

Committee of the Parties  
to the Council of Europe Convention  
on Action against Trafficking in Human Beings



CP(2023)01

**Report submitted by the authorities  
of Albania  
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**

**Third evaluation round**

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## **MEASURES TAKEN BY THE ALBANIAN GOVERNMENT REGARDING THE TOPICS RELATED TO THE THIRD EVALUATION ROUND OF THE CONVENTION**

### ***Right to information***

- GRETA considers that the Albanian authorities should strengthen the capacity of law enforcement and relevant professionals to inform presumed victims and formally identified victims of trafficking regarding their rights, the services available and how to access them, as well as the implications of being identified as a victim of trafficking. All professionals who are in contact with victims of THB must be trained on how to provide information on rights to traumatised victims who may have difficulties in adequately understanding and analysing the information before taking a decision. Victims should also be informed of any significant change in circumstances, including arrests, media coverage, change in charges or discontinuation of the proceedings (paragraph 44).

Informing the victims of trafficking about their rights is one of the first obligations to be implemented as a prerequisite for taking other steps to assist the victims. All institutions and agencies that come into contact with VT/PVoT, inform victims of their rights, including information on: available services, accommodation options (information on shelters and community protection programs), procedures and the steps to follow for the criminal process (information about the investigation, the duration of the trial, difficulties and challenges in facing the judicial process, possible risks, etc.), the right to compensation, opportunities for employment, education, housing, as well as other reintegration services according to the case and the victim's needs.

After the information, the victim's needs for services and the reintegration plan are assessed for each case, taking into consideration the victim's own opinion and agreement on the assistance plan.

The General Prosecutor's Office, in addition to the sub-legal framework and instruction no. 5/2018 "On guaranteeing assistance to victims and witnesses of criminal offenses", has issued general instruction no. 17, dated 23.12.2020, "On criminal investigation and prosecution of criminal offenses against violence against women, domestic violence and hate-based violence", which aims to increase the effectiveness of the investigation and prosecution of domestic and gender-based violence by orienting measures that are victim-centered, in accordance with the human rights and convey the message that this violence will not be tolerated. An important part of it is the re-transmission of internationally recognized principles, the provision of definitions and interpretations of the Istanbul Convention and international doctrine on the meaning and forms of violence against women and other vulnerable groups, the collection of evidence data, criminal policy, control of the activity of the judicial police, inter-institutional cooperation, training as well as the collection of statistical data on cases of violence against women, including human trafficking, to help analyze and design preventive policies for these issues.

Another important General Instruction is No. 8/2021 "On the investigation and effective criminal prosecution for criminal offenses involving minors in conflict with the law, victims and/or witnesses", with the aim of increasing the effectiveness in the investigation and criminal prosecution of issues with/and against minors, in conflict with the law, victim and/or witness, as well as Order no. 87/2021 "On the adoption of rules for the use of the integrated system of criminal justice data for minors" with the aim of collection, processing and publication of data for minor victims of criminal offences.

(In its article 4 "The right to be informed", it is specifically provided that the prosecutor and the judicial police officer must take the necessary measures to strictly respect the criminal provisions to inform the minor immediately in the form that corresponds to the development directly and/or through his legal representative for rights and obligations in the criminal process, the right to benefit from free legal assistance, consular assistance for foreign minors, etc.)

Also, with the support of the "SIDA" project, the Development Center (Office) has continued the preparation of nine standard acts/models, which are part of the general instruction (no. 8/2021), as well as ongoing activities for informing and increasing awareness of the institutions about the rights of the victims of trafficking.

The School of Magistrates deals with the issues of human trafficking, in the many dimensions that they present, in the perspective of the accusation, the victim of the criminal offense, the judiciary, the role of international cooperation, the civil damage caused, the minor victim, and others. With the aim of training the candidate for magistrate and the magistrate in office, the School of Magistrates has included these topics in the curricula of the Initial Training Program and the Continuing Training Program.

### **Topic load on trafficking issues in the curriculum of the Initial Training Program**

1.	.Criminal law <ul style="list-style-type: none"> <li>- Criminal offenses in the field of trafficking. Trafficking of minors;</li> <li>- Cybercrime and national jurisdiction;</li> <li>- Criminal offenses against children, marriage and family;</li> <li>- Information technology and cyber security</li> </ul>	<ul style="list-style-type: none"> <li>- 6 teaching hours</li> <li>- 2 teaching hours</li> <li>- 3 teaching hours</li> <li>- 1 teaching hour</li> </ul>
2.	<b>Criminal procedure</b> <ul style="list-style-type: none"> <li>- <b>The investigative activity of the prosecutor;</b></li> <li>- <b>Completion of preliminary investigations, deadlines, preliminary hearings;</b></li> <li>- <b>Jurisdictional relations with foreign authorities and the European arrest warrant.</b></li> <li>-</li> </ul>	<ul style="list-style-type: none"> <li>- 3 teaching hours</li> <li>- 3 teaching hours</li> <li>- 6 teaching hours</li> </ul>
3.	<ul style="list-style-type: none"> <li>- <b>Family law</b></li> <li>- <b>The special protection offered to the abused, neglected, maltreated and violated child.</b></li> </ul>	<ul style="list-style-type: none"> <li>- 4 teaching hours</li> </ul>
4.	<ul style="list-style-type: none"> <li>- .Civil law</li> <li>- Remuneration of civil damages in the criminal process</li> </ul>	<ul style="list-style-type: none"> <li>- 3 teaching hours</li> </ul>
5.	<b>Constitutional right</b> <ul style="list-style-type: none"> <li>- The right to due process</li> </ul>	<ul style="list-style-type: none"> <li>- 2 teaching hours</li> </ul>

**The trainings organized by the School of Magistracy and the number of participants in the topics dealing with trafficking issues in the Continuing Education Program**

1.	12 january 2021	Specifics of the process of interviewing minors aged 14-18 years and minor victims/witnesses under 14 years of age in investigation and trial. The concept of repeated victimization. Special rules for questioning minors who are victims and/or witnesses of sexual exploitation or sexual violence. The balance for guaranteeing the participation of the minor victim in the proceedings and for guaranteeing the protection of the private life and well-being of the minor victims and witnesses. 19 participants (2 judges, 8 prosecutors, 9 judicial police officer)
2.	5 february 2021	Problems of practice in the field of extraditions, recognition of decisions and letters of order. 22 participants (10 judges, 8 prosecutors, 4 legal advisors)
3.	8-9 february 2021	Criminal investigation techniques: - Cyber crimes; - Social falsifications, interference with social data. 18 participants (9 prosecutors, 9 judicial police officer)
4.	16-17 february 2021	Practical approach to the technique of interviewing minors during investigation & trial. 13 participants (5 judges, 6 prosecutors, judicial police officer)
5.	16-17 february 2021	Mediation in criminal cases and implementation of mediation under the JCC (juvenile criminal code). Alternative criminal punishments against minors in conflict with the law according to the JCC, their types and treatment in a comparative view with the alternative punishments applied to the major subject according to the Criminal Code. 11 participants (7 judges, 2 prosecutors, 2 judicial police officer)
6.	19 february 2021	Online sexual exploitation of minors and methods of investigation. Cases of judicial practice. Problems and challenges in the fight against sexual exploitation of minors. 20 participants (4 judges, 6 prosecutors, 10 judicial police officer)
7.	22-23 february 2021	To protect child victims through Restorative Justice. Online course 1 participant (1 judge)
8.	25 february 2021	Peculiarities of Criminal Justice for injured parties. Their nature and purpose. 12 participants (6 judges, 6 prosecutors)
9.	25-26 february 2021 and	To protect child victims through Restorative Justice. Online course 2 participants (1 judge, 1 prosecutor)

	11-12 march 2021	
10.	1-2 march 2021 and 25-26 march 2021	Protection of child victims through Restorative Justice. Online course 6 participants (2 judges, 1 prosecutor, 3 candidates for magistrates)
11.	7 april 2021	Types of measures to avoid criminal prosecution against minors in conflict with the law (theoretical and practical treatment). Positive practices and problems identified by courts and prosecutors in this regard. The need for unification of the models of procedural acts applicable to the granting of avoidance measures. Failure to comply with alternative measures to avoid criminal prosecution and legal consequences. Legal procedures and competent monitoring bodies of avoidance measures. Mediation in criminal cases and implementation of mediation under the JCC. The role of the prosecutor's office and the court in the implementation of victim-violent mediation. 9 participants (3 judges, 2 prosecutors, 4 OJP)
12.	22-23 april 2021	The right to an effective defense within a regular legal process: The right to an effective defense of the defendant in legislation and in practice; equality of arms in the criminal process; as well as the victim's right to legal aid. 14 participants (5 judges, 7 prosecutors, 2 OJP)
13.	4 may 2021	Human trafficking. Innovations in criminal legislation. Support of victims of trafficking during the criminal process. 12 participants (3 judges, 7 prosecutors, 2 OJP)
14.	5-6 may 2021	The "minor" victim in the criminal process. His rights and guarantees throughout all stages of criminal proceedings. The special rules of questioning the minor victim or witness and the role of the psychologist. Interviewing the minor victim and the stages of this process. Analysis of domestic and international jurisprudence. 16 participants (5 judges, 7 prosecutors, 4 OJP)
15.	11 maj 2021	Human trafficking. Innovations in criminal legislation. Support of victims of trafficking during the criminal process. 12 participants (6 judges, 6 prosecutors)
16.	2 june 2021	The legal criteria and the specific procedure for the application of "Parole" of minors in conflict with the law. Differences in the implementation of the Institute of "Parole" towards adult convicts and minors in conflict with the law. Substitution of the uncompleted part of the sentence as an innovation in criminal legislation for juvenile justice. Jurisprudence of the Supreme Court. Conditional release of those sentenced to life imprisonment (ECHR Standards); Comparative aspect with other countries. 34 participants (17 judges, 12 prosecutors, 5 OJP)

17.	23 june 2021	Trafficking of minors. Methods of investigating the trafficking of minors. Applicable international and national legal framework. Evidence of the forms of the crime of trafficking. Jurisprudence of the Supreme Court of Justice on issues of trafficking of minors. Problems and challenges in the fight against trafficking of minors. Protection against enforced disappearances. 24 participants (8 judges, 8 prosecutors, 8 OJP)
18.	1-2 july 2021	Personal security measures against minors in conflict with the law, especially special measures for minors, the comparative treatment of their implementation throughout the years 2018-2020 with reference to domestic and international jurisprudence. 26 participants (11 judges, 7 prosecutors, 8 OJP)
19.	11-12 october 2021	The role of prosecutors and judges in the execution of evasion, criminal sentences against minors. Practical approaches to interviewing minors during investigation and trial. 16 participants (5 judges, 8 prosecutors, 3 specialists)
20.	19 january 2022	Practical problems in the field of foreign jurisdictional relations (extradition, recognition of decisions and correspondence). 13 participants (3 judges, 6 prosecutors, 1 OJP, 3 candidates for magistrates)
21.	28 february 2022	Online sexual exploitation of minors and methods of investigation. i) the new criminal offenses of grooming, cyberbullying, cyberharassment and revenge porn; ii) the role of social networks and the age of access to these networks. Cooperation with online platforms and companies operating in this field; iii) special investigation techniques for these crimes (even those not included in the Code of Criminal Procedure) iv) reporting and assistance to victims of online exploitation and companies operating in this field; Jurisdictional problems. 18 participants (4 judges, 6 prosecutors, 2 legal advisors, 3 OJP, 3 candidates for magistrates)
22.	26-27 may 2022	Human trafficking. Subtopics: - Procedural position and support of victims during the trial of trafficking cases. Interviewing victims. - Compensation for victims of human trafficking. - The highest interest of the child victim of trafficking. 18 participants (5 judges, 7 prosecutors, 5 OJP, 1 candidate for magistrates)
23.	30 november 2022	Mainly the initiation of criminal proceedings and the independence of the prosecutor. Legal framework. The cases and the procedure followed for the registration of the proceedings mainly. International standards and good practices.

24.	1-2 december 2022	The victim in the criminal process. Its definition and legitimation in the criminal process. Filing a civil lawsuit in the criminal process and its importance. Procedural powers of the victim. Appeal, recourse or review of the court decision at the initiative of the victim. Independent investigation conducted by the victim of the crime. <i>Planned</i>
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Pursuant to the National Action Plan for the Fight against Trafficking in Persons, during 2021, 34 trainings were held in 12 regions of the country with the participation of 481 professionals from various institutions at the local level such as judicial police officers, border police officers, members of the Regional Anti-Trafficking Committees, coordinators at the District Prosecutor's Offices, prosecutors, representatives from the Municipality and NGOs. The trainings focused on "Promoting the rights of victims of criminal offenses", including the right to information of victims of trafficking.

Likewise, for the period 2021-2022, a total of 6 "workshops" were held on the topic of trafficking and violence, with the participation of lawyers, police officers and officers of the Judicial Police and Probation Service, as well as law students, with a total of 134 participants.

The State Police in cooperation with the Security Academy, international organizations and non-profit organizations have developed trainings related to the criminal offense of human trafficking, migrant smuggling, strengthening the capacities of law enforcement structures to prevent human trafficking, strengthening police cooperation between offices, which cover the investigation related to the phenomenon of unaccompanied minors, the risk of trafficking for the purpose of employment, etc. Specifically:

On January 17, 2022, the online training "Trafficking in human beings" was held, organized by EMPACT;

On January 18-20, 2022, in Belgrade/Serbia, representatives of the state police participated in the regional workshop "Increasing capacities for the investigation of cases of human trafficking in South-Eastern Europe", organized within the framework of the UNODC Global Program against Trafficking in Persons (GLOT59);

On February 22, 2022, the Office of the OSCE Special Representative and Coordinator for the Fight against Trafficking in Human Beings organized the training "Application of gender sensitive approaches in the fight against human trafficking", with the participation of specialists from the trafficking sector.

On March 5-March 31, 2022, 3 employees of the Ministry of Interior / State Police participated in the training course on the topic "Against human trafficking and illegal immigration and the security of national borders and ports", held in Egypt.

On 23-25 March 2022 in Budva, Montenegro, the training "Joint Action of the Western Balkans against Migrant Smuggling and Human Trafficking" (WBJAST), funded by the Ministry of Foreign Affairs of Denmark, took place.

On March 24-25, 2022, in Durrës, police representatives participated in the workshop "Strengthening capacities for the prevention of human trafficking", organized by the Ministry of the Interior of Austria and the European Union (AMIF).

On April 7, at Hotel Plaza/Tirana, the meeting of the National Round Table on the findings and recommendations arising from the review and national analysis of the UNODC of cases of trafficking in persons (TIP) in Albania took place, in cooperation with representatives of Spak-Special Prosecutor's Office Against Corruption and Organized Crime; Special Court Against Corruption and Organized Crime; Special Court of Appeal Against Corruption and Organized Crime; General Directorate of Police/Sector Against Illegal Trafficking; National Coalition of Human Trafficking Shelters. The meeting was organized in collaboration with the IPA 2019 project.

On May 10-12, 2022, police representatives participated in the workshop on "Strengthening police cooperation between offices, which cover the investigation related to the phenomenon of unaccompanied minors, the risk of trafficking for the purpose of exploitation for work", held in Venice / Italy.

On May 11-12, 2022, participation in Dubrovnik, Croatia, in the Regional Conference "Improving the response to trafficking in persons for sexual exploitation, especially women and girls, by addressing the situation in Southeast Europe", organized by the United Nations Office for Drugs and Crime (UNODC), in cooperation with the Office for Human Rights and the Rights of National Minorities of the Government of the Republic of Croatia in partnership with the OSCE.

On 16-18 May 2022, police representatives participated in the 6th multidisciplinary EMPACT meeting on Financial Investigations and Asset Recovery, held in the Netherlands. During the meeting, experiences and knowledge were shared, focusing on topics such as: the role of criminal money flows in the current criminal landscape, financial investigations related to labor exploitation and sexual exploitation, indicators for identifying criminal money, convictions without evidence of victims, using web crawling tools to identify money flows, public-private cooperation, good practices/case studies and other topics.

On June 14-17, 2022, 5 police representatives participated in the training on "Trafficking in human beings", organized by the United Nations Office on Drugs and Crime (UNODC).

On June 14-17, 2022, police representatives participated in the CEPOL course "The fight against serious and organized crime and mafia-style groups - investigative techniques", at the Italian Interinstitutional College of Advanced Studies for Enforcement of Law in Rome, Italy, supported by the presence of the OSCE.

Also, during the period May-June and September, 5 trainings were held with the participation of 20 police officers, 25 participants from the Prosecutor's Office and 25 from the Courts in the country, organized by the UNODC, "Different and equal" with the theme "Improvement of responsibility of criminal justice for addressing evidentiary issues for the investigation of cases of human trafficking in Southeast Europe", as well as the most correct application of these forms of identification, referral and provision of services to victims.

### ***Legal assistance and free legal aid***

- GRETA urges the Albanian authorities to strengthen their efforts to facilitate and guarantee access to justice for victims of THB by ensuring that they receive specialised legal assistance and free legal aid at an early stage. A specialised lawyer should be appointed as soon as there are reasonable grounds for believing that a person is a victim of human trafficking, before the person concerned has to decide whether or not to co-operate with the authorities and/or make an official statement. Accredited training should be provided to lawyers representing victims of THB (paragraph 54).

Access to justice and legal aid is one of the basic rights and of particular importance for the protection of victims of trafficking. This right is provided for in several international acts and domestic legislation that regulates the legal protection of victims of trafficking.

In recent years, within the framework of the justice reform, there has been an improvement of the legal basis that regulates the right to legal aid for vulnerable categories, including victims of trafficking, influencing the increase of access to justice. In 2017, as part of the Legal Reform legal package, law no. 111/2017 "On legal aid guaranteed by the state", which repealed the previous law offering a new approach to the access of vulnerable groups. With Order no. 59, dated 25.03.2019, the Ministry of Justice changed the structure/organization by now providing as a subsidiary institution the Directorate of Free Legal Aid. This directorate is the institution dedicated to the administration and operation of the free legal aid system in the Republic of Albania.

With the aim of strengthening access to justice through the Law on Legal Aid, the Ministry of Justice has prepared by-laws for the purpose of implementing this law, giving special importance to the provision of free legal aid to women. With the new law, the circle of beneficiary subjects was expanded, considering as beneficiaries of legal aid not only persons with economic disabilities, but also persons who benefit directly in the capacity of special categories: In the capacity of special categories, regardless of their income or assets, also benefit: victims of domestic violence, victims of sexual abuse or human trafficking or minor



victims. Now, vulnerable categories can go to legal aid service providers to benefit from legal aid service forms, which include:

- **Primary legal aid, which consists of the following:**
  - Information about the legal system of the Republic of Albania, the normative acts in force, the rights and obligations of the subjects of the law and the methods for exercising these rights in the judicial and extrajudicial process;
  - Legal advice;
  - Advising on mediation and alternative dispute resolution procedures;
  - Assistance in drafting and compiling the necessary documents to set the state administration in motion or to request secondary legal assistance;
  - Representation before administrative bodies;
  - Providing all other forms of necessary legal support that do not constitute secondary legal aid.

To benefit from this form of legal assistance, you can contact 12 legal assistance centers (Primary Legal Assistance Service Center in Tirana, Durrës, Lushnje, Pogradec, Gjirokastër, Lezhë, Shkodër, Fier, Dibër, Vlorë, Elbasan , Berat). Also, providers of primary legal aid, in addition to Primary Legal Aid Service Delivery Centers, are also Law Clinics that operate near Higher Education Institutions, and NGOs authorized to provide legal aid.

Currently, the Directorate of Free Legal Aid has concluded cooperation agreements with 12 Higher Education Institutions, specifically: Cooperation Agreement with "Marin Barleti University", Faculty of Law, "Bedër" University College, "Wisdom" University College, "European University of Tirana" ", "Aleksandër Moisiu Durrës" University, "Ismail Qemali Vlorë" University, "Qiriazi" University College, OSFA Foundation (Shkodër Law Clinic), "Mediterranean University", "Luarasi University" and "Epoka University".

Based on Article 15, point 3 of Law No. 111/2017 "On legal aid guaranteed by the state", non-profit organizations authorized by the Minister of Justice to provide primary legal aid benefit from funding from the budget of the Directorate of Free Legal Aid, after a competitive and transparent selection process. Specifically, for the period September 2020-September 2022, 12 non-profit organizations were authorized, as follows:

1. Association "Protection of the Rights of Citizen and Peasant Women" Berat;
2. Albanian Legal and Territorial Research Institute;
3. Center for the Protection of Children's Rights in Albania (CRCA);
4. Elbasan Women's Forum;
5. Center "Advice Line for Women and Girls"
6. Young Intellectuals of Hope;
7. "Albanian Consumer" Center;
8. Center for Citizen Legal Initiatives;
9. Center of Services and Integrated Legal Practice;
10. "Different and Equal" Center;
11. Tirana Free Legal Service Center (TLAS);
12. Association "Albanian Services for Refugees and Migrants".

Currently, the Directorate of Free Legal Aid is in the process of completing the authorization procedure for non-profit organizations that will provide free primary legal services for the next 2 years. In order to benefit

from free legal services, citizens can go in person or through the postal service to the providers mentioned above, who will help them complete the documentation in order to benefit from the legal aid guaranteed by the state: Application form and self-declaration for primary legal aid; Self-declaration form for special categories/Self-declaration form for income and assets.

### **Providing primary legal assistance through the juristionline.al platform:**

In the conditions when restrictive measures were taken in the country as a result of the pandemic (Covid-19), first aid centers were closed, and part of the work processes were suspended. Being a service closely related to the citizen, legal aid could never not be offered under these restrictive conditions. For this purpose, the Ministry of Justice in cooperation with OSFA, to guarantee the access of citizens through free legal aid, has continued with the provision of online legal services through the juristionline.al platform.

The Directorate of Free Legal Aid has undertaken a series of measures in the framework of the promotion of this platform, but also in terms of the quality of the service provided. The service of free legal aid is said to be fully guaranteed, with efficiency and effectiveness only when it is offered with the right quality. In this context, it is very important to pay due attention to the combination of quantitative figures with service quality data.

### **Provision of primary legal assistance via the toll-free number 08001010:**

In view of the increased measures taken for citizens who need primary legal aid services, the Free Legal Aid Directorate has made available a green line to which all citizens have free access to legal aid services. Setting up a toll-free number is one more guarantee for the provision of free legal aid services, providing citizens with availability at any time and through several forms. Both the legal online platform and the green line are additional measures guaranteeing professional and high-standard services and being as close as possible to the citizen.

#### **• Secondary legal aid**

Secondary legal aid is one of the most essential forms of legal aid service guaranteed by the state within the guarantee of equal access to justice. With the new changes to the legal framework for legal aid, in addition to free representation by a lawyer, citizens in need and vulnerable categories now have the opportunity to benefit from the added form of free legal service, that of exemption from all court fees and expenses.

Due to the nature of legal aid issues, the sensitive character they have, representation with free lawyers and following the process in court is of fundamental importance for the restoration of rights to service seekers.

Secondary legal aid is provided by lawyers who are included in the list approved by the National Chamber of Advocacy, based on the request of the person who enjoys the right to benefit from secondary legal aid, according to articles 11 or 12, Law No. 111/2017.

Secondary legal assistance consists of: drafting the necessary acts to set the court in motion and; providing advice, representation and defense before the court in administrative, civil and criminal cases, for which mandatory protection is not applied, according to the provisions of the criminal procedural legislation.

To benefit from the second form of legal assistance (representation by a free lawyer in court/prosecutor's office), they can apply in person or through the postal service to the Courts (civil/criminal/administrative) and Prosecutions near their place of residence, filling in:

- Application and self-declaration form for secondary legal assistance;
- Self-declaration form for special categories/Self-declaration form for income and assets

Citizens who have benefited from secondary legal aid can benefit from exemption from:

- Payment of court fees and expenses (expenses for witnesses, experts, translators);
- Advance payment of the decision execution fee at the state judicial enforcement service.

Referring to point Article 9 of Law no. 111/2017 "On legal aid guaranteed by the state", it is the duty of the National Chamber of Advocacy to prepare and organize continuous training programs for lawyers included in the list of lawyers who offer secondary legal aid services, in cooperation with the Directorate of Free Legal Aid.

**Statistical data:**

From the data administered for the year 2021, out of 8153 counselings handled in total, 625 legal counselings result for victims of violence, sexual abuse and trafficking.

From the data administered for the year 2022, out of 6209 counselings handled in total, 718 legal counselings for victims of violence and 99 counselings for victims of sexual abuse and trafficking result, among others.

**Secondary Legal Aid 2021:**

- 849 citizens have requested secondary legal assistance in RSH, as persons with financial disabilities or as special categories;
- 65% of the applicants were women and 35% of them were men;
- In 95% of cases, the requested secondary legal aid was accepted by court decision.
- 84 court decisions where the beneficiary category is a victim of violence.

**Secondary Legal Aid 2022:**

- 884 citizens have requested secondary legal assistance in RSH, as persons with financial disabilities or as special categories;
- 56% of the applicants were women and 44% of them were men;
- In 95% of cases, the requested secondary legal aid was accepted by court decision
- 73 court decisions where the beneficiary category is a victim of violence.

As for the legal assistance provided by the National Coalition of Anti-Trafficking Shelters (NACTS), the capacities have been increased with professional lawyers and lawyers, who offer a complete package of legal services for VoT/PVoT.

During 2021, NACTS has assisted with legal aid a total of 272 cases of VoT/PVoT and 120 of their children, who are part of the reintegration program. All beneficiaries of the reintegration program are supported with legal aid according to their needs. Legal assessments are conducted for each new case entered into the program. The assistance offered includes providing information on the legal situation for each case and providing a package of assistance according to the victim's own needs, including primary and secondary legal assistance.

Even during 2022, NACTS has provided legal assistance (primary and secondary) to all beneficiaries who are part of the reintegration program, including 104 VoT/PVoT.

During the year 2022, the "Different and Equal" organization, in the framework of a project developed with the support of UNDP, but also in cooperation with the Directorate of Legal Aid, has enabled the establishment of a national network of lawyers and "probono" lawyers for providing free legal aid for crime victims, including victims of trafficking. 70 jurists, advocates and other legal professionals from the private sector (including NACTS) from 12 counties have signed the application form expressing their willingness to contribute with primary and secondary legal aid. During July 2022, 3 "online workshops" were held with the participation of about 40 members of the network of lawyers on various topics related to the provision of legal assistance and the representation of the interests of crime victims. In October, a guide was published with practical information on primary and secondary legal aid for victims of crime, including cases of victims of trafficking.

"Tjeter Vizion" organization for the year 2021-2022 has organized 8 online workshops with MKR at the local level for the municipality of Elbasan, Peqin; Gramsh, as well as 7 online workshops with the network of lawyers in Elbasan; police officers, representatives of the Elbasan court and students of the Elbasan Faculty of Law. The theme of these workshops has been Victims and the role of institutions in the effective response to their needs.

### ***Access to work, vocational training and education***

- GRETA considers that the Albanian authorities should strengthen effective access to the labour market for victims of THB and their economic and social inclusion, through raising awareness among different employers, and the promotion of micro-businesses, social enterprises and public-private partnerships, including through state supported employment programmes, with a view to creating appropriate work opportunities for all victims of trafficking, including foreign nationals and persons from disadvantaged socio-economic backgrounds (paragraph 63).

Economic empowerment through employment, professional training and education are an important part of the Reintegration Program for Victims of Trafficking, which in Albania is applied by all shelters of the NCATS. In order to achieve the economic empowerment of victims of trafficking, the conditions must exist for them to become economically and psychologically independent, and this requires opportunities for their employment and professional training.

For this purpose, the Regional Directorates of Employment and Vocational Training Centers maintain close and mutual relations and cooperation with the members of KKSAT, mainly in relation to:

- Facilitating the registration process of VT women and girls, as unemployed job seekers;
- Advising them about employment;
- Their inclusion in programs to promote employment and professional training;
- Increasing the social responsibility of businesses to hire more women and girls from the categories in need/risk, through the Employment Offices.

Regarding training for employment/professional courses, 137 cases of NCATS attended professional courses: cooking, hairdressing and aesthetics, babysitting, embroidery, care for the elderly, computer and foreign language courses (English, Italian, French, German).

NCATS has supported program beneficiaries in their efforts to enter the formal labor market through employment and employment counseling. The staff of the centers continuously guide the beneficiaries to choose professions in demand in the labor market, adapting each case to their personal skills. Beneficiaries are trained on how to present themselves to the employer, how to have an effective communication with the employer, but also how to succeed at work, how to prepare a CV, a letter of motivation, etc. Groups of 10-15 beneficiaries are included in the advisory cycle "Employment Advice". 189 beneficiaries of NCAT have been employed as: assistant cooks in restaurants and pastry shops, bartenders, waiters, dishwashers in restaurants, Internet and Call Center operators, food distributors, supermarket workers, laundry workers, seamstresses 31 beneficiaries of NCAT have been included in the intership program working in different businesses.

The support of the beneficiaries for the opening of small businesses has been the focus of the state structures and organizations that provide services to the victims/potential victims of trafficking. 25 beneficiaries of NCAT have been supported for the preparation of business plans and the opening of 25 small businesses: shop for selling clothes, tailoring, aesthetics, sale of used shoes, shop for production and sale of canneries, shop for baking, grinding and coffee sale etc. For 2022, 7 new VoT/PVoT start-ups have been supported. 10 beneficiaries are involved in organizations and work as mentors.

The educational structures have continued to support the victims/potential victims of trafficking for registration in full-time or part-time pre-university education, the provision of free textbooks and the continuation of education in the most favorable conditions. NCAT has cooperated with the Directorates of 9-year schools and high schools where the beneficiaries of the program have attended school as well as

with the Regional Educational Directorates as well as the Ministry of Education and Sports for the registration of the beneficiaries in the school and the facilitation of the provision of documents. All cases are provided with textbooks and materials. During the period of the COVID-19 situation, the teaching has been done online and the beneficiaries of the program have been supported and equipped with mobile phones and tablets for the progress of the lessons. For each case entered into the program, an assessment was made to determine the educational level of each beneficiary and then an educational-teaching plan was developed as part of the reintegration plan of each beneficiary. 140 beneficiaries and 84 of their children have been supported and attended school at different levels.

In September 2022, UNICEF Albania published a qualitative study of survivors' experiences in accessing and frontline professionals in providing support for economic reintegration. The report is available at the link: <https://www.unicef.org/albania/reports/economic-reintegration-trafficking-survivors-albania>

### ***Compensation***

- GRETA urges the Albanian authorities to make efforts to facilitate and guarantee access to compensation for victims of THB, both from perpetrators and the State, in particular by:
  - 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 future compensation claims;
  - making full use of the legislation on the freezing and forfeiture of assets to secure compensation for victims of THB.
  - building the capacity of laëyers to support victims in claiming compensation;
  - through training, encourage prosecutors and judges to use all the possibilities the laë offers them to uphold victims' compensation claims;
  - using the special fund for the compensation of victims of trafficking;
  - relieving the victims of responsibility of paying taxes for the execution of compensation order (paragraph 74).

Albanian legislation on the right to compensation for victims of human trafficking is regulated in the same way as for other victims of criminal offences. Compensation through judicial process is regulated in the Criminal Procedure Code. Article 61 of the Code of Criminal Procedure provides for the possibility of filing a civil lawsuit in the criminal process, in order to seek the relevant compensation, from the victim of criminal offenses or her heirs. The request for reimbursement is sent to the prosecutor's office, which, in addition to the request for the trial of the criminal case in court, simultaneously also presents the victim's request for compensation. If we refer to the provisions of the Code of Criminal Procedure, it turns out that this law provides that the interests and rights of the injured party/victim are represented and protected by the prosecutor. However, even in these cases, the injured party has the right to file a claim for damages and to be accepted as a civil plaintiff in the criminal process (Article 58, point 1, letter "g").

Also, Article 63 of the Code of Criminal Procedure provides for the provision of a civil lawsuit, where in order to ensure the return of property and the compensation of damages at the request of the victim, the proceeding authority may decide to seize the property of the defendant, which remains until the end of the case.

Compensation through the state scheme is regulated in law no. 10192, dated 3.12.2009 "On preventing and combating organized crime, trafficking, corruption and other crimes through preventive measures against wealth", as amended. Based on article 37 point 2 letter ç) of this law, the use of the confiscated assets fund for the compensation of victims of organized crime and trafficking is foreseen in the amount determined by court decision, so it is left to the discretion of the court for the amount of compensation. Also in article 37 point 2 letter c) a special fund for social purposes, including the rehabilitation and integration of victims of trafficking, is designated, while article 37 point 3 letter b) provides that NGOs also benefit from this

fund, including shelters. During the year 2021, by decision of the Inter-institutional Committee for Measures Against Organized Crime, the distribution of a "Special Fund" created from the confiscated monetary values was carried out. This fund financed projects, which focused on the provision of services, in order to meet the needs and reintegration of victims/potential victims of trafficking and organized crime. Thus, from the Special Fund, the National Reception Center for Victims of Trafficking was financed in the amount of 3,400,000 (three million four hundred thousand) ALL, as well as financing was made possible for non-profit organizations:

- "Gjurmet" in the amount of 5,000,000 (five million) ALL;
- "VATRA" in the amount of 2,280,000 (two million two hundred and eighty thousand) ALL;
- "Initiative for social change ARSIS" in the amount of 2,280,000 (two million two hundred and eighty thousand) ALL
- "Different and equal" in the amount of 2,280,000 (two million two hundred and eighty thousand) ALL;
- "Aksion Plus" in the amount of 2,280,000 (two million two hundred and eighty thousand) ALL
- "Civil Alliance Foundation for Integrity (CATI)" in the amount of 2,280,000 (two million two hundred and eighty thousand) ALL;
- "Sustaining Inclusive Growth (SIG)" in the amount of 2,280,000 (two million two hundred and eighty thousand) ALL

Therefore, the domestic legislation recognized the injured/victims of criminal offenses the right to seek compensation for the damage suffered by the criminal offense, even in civil ways, outside the criminal process. Articles 625 and 644 of the Civil Code regulate the procedure for filing a civil lawsuit after the end of the criminal process.

However, the number of cases applying for compensation is limited. There are only two cases with a Court decision in favor of the victim assisted by the "Different & Equal" Center in cooperation with the Center for Legal Initiatives that have managed to win court proceedings for compensation as victims of trafficking, one case in 2010 (worth 40,000 euros) and another case in 2018 (worth 44,000 euros – concluded at first instance and currently on appeal). Even for these two cases, it was not possible to execute the compensation decisions, which means that in Albania we still do not have a single case that was compensated as a victim of trafficking.

#### ***Investigations, prosecutions, sanctions and measures***

- GRETA urges the Albanian authorities to take additional measures to ensure that THB cases are investigated proactively, prosecuted effectively, and lead to effective, proportionate and dissuasive sanctions, in particular by:
  - strengthening the proactive investigation of THB cases, regardless of whether a complaint regarding the crime has been submitted or not, and making use of special investigation techniques in order to gather evidence, and not have to exclusively rely on testimony by victims;
  - strengthening the conduct of financial investigations in THB cases;
  - providing training and encouraging the specialisation of prosecutors and judges to deal with human trafficking cases, and to ensure that they are not re-qualified as other offences which carry lighter penalties, thereby avoiding the risk of depriving victims of THB of access to protection and support;

Always focusing on proactive investigation, as an important procedural measure in the investigation of criminal offenses of trafficking, the prosecution institution has included it in the general instructions of the Prosecutor General, specifically, in instructions no. 4/2021 and no. 2/2022, "On the priority recommendations of the Council of Ministers in the fight against criminality in the prosecutions of the general jurisdiction". In these instructions, prosecutors are encouraged to increase the active role in the preliminary investigation, both by increasing the investigations initiated, and in conducting effective

proactive investigations with the use of special investigation tools in function of the increase in investigations initiated mainly by the prosecution body itself.

Regarding the training of the prosecution staff as a measure for the specialization of prosecutors in the investigation of criminal offenses of human trafficking, in cooperation with national/international organizations, the School of Magistrates, etc., continuous training has been provided for prosecutors, judicial police officers or victim coordinators, among which we mention:

For 2020, Victim Coordinators have participated in a number of activities related to victims' rights and support:

- In cooperation with the "Different and equal" association, on February 12, a training seminar was organized on the topic "The rights of victims of criminal offenses, victims of trafficking and their reintegration";
- In May, in cooperation with OPDAT, a regional virtual meeting was held between victim coordinators in Albania and crime victim helpers in Kosovo, where they discussed their coordinated efforts in response to domestic violence and child abuse and explored the best practices for the protection of victims during the pandemic.
- In cooperation with OPDAT, a training was held in July focusing on the following issues: referral of the case, interviewing of the victim by the judicial police officer and the prosecutor, as well as the relationship between the prosecutor and the coordinator in these cases.
- On 28.05.2020, 16.07.2020, training on the topic, "Mental Health and Psycho-Social Support in Emergency Situations conducted online by the Ministry of Health and Social Protection, WHO and UNICEF";
- On 09.06.2020, training on the topic, "Prevention of sexual violence during the COVID-19 period. (Terre des Hommes Albania)";
- On 12.11.2020, the General Prosecutor's Office organized the online training on the topic: "Trafficking and psychosocial support for victims of trafficking";
- On December 2, 2020, the training was held on the topic, "Management of Cases of Sexual Violence ("Lilium" Center, Ministry of Health), Free Legal Aid (Ministry of Justice)";
- On December 10, 2020, training on "Child abuse and terrorism".

For the year 2021;

- In cooperation with the "Different & Equal" association, a total of 5 meetings were held in the period May-June 2021, in the districts of: Kukës, Lezhë, Fier, Durrës and Shkodër and trainings on the following topics:
- "The rights of the victim of the criminal offense, the victims of trafficking and their reintegration", where the coordinators of the districts mentioned above were trained;
- "Features of questioning the victim in cases of sexual crimes. Practical issues related to sexual violence against minors, organized online by the OSCE in cooperation with the School of Magistrates, where the coordinators at the prosecutor's offices of all districts were trained;
- In the framework of the project "Balkans Act Now" - (BAN III) by the Center for Citizen Legal Initiatives in cooperation with ASTRA and partner organizations in the region, with the support of the European Commission, an online table was organized on the topic "Discussion on the findings of the draft report "On monitoring of anti-trafficking policies in Albania", which was attended by coordinators from the prosecutor's offices of the general jurisdiction.
- "Thematic round table on the investigation of criminal offenses of human trafficking", held on June 29, 2021, with the topics "Investigation of criminal offenses of trafficking, innovations in criminal

legislation, the approach based on the rights of the victim of trafficking" and "Interest the highest of the child victim of trafficking in the criminal process", where 20 prosecutors and coordinators of the prosecutions of the general jurisdiction participated;

- "Simulation training", held on October 19-21, 2021, with the theme "Inter-institutional simulation training for the investigation of human trafficking and identification of victims" with the aim of improving the investigation and prosecution of human trafficking cases as well as identification, the referral and protection of the victims of this crime, where 6 prosecutors, judicial police officers, and coordinators of general jurisdiction prosecutors participated;
- "Cybercrime and trafficking", held in November 2021, with the theme "Workshop on the role of technology in criminal offenses of trafficking", where 2 prosecutors participated.

Also, for the year 2021, in implementation of the request of the Resolution of the Assembly of the Republic of Albania and the Memorandum of Understanding, approved with no. 627, dated 13.04.2021 between the General Prosecutor's Office and the OSCE Presence "On cooperation and coordination in the implementation of projects and activities in support of the efficiency of the Albanian prosecution system", where Appendix II focuses on "Action against human trafficking in Albania", the OSCE and UNICEF published, in February 2022, the "Human Trafficking" manual . This manual helps prosecutors, judges and other legal professionals to investigate and prosecute human trafficking offenses in European standards.

In the framework of the ongoing training of prosecutors and judicial police officers, during 2021, the School of Magistrates organized and developed trainings on the following topics:

- "Trafficking in human beings", held in May 2021, where 13 prosecutors participated;
- "Terrorism. Criminal offenses in the field of terrorism. The connection with organized crime", held in March 2021, where 7 prosecutors participated;
- "The "minor" victim in the criminal process", held on May 5-6, 2021, where 7 prosecutors participated;
- "Trafficking of minors. Methods of investigating the trafficking of minors", held on June 23, 2021, where 8 prosecutors participated;
- "Online sexual exploitation of minors and investigation methods" held on February 19, 2021, where 6 prosecutors participated;
- "Specifics of the process of interviewing minors aged 14-18" held on January 12, 2021, where 8 prosecutors participated;
- "Practical approach to the technique of interviewing minors during the investigation & trial" held on February 16-17, 2021, where 6 prosecutors participated.

Regarding the statistical data for the year 2020, related to the trafficking of adults, provided by Article 110/a of the Criminal Code, 23 criminal proceedings were registered and 1 proceeding with 2 defendants was sent for trial. For the criminal offense "Trafficking of minors" provided by Article 128/b of the Criminal Code, 5 proceedings were registered, and 1 proceeding with 11 defendants was sent for trial.

For the year 2021, regarding the trafficking of adults, provided for by Article 110/a of the Criminal Code, according to statistical data, 8 criminal proceedings with 2 defendants were registered, and 2 proceedings with 4 defendants were sent for trial.

For the criminal offense "Trafficking of minors" provided by Article 128/b of the Criminal Code, according to statistical data, 2 criminal proceedings with 2 defendants were registered, and 2 proceedings with 2 defendants were sent for trial.



For the 9th month of 2022, for the criminal offense of "Trafficking of adults", provided by Article 110/a of the Criminal Code, 7 criminal proceedings have been registered and 2 defendants have been sent to trial. For the criminal offense of "Trafficking of minors", provided by Article 128/b, 1 criminal proceeding was registered.

The data are as follows in the table:

Penal act	2020					2021					9-month of 2022				
	Nr. Procd. Regj	Nr. procd per gjykim	Nr. i pand . Regj .	Nr. Pand. Per gjykim	Nr. Pand denuar	Nr. Procd. Regj	Nr. procd per gjykim	Nr. i pand. Regj.	Nr. Pand. Per gjykim	Nr. Pand enuar	Nr. Procd. Regj	Nr. procd per gjykim	Nr. i pand . Regj.	Nr. Pand. Per gjykim	Nr. Pand enuar
Neni 110/a Trafficking of adults	23	1	8	1	2	8	2	2	4	0	7		0	2	
Neni 128/b Trafficking of children	5	1	2	11	0	2	2	2	2	12	1				

In terms of data related to proactive investigations and/or the use of special investigation tools, for the year 2020, for the criminal offense of "Trafficking of adults", provided for by Article 110/a, 14 criminal proceedings were investigated . For 2021, 2 criminal proceedings were investigated and for the 9th month of 2022, 1 criminal proceeding was investigated. The downward trend also coincides with the decrease in the proceedings registered by the prosecutions of the general jurisdiction for this criminal offense for the period 2020-2022.

During 2021, the OSCE Presence in Albania supported Albanian institutions in dealing with trafficking issues, focusing on the issues of exploitation and trafficking of children, increasing institutional capacities for the investigation and trial of criminal offenses of trafficking, as well as addressing the phenomenon of trafficking in the context of migration. On October 18-21, 2021, with the support of the OSCE, in implementation of the "Transformation of the national response to human trafficking in and from Albania" program, funded by the United Kingdom, the national simulation training in the field of anti-trafficking took place. where about 45 employees of the state police, prosecutors, child protection workers, state labor inspectorate, state social service, etc. participated.

During the period 14-17 May and 12-14 October 2022, UNDOC in cooperation with the School of Magistrates, the Police, the Courts, the Prosecutor's Office and the State Agency for the Rights and Protection of the Child has organized the thematic training "Investigation, prosecution and trial of cases of human trafficking through a victim-centered approach. Participants in this training were representatives of the anti-trafficking police, prosecutors, judges, the Security Academy, the School of Magistrates, lawyers for victims of trafficking and representatives of child protection. The purpose of the training was to strengthen the capacities of criminal justice practitioners in the investigation and adjudication of human trafficking cases through a victim-centered approach and their trauma.

The OSCE Presence in Albania is supporting the development of trainings on anti-trafficking issues, in cooperation with the Magistrate's School and the Security Academy, through a train-the-trainer approach. In addition, learning-by-doing training methodologies will be carried out through both institutions until the end of 2024.

-ensuring that THB prosecutions lead to effective, proportionate and dissuasive sanctions;

The OSCE Presence in Albania is working on a scoping study on the investigation and prosecution of human trafficking offences, which will provide findings and recommendations on policies, operations, training, resources to implement an approach of victim-focused and multi-agency prosecution of human trafficking offences.

- ensuring that the length of court proceedings is reasonable, in line with the case-law of the European Court of Human Rights (Article 6 §1) and the standards set by the European Commission for the Efficiency of Justice (CEPEJ) (paragraph 89).

In the framework of the justice reform, as a result of the vetting process, many judges and prosecutors have not passed the vetting process, and this has resulted in the reduction of the number of judges and the extension of judicial processes. During the year 2019-2022, there are a total of 11 cases that have been reported, but the cases are still under investigation or trial.

### ***Non-punishment provision***

- GRETA considers that the Albanian authorities should continue to ensure the application of the non-punishment principle in practice. Occasions where victims are inappropriately prosecuted and later identified as victims of THB should be recorded and reported annually. This information will assist with training needs and identify frequency of where victims are forced to commit unlawful acts (paragraph 92).

Albanian legislation provides for the exemption of trafficking victims from punishment, not from criminal prosecution. Specifically, in article 52/a paragraph 2 of the Criminal Code it is provided that: "The person injured by the criminal offenses related to human trafficking can benefit from the exemption from punishment, for the commission of criminal offenses during the period of trafficking and to the extent that was forced to perform those illegal actions or omissions". In practice, there is no criminal prosecution against trafficking victims for criminal offenses that they were forced to commit for the purposes of trafficking. The prosecuting body argues that the victims should not be criminally prosecuted for the offenses committed due to trafficking, as the victim's will has been violated and the subjective side of committing the criminal offense is missing.

The Ministry of the Interior, taking into consideration the recommendations of GRETA, in the National Action Plan has provided for changes in the Criminal Code with the aim of aligning it with Directive 2011/36/EU of the European Parliament and of the Council, dated April 5, 2011, for prevention and fight against human trafficking and protection of victims. Specifically, in order to avoid the punishment of a person identified as a victim of trafficking, amendments have been proposed to Article 52/a of the Criminal Code with this wording "The person injured by the criminal offense of human trafficking benefits from the exemption from criminal prosecution, for the commission of the offense criminal during the period of trafficking to the extent that he was forced to perform those illegal actions or omissions."

**During the period 2020 - 2022, there was no case of VoT/PVoT that was prosecuted.**

### ***Protection of victims and witnesses***

- GRETA considers that the Albanian authorities should take additional steps to ensure 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 by conducting regular risk assessment and by ensuring that specialised NGOs receive adequate funding for the purpose. This provision should be available for the families of Albanian victims who are identified abroad and who might be at risk of retaliation/intimidation by the perpetrators (paragraph 98).

In accordance with the standards defined in Directive 2012/29/EU, the Code of Criminal Procedure in Albania has primarily guaranteed the right of the victim to benefit from all health, psychological support and care, counseling and assistance, from the moment of identification of her/him as a victim or potential victim of trafficking.

Regarding the procedural protection tools, the Code of Criminal Procedure has provided in various provisions, protective measures and guarantees for the victims. Articles 58/a and 58/b of the Criminal Procedure Code specifically guarantee the rights of the minor victim and the sexually abused or trafficked victim. Among the rights provided for the minor is that of the trial without the presence of the public, as well as when it is possible and appropriate, the recording of the conversation with audiovisual means to be used as evidence in the criminal proceedings. Accordingly, the legislator has recognized special protection for these categories of victims of trafficking and sexual abuse, who often do not have the will to cooperate in criminal investigations for fear that they or their families may be harmed. While the victim of trafficking is guaranteed the right to be heard through audio-visual means, as well as to request the provision of evidence in accordance with Article 318 of the Code of Criminal Procedure. Article 103 of the Code provides for the prohibition of the publication of acts until the completion of preliminary investigations. Article 279 also provides for the obligation to maintain the secrecy of investigative actions and acts. Likewise, Article 340 of the Code of Criminal Procedure provides for a trial with closed doors, when it is necessary to protect the safety of witnesses. The changes to this article in 2017 aim at the special protection of victims of trafficking. Thus, there have been more cases where the trial can take place behind closed doors even when the victim of trafficking or sexually abused requests it or when adult defendants who are accused of committing crimes against minors are tried. The publication, even in part, of the acts of the judicial review when the trial is held behind closed doors is prohibited.

Violation of the above obligations is penalized by Article 295/a of the Criminal Code "Disclosure of secret acts or data". In addition to the above, the prosecution is also specially engaged in guaranteeing the protection of personal data, as obligations of international conventions.

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

As far as the protection of victims is concerned, the victims of trafficking in almost all investigated cases, immediately after the identification of the case, are sheltered in reception centers for victims of trafficking, where they benefit from accommodation, food and other free services. They also have the right to enter the witness protection program if they feel threatened. As for the centers that deal with victims of trafficking, in any case when a minor or an adult is in the process, they have taken measures to ensure safety throughout the process by protecting them from any danger, especially children. Accompanying, confidentiality are guaranteed in every case presented. Organizations also ensure a secure environment with guards, cameras and staff at all times. In the case of children, the necessary information is obtained and it is estimated that the intervention will be done with the best interest of the child in mind.

During the period 2020-2022, there were no cases included in the witness protection program or proposed by the Prosecution to be included in this program.

### ***Specialised authorities and co-ordinating bodies***

- GRETA considers that the Albanian authorities should continue reinforcing these structures and ensure that there are specialised prosecutors trained to deal with THB cases, as well as encouraging the training a specialisation of judges (paragraph 109);
- GRETA considers that the Albanian authorities should take additional steps to ensure that all relevant professional groups are regularly trained in preventing THB, identifying and interviewing victims, referring them to assistance and enabling them to effectively exercise their rights. The training should be embedded in the regular training curricula of different professional groups, including law enforcement officials, prosecutors, judges, lawyers, labour inspectors, social workers, child welfare staff, health-care staff, and diplomatic and consular staff (paragraph 110).

In the prosecutor's offices of general jurisdiction, there are prosecutors and judicial police officers who continuously follow criminal proceedings related to human trafficking. These prosecutors are trained both

by the school of the Magistrate and by other organizations with which the prosecution institution cooperates.

The National Action Plan for the Fight against Trafficking in Persons 2021-2023 (approved by DCM no. 670, dated 10.11.2021) has foreseen several activities to increase the capacities of law enforcement agencies, state structures and professionals for identification, referral, protection and assistance of victims and potential victims of trafficking, based on Standard Operating Procedures.

The Office of the National Coordinator for Issues of the Fight against Trafficking in Persons, in cooperation with the Psycho-Social Organization "Vatra", are implementing the project "Increasing the effectiveness of the protection system, for a better response to victims of trafficking in Albania". The project is being implemented in 12 regions of the country and aims to increase the capacities of the institutions responsible for the identification and protection of victims and potential victims of trafficking.

During 2021, the Office of the National Coordinator for Issues of the Fight against Trafficking in Persons (ONAC) in cooperation with the "Vatra" Center carried out 33 trainings with the participation of 570 employees from local institutions and NGOs, responsible for the protection and provision of services to victims/ potential victims of trafficking, in all regions of the country. (During 2020, 16 trainings were carried out with the participation of 275 employees and then these trainings were extended throughout 2021). Specifically, the following participated in the training: 125 police and border police officers; 159 public health officers; 139 educational employees; 127 employees of regional social services, the municipality and the labor inspectorate, as well as 20 employees of NGOs in the country. The trainings focused on:

- Recognition and practical implementation of the Standard Operating Procedures for the protection of victims of trafficking, mainly in identification, referral and provision of services;
- Recognition and implementation of the legislation, with a special focus on the rights of victims according to the legislation.

Also, in order to increase the capacities of all employees, who are responsible for the protection and provision of services, in relation to the identification and protection according to the SOPs, the Psycho-Social Center "Vatra" produced 9 "Guidelines for the implementation of the Standard Procedures for the identification and the protection of VoT/ PVoT" with 1000 copies for each responsible institution, which were distributed to the relevant institutions during the realization of trainings in the 12 regions of the country. These guidelines are an orientation tool for the employees of local structures for the identification of potential victims of trafficking based on the indicators provided in the PSV, as well as the steps to be taken for the referral and protection of victims according to these procedures.

During the period April-September 2021, the Organization "Different and Equal" (D&E) has organized 5 trainings with representatives of various local institutions. The topic of the training was "The rights of crime victims, victims of trafficking and their reintegration". The trainings were developed in cooperation with the Directorate of Institutional Coordination/Sector of Coordination and Studies - General Prosecutor's Office and other local institutions and NGOs. The trainings focused on victims' rights and increasing cooperation between institutions and agencies responsible for the protection of trafficking victims at the local level. The training content was combined with theoretical and practical elements, including discussions of concrete cases handled by D&E. 69 representatives of law enforcement institutions, other institutions and NGOs at the local level participated in the training.

On October 25 and December 15, 2021, two more trainings were held on the topic "Increasing capacities for professionals at the local level to provide assistance for the reintegration of returned migrants" in cooperation with the municipality of Lezhë and Durrës. A total of 32 people participated in these trainings (representatives of local institutions, the Durrës Municipality, the Prosecutor's Office, the Police, as well as representatives from the Tirana Labor Office, which provide services to victims of gender-based violence)

- Training in Lezha, held on October 25, 2021 (16 participants from the Police);
- Training in Durrës, held on December 15, 2021 (16 participants from the Police).

On March 25, 2022, the "Different & Equal" Organization conducted the training on the topic "On the participation of victims of trafficking in anti-trafficking efforts". The training was attended by 34 representatives of Institutions and Organizations that are members of the National Referral Mechanism for the Protection of Trafficking Victims (NRM), as well as representatives of other Institutions. This activity was carried out within the implementation of the project "Empowering trafficking survivors for participation and representation in anti-trafficking work", with the financial support of the Small Grants Program of the Commission for Democracy of the US Embassy in Tirana.

On April 11, 2022, in the premises of the Tirana District Prefect's Institution, a training was held by the organization "Different and Equal", on the participation of victims of trafficking in anti-trafficking efforts, with the presence of members of the Technical Round Table-RATC . In this training, the problems encountered as well as alternative anti-trafficking strategies were discussed.

During April-May 2022, 5 trainings were held with child protection workers and social administrators of the municipalities of Kukës, Dibër, Shkodër, Burrel and Vau i Dejës, where about 100 participants.

### ***International co-operation***

- GRETA welcomes Albania's participation in multilateral and bilateral international co-operation, and considers that the Albanian authorities should take legislative and other measures to strengthen international co-operation in the fight against THB, including by means of JITs, and ensure the protection of victims of THB (paragraph 120).

The Ministry of the Interior considers it very important to coordinate efforts between international organizations working in the field of anti-trafficking. Given the international interest and the continuous support provided by several foreign governments and other entities, the Ministry of the Interior, on October 27, 2022, organized the coordination meeting of donors who operate in the field of trafficking. The meeting was attended by representatives of the European Delegation, the Council of Europe, the American Embassy, the English Embassy, the Dutch Embassy, the UN, OSCE, IOM, GIZ and UNICEF, as well as representatives of the Ministry of the Interior. Donors participating in this meeting got acquainted with the priorities of the Albanian Government in the field of trafficking, focusing on strategic goals and specific objectives, according to DCM no. 670, dated 10.11.2021 "For the approval of the National Action Plan for the Fight against Trafficking in Persons 2021-2023". The meeting discussed the strengthening of cooperation between international organizations and state structures, which have in their field of responsibility the fight against human trafficking, the coordination of actions in the realization of the priorities and objectives of the Albanian government, as far as the implementation of measures is concerned, of the anti-trafficking action plan as well as the support and cooperation of donors through the implementation of projects and their financial support, which will be an added value for current and future program interventions.

International cooperation has also continued with law enforcement structures. For 2020, the General Prosecutor's Office administered:

- 3 orders from abroad (Belgium, Hungary, France) for human trafficking, 2 of which for the purpose of exploitation of prostitution. Of these, 1 request has been executed and 2 are in process.
- 3 letters abroad (Kosovo and Greece) for the trafficking of minors. Of these, 1 request has been executed and 2 are in process.
- 5 other letter requests (such as international arrest warrants), of which 3 have been executed, 2 are in process<sup>1</sup>.

Regarding the new Agreements signed by the Republic of Albania, on 22.12.2020 the bilateral Extradition Agreement between the United States of America and the Republic of Albania was signed.

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<sup>1</sup> 16 other requests from abroad related to illegal immigration, exploitation of prostitution, etc. have been handled.

During the year 2021, the Department of Jurisdictional Transactions Abroad in the General Prosecutor's Office, out of 133 "Extradition abroad" practices that it followed, only 1 (one) case/practice with the criminal offense of "Trafficking in human beings", which is a new extradition procedure that belongs to the Prosecutor's Office of the Judicial District of Tirana with the Republic of North Macedonia - currently executed.

During 2021, they were administered;

i) Foreign warrants: 9 (nine) warrants are for the criminal offense "Trafficking of adults", of which 3 (three) have been executed so far.

ii) Letters from Abroad: 4 (four) letters are for the criminal offense "Trafficking in human beings", of which 1 (one) was executed.

For the period January-September 2022 for the criminal offense "Trafficking in human beings" the following requests have been addressed:

- Extraditions from abroad to Albania: 2 practices
- Extraditions abroad; 0 practices
- Mail order from abroad; 22 practices
- Mail order to abroad: 26 practices.

Regarding various international cooperation agreements we mention:

-Memorandum of Understanding approved with no. 627, dated 13.04.2021 between the General Prosecutor's Office and the OSCE Presence "On cooperation and coordination in the implementation of projects and activities in support of the efficiency of the Albanian prosecution system", where Appendix II focuses on " Action against human trafficking in Albania" aims to contribute towards a general decrease in the spread of human trafficking in Albania and from Albania;

Regarding the new agreements signed by the Republic of Albania, in the institutional view of the General Prosecutor Office:

-Considered and expressed agreement on the draft decision of the Council of Ministers on the proposal of the draft law "On the ratification of the agreement between the Kingdom of Spain and the Republic of Albania as an addition to the European Convention on Extradition of 1957".

- Reviewed and agreed to the draft decision "On the approval in principle of the agreement between the Republic of Albania and the United Kingdom of Great Britain and Northern Ireland on the transfer of convicted persons".

On July 4, 2022, the cooperation agreement was signed between the European Public Prosecutor's Office based in Luxembourg and the Prosecutor General, with the aim of facilitating cooperation in criminal matters and the exchange of information, which includes, among other things, the establishment of joint investigation teams, freezing assets with income from criminal activity and performing other actions according to the law.

On July 29, 2022, the Memorandum of Understanding between the General Prosecutor's Office (PP) and the Ibero-American Association of Public Prosecutors (AIAMP) was signed, with the aim of increasing the readiness for cooperation in the fight against illegal traffic, money laundering and any other crime with common interest as well as for the improvement of professional and scientific capacities in the criminal field according to the law, etc.

Regarding the increase in the efficiency of international cooperation, we appreciate mentioning the command of the Albanian Liaison Prosecutor at Eurojust and the start of operation on 01.01.2021 whose presence has enabled the consolidation of experience and capacities and the response in a more organized institutional manner to serious threats of transnational organized crime, including human trafficking.

### ***Gender-sensitive criminal, civil, labour and administrative proceedings***

- GRETA considers that the Albanian authorities should promote a gender-responsive approach to access to justice for victims of THB, including through gender mainstreaming and training, and to adopt a gender-sensitive approach in the system for the identification of victims of trafficking, including through allowing for the provision of interpreters and interviewers of the same sex as the presumed victim (paragraph 125).

The decision of the Council of Ministers "On the approval of the Standard Action Procedures for the protection of victims and potential victims of trafficking" (DCM no. 499, dated 29.08.2018), aims to define the standard action procedures for the protection in the time and proper way of trafficked persons, women/girls, men, adults or minors, for all types of exploitation, domestic or international trafficking, related or not to organized crime.

The main focus of these procedures is the victim and his protection, examining each situation case by case and building some standards accepted by all on how the whole process of identification, referral and then protection of the victim will take place. These procedures apply to all categories of victims/potential victims (minors and adults, women and men, Albanians and foreigners) who are subject to trafficking for all types of exploitation.

The Standard Operating Procedures mean specialized sectoral and cross-sectoral/multidisciplinary interventions and their implementation is the obligation of all state institutions, at the central and local level, that work within the territory of the Republic of Albania or are on a state mission abroad, as well as cooperation with analogous structures of foreign countries. The implementation of the Standard Procedures is also mandatory for non-state agencies that exercise their activity in the territory of the Republic of Albania, at any moment in which they, during their activity, come into contact with a person who they suspect may have been trafficked or they have information that he is a trafficked person.

Victims of trafficking are assisted in all phases of criminal proceedings in order to avoid re-traumatization. They are assisted by the coordinators during the interrogation by the judicial police officer and the prosecutor. In order to avoid retraumatization, it has become possible to offer psycho-emotional support by coordinators. Any adult identified as VT/PVT has full access to choose services in the shelter or in the community. Exceptions are made for cases that have a security problem in the community, which are oriented to be accommodated in the QKPVT, in order to be physically and psychologically safe. The provision of ongoing support and protection is enabled by multidisciplinary teams, which offer 24/24 support to victims of trafficking or at risk of trafficking.

### ***Child-sensitive procedures for obtaining access to justice and remedies***

- GRETA considers that the Albanian authorities should ensure that child victims of THB are afforded special protection measures in practice, including in the context of interviews, both as regards the competencies of the professionals present and the environment in which the interviews are conducted, notably in child-friendly hearing rooms. In this context, GRETA refers to the Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice, which recommend that all professionals working with children receive necessary interdisciplinary training on the rights and needs of children (paragraph 131).

In relation to access to justice for minors and the training of professionals, good work has been done both by the state structures and by the NCAT. The children are assisted by lawyers and are always accompanied by the psychologists of the institutions and NCAT. The establishment of coordinators for victims of crime at the Prosecutor's Office has been the key point, which has enabled and created a successful cooperation between the NCAT and the Prosecutor's Office for sharing information and referring cases.

In the premises of the district police, there are special rooms for interviewing children, where, in all cases, during the interview or assistance of children in the police, the presence of a psychologist is evidenced.

The "Transformation of the national response to human trafficking in and from Albania" program successfully established child-friendly interview rooms in 5 Police Stations in Albania, specifically in: Kukës, Peshkopi (Diber), Korçë, Fier and Sarandë. Police stations were selected in close cooperation with the State Police and child-friendly rooms were adequately furnished and equipped with high-tech recording equipment for interview processes. Also, a series of trainings were undertaken for police officers and other professionals who work with children in law enforcement institutions in Albania.

In order to harmonize the Albanian criminal law with the Directive 2011/36/EU, as well as with the principle related to the highest interest of the child that should lead criminal justice for minors, the Albanian legislator has taken into consideration the amendment of the Criminal Code as of belongs to the criminal offense of trafficking, with the aim of full compliance with EU standards at this level.

### ***Role of businesses***

- GRETA considers that the Albanian authorities should adopt legislation integrating the prevention of THB and labour exploitation in public procurement policies and promoting transparency in supply chains to enable scrutiny of companies' performance to prevent THB and labour exploitation (paragraph 134);

The State Inspectorate of Labor and Social Services is an executive institution, which controls the applicability of Labor Legislation on natural and legal persons, local or foreign, private or public, who exercise profitable or non-profit economic activity in the territory of the Republic of Albania, i.e. in all entities licensed by the National Business Center.

Following the inter-institutional cooperation in implementation of the Memorandum of Cooperation with the Public Procurement Agency, the State Inspectorate of Labor and Social Services exercises its competence, with the aim of guaranteeing the implementation of the Labor Code, respect for gender equality in employment, women's rights in labor relations, the awareness of economic operators who present offers in the public procurement process.

- GRETA considers that the Albanian authorities should proactively engage with the private sector, in line with the UN Guiding Principles on Business and Human Rights and Council of Europe Committee of Ministers Recommendation CM/Rec(2016)3 on human rights and business, with a view to raising awareness of the important role and responsibility of businesses to prevent human trafficking in their supply chains, to support the rehabilitation and recovery of victims, and to provide access to effective remedies (paragraph 135).

State structures and non-profit organizations that provide services to victims of trafficking have collaborated with business mainly for internship programs. During the period 2021-2022, about 24 beneficiaries have been included in the internship program working in different businesses. 25 beneficiaries have been supported for the preparation of business plans and the opening of 25 small businesses: shop for the sale of clothes, tailoring, aesthetics, sale of used shoes, shop for the production and sale of canned goods, shop for roasting, grinding and selling coffee, etc.

The program "Transforming the national response to human trafficking in and out of Albania", funded by the United Kingdom, successfully implemented its economic reintegration component in close cooperation with 'Key Adviser' sh.p.k, and its local partners. The intervention fully engaged private and public sector institutions at the local level in Tirana, Shkodër, Kukës and Dibër, to facilitate labor market reintegration measures available to VT/PVT. The practical methodology applied by 'Key Adviser' sh.p.k. was based on the identification of VT/PVT and individuals at risk who were then included in several training courses aimed at improving their employability skills (IT and soft skills), while continuing with the assessment of employment needs of local businesses in the above-mentioned regions and the establishment of links between them and the interest group. The cooperation resulted in the employment of 70 individuals for the period 2020-2022, while the created startups number 40 for the same period.



### ***Measures to prevent and detect corruption***

- GRETA considers that the Albanian authorities should include and effectively implement measures against corruption in a THB context in the general policies against corruption (paragraph 140).

During the period December 2021 - June 2022, the Police Oversight Agency identified and referred to the Prosecutor's Office 2 procedural materials on the charge and arrest in flagrante delicto of 2 police officers and 1 citizen, suspected of criminal offenses of "abuse of duty" in order to favor "illegal crossing of the border by local and foreign citizens". For the 2 criminal referrals, the registration of the criminal proceedings was made by the prosecution body and they are under investigation with tasks delegated by the relevant structures of the Agency.

For the reporting period, it is worth mentioning the Finalization of the "PIKA 2" operation carried out in cooperation between the Special Prosecutor's Office against Corruption and Organized Crime (SPAK), the Police Supervision Agency (PSA), the Border Police Department of the General Directorate of Police of the State in coordination with the Special Prosecutor's Office and the Police Inspectorate (IPK) of the Republic of Kosovo.

The Special Prosecutor's Office against Corruption and Organized Crime on 10.11.2020, registered criminal proceedings no. 272/2020, on the basis of the incriminating material referred by the Police Surveillance Agency (former SHCA), on suspicions of the involvement of some of the police officers at the Morina Border Crossing Point in illegal activity for the criminal offenses "Passive corruption of persons who exercise public functions", provided by article 259 of the Criminal Code "Smuggling of goods, for which excise duty is paid", as well as "Aid for illegal border crossing", etc., provided by articles 172 and 298 of the Criminal Code.

During the investigations, the illegal activity of the State Police employees in the Local Directorate for Border and Migration, Kukës was documented during the time of service at the Morinë Border Crossing Point, Kukës. The illegal actions consisted of numerous cases of corruption carried out continuously during the exercise of duty by these employees, forcing Albanian citizens and foreigners to pay different amounts of money for the passage from Albania to Kosovo and vice versa.

The investigation documented 312 episodes of corrupt actions by police officers, who favored different persons for the introduction of contraband goods; persons who trafficked vehicles, other illegal items; they helped to cross the border various persons with legal problems for their entry and exit to the EU countries, as far as fictitious registrations for entry and exit to the Albanian territory; as well as helping other people who had problems with the law, who were not registered in the TIMS system, as they were not allowed to travel to Kosovo and vice versa.

After an objective and comprehensive investigation, at the request of the Special Prosecutor's Office, the Court of First Instance for Corruption and Organized Crime assigned 34 personal security measures, of which 32 employees of the Kukes Border Police, with various functions within the Directorate of Border and Migration, including the Director of this Directorate, for committing the criminal offenses "Abuse of duty", "Passive corruption of persons exercising public functions", in cooperation, "Exercise of illegal influence on persons exercising public functions", provided by article 248, 259, 25 and 245/1 of the Criminal Code. Personal insurance measures are:

"Prison arrest" for 16 police officers

"House arrest", for 12 police officers and 2 citizens

"Suspension from duty", for 4 police officers.

With decision no. 13, dated 16.05.2022, the Court of Appeal for Corruption and Organized Crime has left in force the measures given by the Court of First Instance for all police officers.

## **FOLLOW-UP TOPICS SPECIFIC TO ALBANIA**

### ***Developments in the institutional and policy framework for action against human trafficking***

- GRETA welcomes the steps taken and considers that the Albanian authorities should pursue their efforts towards establishing an independent National Rapporteur or designate another mechanism as an independent organisational entity with a view to ensuring effective monitoring of the anti-trafficking activities of state institutions and making recommendations to persons and institutions concerned (paragraph 24).

The anti-trafficking activity works in an interdisciplinary manner, including state and non-state structures, independent national and international institutions. The participation of civil society and monitoring institutions, such as: the Ombudsman, the Commissioner for Protection from Discrimination, the Albanian Committee of Helsinki, etc., is essential in the prevention, identification, assistance and reintegration of victims of trafficking. Their opinions and suggestions are widely reflected in the drafting and implementation of National Strategies and Action Plans, or in the annual reports drawn up by the office of the National Coordinator for the War against Human Trafficking. The Ministry of the Interior/National Coordinator for Issues of the War against Trafficking in Persons follows with priority the recommendations and suggestions of these monitoring actors, specifically for the resolution of concrete cases referred, such as from the People's Advocate, the Albanian Committee of Helsinki, etc.

The cooperation agreement for the operation of the National Referral Mechanism (NRM) for the protection of victims and potential victims of trafficking constitutes the basic inter-institutional agreement between state and non-state structures for the identification, referral and protection of victims of trafficking. In the National Referral Mechanism, in addition to state institutions, national and international organizations are also members, such as: International Organization for Migration "World Vision", Terre des Hommes, Mary World Loreto Foundation, "Arsis", National Reception Center for Victims of Trafficking, Organization "Different and Equal", Psycho-Social Organization "Vatra", Organization "Other Vision". Since 2012, the year in which the Agreement was signed, important results have been achieved, which have had a positive impact not only on the increase of inter-institutional cooperation, but also on the protection of the victim. Based on the analysis carried out by the Anti-Trafficking Sector in consultation with international partners, the agreement is currently being revised, which will reflect the restructuring of the institutions/ministries included in the current agreement, the legal and by-laws adopted during this decade, as well as ensure improvement of issues not addressed in the current agreement. It will also reflect the new guidance issued by the OSCE/ODIHR that has guided the creation of National Referral Mechanisms in many countries.

Likewise, in terms of regional and international cooperation, the partnership has taken on a new dimension with meetings with counterparts from Montenegro, Kosovo, North Macedonia, Italy, the United Kingdom, Germany, etc. to intensify efforts in the fight against human trafficking, as this is not an Albanian or regional phenomenon, but a global phenomenon and requires a crackdown on crime and coordinated measures between countries. A number of measures have been taken to further intensify this cooperation, by signing and implementing additional Agreements and Protocols with Kosovo, Montenegro, North Macedonia, Greece and the United Kingdom for the identification, referral, protection and reintegration of victims/potential victims of trafficking. In implementation of additional protocols with Kosovo, Montenegro, and North Macedonia, cooperation is achieved through the implementation of Unified Action Procedures for the identification, referral and assisted voluntary return of victims and potential victims of trafficking, improved coordination and exchange of information between the respective authorities.

### ***Measures to prevent and combat trafficking for the purpose of labour exploitation***

- GRETA urges the Albanian authorities to increase their efforts to proactively detect victims of trafficking for the purpose of labour exploitation, including by training labour inspectors and other relevant professionals (paragraph 145).

One of the efforts of the Albanian authorities to identify victims of trafficking, especially those who are used for work, is the establishment and operation of Mobile Units. In implementation of the program "Transformation of the national response to trafficking in and from Albania, financed by the United Kingdom and implemented by UNICEF in 2021, 4 new Mobile Units have been set up and are operating (Kukes, Tirana, Dibër, Shkodër). The establishment of these Mobile Units has enabled the increase in the number of identifications of trafficking cases and served to prevent the phenomenon of trafficking, either through the organization of awareness meetings, but also through periodic meetings of multidisciplinary groups at the local level.

The National Coalition of Anti-Trafficking Shelters has offered various trainings related to proactive identification methods with all employees in the institutions responsible for the identification of VT/PVT. These trainings were offered by different programs through projects funded by the American and British Embassies, of which 4 training modules were developed with the Regional Anti-Trafficking Committees (RATC) Elbasan, Korca, Vlora and Durrës, in which also participated employees of the Labor Inspectorate.

The State Labor Inspectorate, with the aim of preventing and combating human trafficking, pursuant to Order No. 174, dated 17.06.2022 of the Ministry of Finance and Economy, has exercised control over Private Employment Agencies, with the aim of verifying the implementation by the side of Private Employment Agencies and Temporary Employment Agencies, of labor legislation regarding the provision of mediation services to all job seekers, including migrant workers.

The State Labor Inspectorate, for the period January 2021-October 2022, has been part of the meetings held by the IOM in the framework of strengthening the labor migration framework in Albania. This project organized by the IOM aimed to issue guidelines on ethical recruitment of migrant workers. The guidance will serve to increase the awareness of labor inspectors regarding the identification and referral of forced labor, as the employment of migrant workers may pose a risk to potential victims of trafficking.

The Ministry of the Interior, in cooperation with the International Organization for Migration (IOM), as well as with the support of the European Union Fund for Asylum, Migration and Integration implemented in 12 regions of the country the project "Awareness and Information for Security and Empowerment for All - Albania ". For the implementation of this project, local seminars were held with members of the Regional Committees and Anti-trafficking Technical Tables, with representatives of civil society, teachers and students to increase their knowledge and skills on the provision of services and information on regular migration, education, training, business, self-employment and employment opportunities for returnees. The campaign also responds to the priorities set by the Albanian Government in the National Strategy for Migration 2019-2022, for ensuring an effective response to the management of migration from Albania to the EU Member States, through better border control and respect for visa liberalization regime, between Albania and the European Union (Schengen Zone), ensuring full respect of migrants' rights. During the campaign activities, the participants were informed about the rules and regulations of free movement based on the Visa Liberalization Agreement in the Schengen area, about the consequences of irregular migration, including the denial of entry, smuggling, exploitation, trafficking and possible involvement in criminal activities.

### ***Measures to prevent and combat child trafficking***

- GRETA considers that the Albanian 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 THB in children and the use of ICT (paragraph 153).

In the framework of the European Day against Trafficking in Persons (October 18), for several years, the Ministry of the Interior in cooperation with state institutions and partner organizations, throughout October, nominated "Month of the Fight against Trafficking in Persons", organizes in the 12 districts of country, sensitization and awareness-raising activities for the prevention of human trafficking. The activities aim to bring to the attention of all state structures, but not only, the importance of undertaking a joint commitment

in the fight against human trafficking, as well as to convey strong awareness messages about the dangers of trafficking, the routes and forms for increasing public awareness, in particular of vulnerable groups.

The activities throughout this month are mainly focused on: exhibitions with works of high school and 9-year-old students; local discussion forums on trafficking issues; awareness raising activities for child trafficking with local representatives, students and high school students; television programs on national and local television; awareness marches in the capital and district centers; distribution of awareness materials, information boxes and tents, etc. In the framework of the anti-trafficking month, October 2022, information sessions in schools have been a strong instrument of awareness. A total of 26 information sessions were held in schools with the participation of 720 students in cooperation with the Child Protection Workers (CPO), the State Social Service, representatives of community centers, as well as psychologists or academic staff. Believing that children and young people can be a strong point of support for any of their peers who may be victims of this phenomenon, leaflets and posters with contact numbers to seek help and report trafficking have been distributed.

5 focus groups were held with security officers in schools, distribution of awareness-raising materials and videos, as well as awareness-raising activities carried out by the victims themselves, etc. Also, during the month of October 2022, 3 focus groups were held in the community with a participation of 50 people who were informed in which cases they may feel at risk of trafficking and how they can seek help.

On 27.10.2022, for the first time in Albania, the study report "Our findings speak for themselves..." was carried out by a group of survivors of sexual violence and trafficking, now researchers, who have collected and analyzed evidence on the experiences of young people in criminal justice, sexual rape and trafficking. For more click the link: <http://differentandequal.org/en/raport-studimor/>

Every year, the awareness campaign of 16 days of activism against violence against women has continued from November 25 to December 10. The campaign for 2022 has just started, with the slogan "Get active to end violence against women and girls". The Ministry of Health and Social Protection coordinates the campaign activity, bringing together institutions at the central and local level, civil society organizations, pupils and students, international organizations.

In the framework of the projects that NCATS implements, it is continuing the work for informing, sensitizing young people and the community as well as identifying PVoT in cooperation with local authorities through mobile units set up in 9 districts of the country: Tirana, Shkodër, Vlorë, Berat, Durrës, Dibër and Lezhë/ Shengjin, Kukës, Korçë. Mainly the activities have been informational sessions with young people in 9-year and secondary schools, forums with students, informational sessions with the community in urban, suburban and rural areas, TV and radio talks, production and distribution of informational materials, awareness-raising activities in the public areas, marches and protests, etc.

During the 2021-2022 period, information sessions were held with the community regarding the phenomenon of trafficking in social media (website, Facebook, Instagram). About 4,500 people have been informed through information campaigns.

Also, 6 awareness sessions were held with the aim of increasing quality services and indicators for the identification of VoT/PVoT. Information sessions were held in all Tirana police stations, where the focus was on community policing. Tirana Police Directorate, Police Commissariat, Krujë Police Commissariat, Fushë-Krujë, Police Directorate, Berat, Police Directorate, Elbasan Border Migration Directorate, Rinas.

The State Agency for Children's Rights and Protection in cooperation with the Responsible Authority, in the first half of 2022, held meetings in the municipalities of Kukës, Dibër, Berat, Kamëz, Korçë, Bulqizë, Elbasan, Vlorë, Shkodër and Tirana with the employees of the Units. of Child Protection as well as with local actors representing the Intersectoral Technical Group. The purpose of the meeting was to closely discuss and encourage cooperation at the local level with child protection workers, traffic specialists and other actors, who are part of the Intersectoral Technical Group on the progress of the management of cases of children VoT/PVoT and addressing the problems encountered in this direction. From the meetings, it was recommended that there be a continuous need for joint meetings/trainings between the CPU, the police

and traffic specialists regarding the strengthening of knowledge and the increase of capacities for issues related to child trafficking.

As part of the Anti-Trafficking Month in October, following a positive tradition created over the years, the Child Protection Units have been active and collaborated with local actors, schools, security officers and partner organizations in organizing informative and awareness-raising meetings with children against trafficking, ways of reporting cases, consequences, etc.

The protection of children is in the attention of politics and institutions, whose efforts are to establish a real system for the protection of children from all forms of violence, including trafficking, by concretizing it with a clear legislative and institutional framework.

Law 18/2017 "On the rights and protection of the child", the National Agenda for Children's Rights 2021-2026, by-laws in implementation of Law No. 18/2017 pay special attention to the protection of children from trafficking and have provided mechanisms for the protection of children from forced labor and trafficking.

Child Protection Officers manage and monitor cases of children in need of protection including VT/VMT children. Pursuant to the PSV, the Child Protection Officer is part of the formal interview of the children, and in cases where the child is found to be a VT/VMT takes the case for protection according to the legislation in force, implementing the steps for case management. The Child Protection Officer, in cooperation with the Intersectoral Technical Group at the local level, draw up the Individual Child Protection Plan.

Every service is provided with a focus on the child by the Child Protection Units. The package of services offered to victims of trafficking includes the following

- Meeting the basic economic and social needs of children and families at risk or victims of economic exploitation, including children in street situations.

- Family visits and psychological, social and economic assessments

#### HOUSING

- Psychological counseling

- Support with food packages

- clothes

- Hygiene package

- medications

- Employment mediation

- Psycho-social service

- Mediation and assistance in conducting medical visits

- Registration in nurseries, kindergartens, schools

- Assistance for re-entry into the school system

- Registration in civil status

- Free legal service

- Professional training

- Development of life skills during reintegration

The State Agency for the Rights and Protection of the Child offers advice and technical support to the MUFIs in the management of cases of child victims of trafficking/potential victims of trafficking and

economically exploited children SARPC has had close cooperation with the Responsible Authority in order to support the cases of child victims of trafficking/potential victims of trafficking and addressing the problems identified by the MUFIs during the process of managing these cases

The State Agency for Children's Rights and Protection in cooperation with the National Cyber Security Authority (NCSA) in the framework of the implementation of the activities of the "National Cyber Security Strategy 2020-2025" and the "National Agenda for Children's Rights 2021-2026" " has carried out trainings related to the safety of children in the cyber environment where 31 child protection workers and other actors at the local level have been trained.

On the part of the state police employees, both at the base and from the Anti-Trafficking Sector at the General Directorate, there were meetings with secondary and high schools on the recognition and rights of minors on the phenomenon of minor trafficking, that how they should react before an action against unknown persons who are suspected of committing a crime.

Specific interventions by UNICEF have been undertaken in order to prevent child trafficking and the use of ICT through training with child protection professionals, guardians, teachers and parents, in close cooperation with local partners and state institutions such as the National Certification Authority Electronics and Cyber Security (AKCESK). UNICEF takes the risks of online trafficking, exploitation and abuse very seriously. Therefore, the work of UNICEF and the Albanian Sustainable Development Organization (ASDO) clearly aims to inform teenagers, young people and their guardians about internet safety. This work is continuing through the BiblioTech centers established in close cooperation with the municipalities of Tirana, Shkodra and Korça, which is another good model of shared responsibilities (and costs) between local authorities, the donor, UNICEF and NGOs.

### ***Identification of victims of trafficking***

- GRETA urges the Albanian authorities to take further steps to improve identification of victims of THB, notably by:
  - ensuring that the identification of presumed trafficked persons is not influenced by the capacity or willingness to co-operate in any criminal investigation;
  - paying increased attention to detecting victims of trafficking amongst asylum seekers and migrants, including persons placed in immigration detention centres. In this context, training on the identification of victims of trafficking should be provided to border and migration police officers, customs officers, asylum officials, and staff of reception centres and immigration detention centres, including medical staff;
  - systematically informing asylum seekers, in a language they can understand, about their rights in the framework of the asylum procedure, and the legal rights and the services available to victims of trafficking;
  - ensure that pre-removal risk assessments prior to all forced removals from Bulgaria fully assess risks of trafficking or re-trafficking on return, in compliance with the obligation of non-refoulement (paragraph 166).

Based on DCM No. 111, dated 06.03.2019 "On the Procedures and Rules for the Return and Repatriation of Unaccompanied Children", the State Agency for the Rights and Protection of the Child is the responsible state authority to guarantee the functioning of the integrated protection system for unaccompanied children, inside and outside the territory of the Republic of Albania, through the coordination of work between the responsible authorities involved in the protection process. Employees of the Department for Border and Migration, employees of the State Police or of the structures responsible for asylum or refugees, after finding unaccompanied children in the territory of the Republic of Albania, refer the case to the child protection worker (CPW) in whose territory the child has been ascertained, officially informing, in any case, the Agency about the child's generalities and citizenship, if they are known, the exact location of the child, as well as any other data that shows the way of treatment and his condition. After the verifications, if it is established that the person is a child, he is treated according to the local legislation for the protection of children. An unaccompanied foreign child is considered a child in need of protection. CPW follows the procedure for evaluating the case, and drafting the individual Protection Plan for the child in cooperation with the cross-sectoral technical group at the local level and placing the child in the emergency center.

For 2022, 33 cases of unaccompanied foreign children have been identified. They come from countries like Afghanistan, Syria, Morocco, Egypt., Bangladesh. Mainly, unaccompanied foreign children are identified in border areas such as Devolli, Gjirokaster, Kukes, but also in other large cities such as Vlorë and Tirana.

For the period 2021-2022, the Mobile Units have identified 161 cases. During the year 2022, the Mobile Unit was set up in Lezhë/Sëngjin and Durrës, which works for the information and identification of pVT among Afghan immigrants and not only. All cases identified by the mobile units were reported to the Responsible Authority and Police Directorates in districts based on the cooperation agreements that the organizations have in each district. Also, it is evident that in a good part of the cases, in the initial process of identification of cases by MU, police specialists or child protection workers near the municipalities have also participated. NCAT has offered various trainings related to proactive identification methods with professionals from institutions responsible for identifying PVT/VT.

During the year 2020-2021 in cooperation with ZKKAT, MSHMS, MAS etc. , 49 trainings were carried out in 12 districts of the country with local anti-trafficking structures and NGOs, where 845 professionals participated, specifically from: anti-trafficking police structures, border and migration police, teachers, school psychologists and social workers, health structures , social services in the municipality, the labor inspectorate, child protection workers near the municipalities, NGOs, etc. The theme was: "Recognition and implementation of SOPs for identification and protection of VT/PVT". 4 training modules were developed in Elbasan, Korçë, Vlorë and Durrës, in which representatives of the Labor Inspectorate took part.

### ***Assistance to victims of trafficking***

- GRETA once again urges the Albanian authorities to:
  - provide adequate funding for assistance to victims of trafficking in order to enable NGOs to comply with the required standards;
  - provide shelter, accommodation and access to other assistance services to male victims of THB;
  - facilitate the reintegration of victims of THB, by providing them with vocational training and access to the labour market, and by strengthening the capacity and resources of the social services responsible for assisting in their integration (paragraph 169).

The Ministry of the Interior is the main drafting and implementing institution of the strategic and regulatory framework in the field of human trafficking. In this context, specific strategic forecasts, accompanied by concrete implementation measures, related to the prevention, early and formal identification of VT/PVT, as well as the provision of the necessary social and health support, are part of the National Action Plan for the Fight Against Trafficking of Persons, 2021-2023, approved by DCM no. 670, dated 10.11.2021, under the coordination of the Office of the National Coordinator, Ministry of the Interior.

In the field of social protection and inclusion, in the law on social care services (121/2016), beneficiary categories are also provided for VT/PVT. Also, the law on the protection of children's rights (18/2017), provides provisions for the prevention of violence and sexual exploitation of minors, and there is a mechanism for the referral of trafficked children. To ensure the protection of these categories, the National Social Protection Strategy 2020-2023, as well as the National Agenda for the Protection of Children's Rights (2021-2026) have been drawn up and approved.

Also, the law on social assistance (57/2019), provides as a beneficiary category of social assistance and VT/PVT. With the approval of DCM No. 898/2021 tripled the amount of economic assistance for some categories starting on January 1, 2022, for victims of domestic violence with a Protection Order, as well as for VT/PVT. It turns out that 963 victims of domestic violence provided with Protection Orders, as well as VT/PVT, have benefited from economic assistance.

Finally, the approval of Law No. 125/2020 brought improvements to Law No. 9669/2006 "On measures against violence in family relationships" which consisted in several directions such as: emphasizing special

attention to women, girls, children, the elderly and persons with disabilities, subject to this law, the order from the court, as a protective measure of domestic violence, for the immediate removal of the abuser from the apartment; taking measures in case of emergencies. On the other hand, the National Strategy for Gender Equality 2021-2030 was drawn up and approved with DCM 400, dated 30.06.2021.

Adoption of several changes to the Criminal Code in 2020, in which the main change for domestic violence issues consisted of: criminalization of psychological violence, protection of persons in a relationship or former intimate relationship with the perpetrator of the criminal offense, which also fulfilled the obligation to harmonize the Albanian legislation with the Istanbul Convention and the changes made in the Law on Measures against Domestic Violence.

Three Guidelines have been approved for the adoption of Standard Operating Procedures (SOPs) in the field of health and social care services for handling cases of domestic violence and emergency situations. Purpose: to help professionals who are part of the Coordinated Referral Mechanisms for the steps they should follow to deal with cases of domestic violence and gender-based violence.

Two Guidelines have been approved for the approval of a) "Protocol for the operation of public and non-public residential centers that provide housing services for victims/survivors of domestic violence and for victims/survivors of trafficking in the situation of the COVID-19 pandemic" as well as b) Guidance for the management of cases involving children in need of protection during the COVID-19 emergency".

Preparation of three protocols a) for domestic violence, b) sexual violence and c) domestic violence during the situation of the Covid-19 Pandemic, to help the members of the Coordinated Referral Mechanisms (CRM) during case management of domestic violence, gender-based violence and sexual violence.

In the framework of the reform of social care services, we have recently taken steps to increase the financing of social services, with the establishment of the financing mechanism (the Social Fund, as a financial mechanism for local self-government units with the aim of a) improving standards and administrative capacities of existing services; b) planning and creating new services as well as developing social policies, including VT/PVT.

In the Republic of Albania, several specialized support services operate for persons experiencing situations of vulnerability of gender-based violence or domestic violence, as well as for victims of trafficking/potential victims of trafficking, organized in temporary shelters (16 centers at district and municipality level) and residential services at the national level (2 national centers). These services include: housing, health, legal, psychosocial services, protection, security and anti-trafficking services, education, childcare.

They also operate 2 counseling lines, 1 specialized center for handling cases of sexual violence. During 2022, the Ministry of Education and Culture has established two new one-stop centers for the treatment of sexual violence and the most serious forms of violence against children, respectively in Fier and Shkodër. The rise of the service has been accompanied by the approval of the minimum standards of service provision.

Below are some data related to social services:

At the National Center for the Treatment of Victims of Domestic Violence, for the period January-June 2022, 48 cases received services, of which 19 women and 29 children (26 girls and 13 boys).

The LILIUM center for the management of cases of sexual violence, fully supported by the state budget, from December 2018 to July 31, 2022, has treated 110 victims of sexual violence, over 80% children and 90% women/girls. For the period January - July 2022, 18 cases of victims of sexual violence were treated in this center, of which 3 men and 15 women, all minors.

From the total of the aforementioned services, within the framework of the Social Fund, for the years 2020-2022, 4 services were financed for victims of domestic violence/trafficking and in situations of danger, four municipalities (Gjirokastrë, Berat, Kukës and Maliq, where they treated 125 cases of domestic violence); 3 multifunctional centers (Durrës, Elbasan, Pogradec, where 158 cases of girls and women in need of support



and empowerment in risk situations were treated); 3 services at the district level (Tirana, Elbasan and Vlorë, where 254 women and girls were treated, as well as their children as the case may be..

At the county level, three specialized services at the county level (Tirana, Elbasan, Vlora) for VT/[PVT are financially supported, within the Social Fund, for the payment of salaries and social security of the personnel, as well as for operational expenses. which are managed by civil society. In these centers, all victims of trafficking, or potential victims of trafficking, regardless of gender, benefit from services (396 beneficiaries), even though 90% of victims are women and girls.

Funded by the state budget, 2 national online helplines, for children and adults, men and women, we also offer help to individuals who may have experienced sexual abuse, survivors of domestic violence and trafficking.

For the year 2021, 3,469 phone calls have been handled at the Council's National Hotline for victims of violence; 827 direct counseling sessions (face to face); 742 legal assistance; 1235 referrals to protection services, care and public institutions such as police, health service.

Meanwhile, 32,116 calls were made from the Children's Counseling Line for the year 2021; 1055 cases treated; 966 reports of violence, abuse, neglect, exploitation, bullying; 887 cases referred to relevant institutions, of which 843 in public institutions, 42 in services provided by NGOs and 2 in private services; 2383 counseling and support and psycho-social calls of children from the online counselor.

For the first time, the service is set up, with funds from the state budget, providing assistance for the integration and empowerment of LGBTI youth and victims of violence, at risk and homeless), where 173 people, regardless of gender, have received the service to date.

We inform you that during the stay in shelters, all categories (VDh; VT/PVT; LGBTI+) are enrolled in professional training courses, as well as from the side of the social staff, there is mediation with the employment offices, or with different employers, to enable their employment after leaving the shelter. Also, the beneficiaries of the respective services are informed and assisted to apply, in order to benefit from all social programs (employment, training, education, social housing, social assistance), after leaving the shelter, at the Local Self-Government Units, to ensure social and economic integration/reintegration of these categories.

Regarding the recommendation given by the team of experts to ensure the implementation of the above-mentioned service standards, supported either with funds from the state budget, or provided with non-public funds or donors, by NPOs, Law 121/2016 on social services provides for the monitoring and inspection of social services provided in the country. By monitoring we do not mean imposing fines on organizations, but we offer mentoring to improve standards and the institute responsible for mentoring is the state social services. The State Social Service is responsible for monitoring social services financed from the state budget. The State Inspectorate of Social Services is responsible for inspecting public and non-public services, to ensure service delivery in accordance with standards.

In the field of health, regarding the protection of victims of trafficking, since 2014, with the 2014 amendments to Law No. 10 383, dated 24.2.2011 "On Mandatory Health Care Insurance in the Republic of Albania", these persons are included in the categories of economically inactive persons, whose payment is financed by the State Budget or by other sources determined by law . This has enabled VT to benefit from health services from primary health care, to secondary and tertiary care, according to the referral system, including mental health services, up to clinical-biochemical and imaging examinations as well as treatment with drugs or other packages of free health care, provided by both public and non-public hospitals (in nephrology, cardiac surgery, hearing problems, etc.), financed 100% by the Compulsory Health Care Insurance Fund and implemented based on the protocols of approved by the Ministry of Health and Social Protection.

The National Coalition of Anti-Trafficking Shelters offers a full package of services for VT/VMT including: accommodation in shelters and rental apartments, 24/7 security, medical, legal, psychological assistance, life skills development activities, social-cultural activities, professional training, employment counseling, mentoring, employment training, employment, setting up micro-businesses, mediation with

family members, specific services for children of victims, etc. In addition, for all cases in the community, they have been supported with apartments for rent, and with food, hygiene packages, clothing, medications, teaching aids, etc., considering in a special way the situation created as a result of the COVID 19 pandemic.

A good job has been done for years in the provision of funds by the Albanian government, for the 3 non-state reception centers, for the payment of the personnel who work with the victims and for the payment of food for VT/PVT who are treated in these residential centers.

The Transformation of the National Response to Human Trafficking in and from Albania program, in close cooperation with three national shelters (respectively: Different and Equal, Another Vision and Vatra) offered direct support and reintegration services for VT/VMT to the entire duration of the first cycle of the program (January 2020 – May 2023). Support services cover the full spectrum of temporary assistance to VTs/VMTs for case management, including services such as: administrative, legal, economic and health support. Relevant statistics for the intervention are available at: <https://endhumantrafficking.al/> In September 2022, UNICEF Albania published a qualitative study of survivors' experiences in accessing and frontline professionals in providing support for economic reintegration. The report is available at the following link: <https://www.unicef.org/albania/reports/economic-reintegration-trafficking-survivors-albania>