and gender-based violence as an essential measure to prevent harmful practices leading to trafficking and exploitation of women and girls;

- The State Police, as one of the main responsible institutions and part of the Coordinated Referral Mechanism for cases of domestic violence and sexual crimes, for the prevention and protection of victims of domestic violence, has joined the activities organized by the Ministry of Health and Social Protection and various organizations operating in this field. Also, every year the Order of the Director General of Police "On taking measures within the framework of the awareness campaign against domestic violence from November 25 to December 10" has been prepared and sent to the local directorates and based on this order, the local police directorates have drafted programs and participated in awareness activities for domestic violence and gender-based violence, where meetings have been held in schools, with various target groups, etc. It has participated in several shows on local and national television, and messages of support have been given and good work practices have been shared on the social networks of the State Police. These campaigns have aimed to:

  - Show that violence against girls and women is a crime and unacceptable;
  - Increase knowledge about the role of the police in this process;

- Provide accurate information to the public on where to turn and what to do in cases of violence.

One of the initiatives taken by the State Police is Community Policing through youth education. The creation of a special organic function of the Assistant Community Policing Specialist for Education and Work with Youth in all police directorates has significantly improved the implementation of awareness campaigns by the SP.
These specialists, in addition to planning awareness and education campaigns in schools and with youth, developing teaching topics with pupils and students, collaborate with youth organizations, teachers, pedagogues, psychologists, school security officers, to identify, treat and jointly solve the problems of bullying, crime, domestic violence, violations of the law, in order to prevent youth involvement in criminal activities and increase security standards in educational institutions and in the community.
Within the framework of the program/package "Youth Safety" that the State Police has with the Ministry of Education, among the topics that are developed in public and non-public schools are:

- Against violence in schools and trafficking,
- Against Bullying and cyberbullying

In one school year, this program is implemented in about 1296 schools, of which 1192 are public schools and 106 are non-public schools, and the beneficiaries are about 25,800 students.

- decriminalising persons in prostitution, developing exit programmes for women wishing to leave prostitution and discouraging demand for the services of trafficked persons;

- addressing risks of child and forced marriage, including by amending the legislation, training professionals and raising awareness of the general public.

Point 123:

We would like to add the following updated information (in red):

GRETA was informed that the state funding provided annually to the specialised shelters has increased, notably to raise salaries of staff. In 2023, more than 24 million ALL was provided to the state-run shelter (about 241,500 euros), 11.8 million ALL to the NGO Vatra (about 118,700 euros), 9 million ALL to each of the NGOs Another Vision and Different and Equal (about 90,500 euros). In addition, in 2021, the shelters received exceptional fundings from confiscated assets from the Special Fund for the Prevention of Organised Crime (3,4 million ALL (about 34,500 euros) for the state-run shelter and about 2.3 million ALL (about 23,400 euros) to each of the NGO shelters). As mentioned in paragraph 178, the NGO Vatra also receives specific funding from the Ministry of Justice for the provision of primary legal aid. However, state funding provided to NGOs shelters continues to be considered insufficient to adequately meet victims' needs. In particular, it only covers salaries of staff and food for victims, excluding other significant expenses such as operational or maintenance expenses. As an example, the annual budget of the shelter of the NGO Another Vision is about 340,000 euros, but only about 26% is covered by state funding. NGO shelters are therefore extremely dependent on external funding, which are not necessarily sustainable. To date, based on agreements with NGOs that provide specialized services for trafficking victims, as well as on service-related legislation, it has been agreed that the allocation of funds from the central budget will cover only the salaries of the center's staff and the food budget. Since the social fund mechanism operates as a co-financing system, a portion of the

funding must be provided by the local government. This funding should be allocated within the medium-term budget programs for the social fund product, as required by the local government's obligation under DCM 111/2018, as amended by DCM 613/2024.

Point 145:

We would like to add the following updated information (in red):

The protection measures of victims of trafficking during the criminal proceedings were described in previous GRETA reports. Efforts have been made to extend the number of victims co-ordinators in police stations and prosecutor's offices. These psychologists or social workers provide information to victims, refer them to service providers and assist children or any victim with a physical or mental disability in criminal proceedings. Victims who have been sexually abused and victims of trafficking have the right to be heard by an officer of the same gender, and to request to be heard through audio-visual means. Additionally, for child victims, the questioning shall be audio-video recorded and may be used as evidence in the proceedings. Children should be questioned in child-friendly premises, with the presence of a psychologist. The NGO Nisma ARSIS has concluded an agreement with the police so that one of its staff is present during interview with child victims in the absence of a psychologist. Further, UNICEF has supported the set-up of child friendly interview rooms in seven police stations. According to the authorities, construction work is underway to improve the existing interview rooms and set up additional ones. The NGO Child Rights Centre Albania (CRCA) also operates a centre with integrated services for children and youth who have experienced sexual violence (Barnahus Model). Despite these positive steps, it is reported that the special rules on questioning child victims are rarely applied, and children may be asked to testify on multiple occasions and in confrontation with the accused. Further, GRETA has been informed of cases of sexual abuses against children which were reported in the media in violation of the right to privacy. The General Directorate of the State Police has prepared and sent to all local police structures and the Media Communication Sector, Attention Letter No. 994/1, dated 15.02.2024 "On maintaining confidentiality regarding personal data of injured children or victims of criminal offenses".

Point 158:

We would like to add the following updated information (in red):

With a view to improving the reporting of harmful or illegal content online, including trafficking, the Albanian authorities have established a new online platform managed by the National Authority for Cyber Security. The authorities have underlined that the number of reports has constantly increased (80 in 2023 and 86 in 2024). They indicated that most reports concern cyber bullying, and there has never been a report linked with human trafficking. In addition, the NGO Child Rights Centre Albania (CRCA) manages the national platform for internet safety (www.isigurt.al), which is not funded by the government and to which individuals can report illegal and harmful content online. In 2023, the CRCA platform received 300 reports of online incidents against children and young people, of which 40% concerned hate speech and bullying and 25% child sexual abuse material and sexual exploitation online. In 2024, the Directorate for the Investigation of Cybercrimes reached an agreement with TikTok to create a channel for reporting and deleting all addresses that use false data, or content that expresses hate speech, bullying, etc.

Point 159:

We would like to add the following updated information (in red):

Efforts have been made to raise awareness of vulnerable groups and professionals on risks of trafficking facilitated by ICT and online safety. In 2023, the NGO Vatra prepared a specific brochure on "Trafficking and online exploitation of children" which was distributed in schools during informative meetings. The State Agency for Child Rights and Protection, in co-operation with the National Authority on Cyber Security and the NGO Nisma ARSIS, has also organised information meetings in different municipalities for children, young people, parents, educational staff, police and the private sector, on the dangers in the cyber-space. Further awareness raising activities are organised every year during the Safer Internet Day (11 February). In February 2024, the State Agency for Child Rights and Protection and the National Authority for Cyber Security signed a co-operation agreement which has allowed to increase raising awareness activities on the safety and protection of children in the cyberspace. For 2024, the structures for investigating cybercrimes in the State Police, as part of the school security package, have held awareness-raising meetings with elementary and high school students to increase their awareness and safety on the internet, to prevent the phenomena of bullying, grooming, etc.

Point 162:

We would like to add the following updated information (in red):

With a view to improving the investigation of crimes committed online, a specific Strategy on the investigation of cybercrimes and its Action Plan 2021-2025 were adopted by the Albanian authorities in December 2020. The Strategy focuses on four pillars: 1) improving the institutional and legal framework; 2) public awareness and professional capacity building; 3) prevention, follow-up and investigation cybercrimes against children in cyberspace; 4) national and international co-operation in cybercrime investigation. According to the authorities, there is a strong co-operation between the police and other institutions (including the National Authority for Cyber Security or the National Centre for Missing and Exploited children) which allows rapid exchange of information to address cybercrimes. The Police has access to ICACCOPS (Internet Crimes Against Children Child On-line Protection System) software, which allows to detect the downloading/making/producing of material relating to the exploitation of children in pornography. Efforts are underway to establish direct access to INTERPOL's database on International Child Sexual Exploitation (ICSE). The State Police have access to the NCMEC (National Missing & Exploited Children) database, where they receive reports of addresses on various social platforms that exchange sexually abusive content on the internet. For the year 2024, 5680 reports were received, which were verified and some of them were referred to the Prosecutor's Office.

Point 165:

We would like to add the following updated information (in red):

Little information was provided on the co-operation with Internet service providers to prevent online trafficking and investigate cases. GRETA was informed that, in general terms, co-operation to remove illegal or harmful content online is good, but it is much more complicated when it comes to obtaining electronic evidence in the framework of a criminal investigation. The State Police, after the approval of the Law on Electronic Communications No. 54 of 2024 and its entry into force, can request information directly from Internet distribution companies for IP users, which helps in obtaining information directly and in the shortest possible time.

APPENDIX 2:

We would like to add the following updated information (in red):

Asylum seekers, refugees and irregular migrants

➢ GRETA urges the Albanian authorities to take appropriate measure to prevent human trafficking of asylum seekers, refugees, and irregular migrants, in particular by:

- ensuring that a proper vulnerability assessment is carried in respect of all foreigners apprehended at the borders or in the Albanian territory, as well as in the detention centre for foreigners, in order to identify their individual vulnerabilities and needs;

The selection procedure at the border and in the territory ensures that the vulnerability assessment is carried out while respecting the rights of the migrant at the border. The periodic interviews conducted by the staff and the psychologist at the Closed Center for Foreigners with detained migrants show that the law enforcement authority continuously monitors the situation and addresses the needs or potential vulnerabilities that may be identified. We also inform that in January 2025, in the framework of strengthening the institutional capacities of the staff of the Closed Center for Foreigners, Karrec, a full-time organic function of "doctor" was added.

- strengthening the training of professionals (notably officers of the Border and Migration Police, the Detention Centre for Foreigners, and staff of the Directorate of Asylum and Citizenship) and monitoring the implementation of the procedures, on the detection of vulnerable individuals and the referral of cases;

Based on the annual training calendar, border police and migration officers are subject to specialized training regarding the procedural treatment of migrants in an irregular situation in the Republic of Albania. Such training was conducted at the Security Academy on March 12, 2025, attended by 21 border police and migration officers.
Within the framework of the Albania-EUAA Cooperation Guidelines (2024-2027) for strengthening the asylum and reception system in Albania, inter-institutional trainings are foreseen regarding vulnerable categories of migrants such as unaccompanied minors, asylum seekers, families with children, etc.

- further raising awareness of asylum seekers, refugees and irregular migrants on their rights and risks of human trafficking;

- improving the social and economic integration of asylum seekers and refugees, notably their access to education, employment and vocational training.

- GRETA considers that the Albanian authorities should take measures to ensure that the Protocol with Italy in relation to migration does not relieve Albania from its obligations under the Convention, notably to prevent trafficking in human beings, as well as to identify possible victims of trafficking and refer them to assistance (paragraph 81).