

2024 Trafficking in Persons Report: Albania

ALBANIA (Tier 2)

The Government of Albania does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared with the previous reporting period; therefore Albania remained on Tier 2. These efforts included investigating purchasers of commercial sex, identifying more potential victims in cooperation with NGOs, and providing services to more victims. The government updated the NRM, expanding its membership to government institutions to enhance victim identification and assistance. The government increased funding for the government-run shelter in 2023, significantly increased funding for NGO-run shelters for 2024, and funded an NGO-run shelter to provide legal assistance. The government re-established the anti-trafficking hotline and incorporated survivor feedback in the NRM decision-making procedures. However, the government did not meet the minimum standards in several key areas. The government investigated significantly fewer trafficking crimes, prosecuted fewer suspects, and did not convict any traffickers for the second consecutive year. Police and district prosecutors did not have the specialized experience and capacity to investigate and prosecute trafficking cases and used lesser crimes, such as “exploitation of prostitution,” rather than trafficking. The government did not consistently screen vulnerable populations, including migrants, asylum-seekers, Romani and Balkan-Egyptian communities, and children, for trafficking indicators. NGO-managed mobile victim identification units (MIU) remained underfunded and understaffed, despite identifying most of the victims every year. Police participation in the MIUs remained inconsistent, despite signing an MOU that formalized their participation, and officials rarely initiated investigations when civil society identified a potential victim. The government lacked resources for reintegration efforts for victims, anti-trafficking coordinating bodies continued to not meet, and prosecutors often did not respond to requests related to victim witness assistance.

PRIORITIZED RECOMMENDATIONS: ✓

Vigorously investigate and prosecute trafficking crimes and convict traffickers – including complicit officials – under Articles 110(a) and 128(b) of the criminal code, rather than lesser offenses. * Seek penalties for convicted traffickers, which should involve significant prison terms, and train judges at all levels of the judiciary to take the severity of trafficking into account when issuing sentences. * Increase funding and improve the sustainability of MIUs, including law enforcement participation. * Establish specialized police and prosecutors to investigate and prosecute trafficking and provide advanced training, including victim-centered approaches. * Continue to increase funding and create funding mechanisms that allocate adequate financial and other resources on a consistent and regular basis to the NGO-run shelters for trafficking victims. * Increase reintegration services, including access to long-term housing, vocational training, and education. * Ensure the NRM convenes, coordinates, and effectively oversees implementation of the SOPs. * Increase efforts to screen vulnerable populations for trafficking indicators and train police, labor inspectors, and other front-line officials on the existing SOPs and NRM for proactive victim identification and referral to services. * Consistently implement victim-centered approaches and victim-witness assistance measures during investigations, prosecutions, and court proceedings. * Train judges on restitution in criminal cases and create effective methods to allocate restitution and compensation in a timely manner. * Integrate Romani groups into decision-making processes regarding victim protection. * Expand the jurisdiction of labor inspectors to inspect businesses that are not legally registered.

PROSECUTION ✓

The government decreased some law enforcement efforts. Articles 110(a) and 128(b) of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties of eight to 15 years' imprisonment for a trafficking offense involving an adult victim, and 10 to 20 years' imprisonment for an offense involving a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other grave crimes, such as rape. The Albanian State Police (ASP) investigated 26 cases, compared with 85 cases in 2022. The ASP also investigated three cases for "knowingly soliciting or patronizing a sex trafficking victim to perform a commercial sex act," compared with none in 2022. The General Prosecution Office (GPO) prosecuted eight new cases (seven for sex trafficking and one for an unspecific form of trafficking), compared with 17 new cases in 2022. GPO continued to prosecute 42 cases initiated in previous years. Separately, the Special Prosecution Structure against Corruption and Organized Crime (SPAK) initiated one new investigation (two in 2022) and continued to prosecute two cases initiated in previous reporting periods. Courts did not convict any traffickers for the second consecutive year, compared with 11 convictions in 2021. In past years, judges sentenced some traffickers to lenient sentences, such as probation, which undercut efforts to hold traffickers accountable, weakened deterrence, created potential security and safety concerns for victims, and was not equivalent to the graveness of the crime. The government did not report any new investigations, prosecutions, or convictions of government employees complicit in human trafficking crimes; however, corruption and official complicity in trafficking crimes remained concerns.

ASP's Criminal Police Department Directorate of Investigations of Narcotics and Trafficking maintained an Anti-Trafficking Unit, which investigated trafficking in persons in addition to drug and contraband trafficking. Each of ASP's 12 regional directorates also maintained a section that investigated trafficking among other crimes. The government continued judicial reforms that changed prosecutorial jurisdiction for trafficking cases; SPAK and the Special Court of Appeals on Corruption and Organized Crime maintained jurisdiction over trafficking cases related to organized crime, while GPO and district courts prosecuted trafficking cases without an organized crime nexus. However, GRETA, prosecutors, and other observers reported ASP and district prosecutors did not have the specialized experience and capacity to investigate and prosecute trafficking cases. GRETA, OSCE, and other observers reported authorities conflated overlapping elements of "exploitation of prostitution" and sex trafficking and, at times, used the charge with a lesser burden of proof, also resulting in lesser penalties, because it required less specialization and time or because of the false belief that trafficking crimes required a transnational element. Similarly, some authorities prosecuted defendants with "disgraceful acts against minors," "sexual harassment," or "sexual intercourse with violence" instead of trafficking. Limited personnel and financial resources and reports of constant turnover of law enforcement created additional obstacles in maintaining capacity to investigate trafficking, including a lack of resources to investigate organized crime cases and/or cases facilitated by virtual means. The government maintained institutionalized training programs at the School of Magistrates for judges, prosecutors, and judicial police. The government, in cooperation with NGOs and international organizations, trained police officers, judges, prosecutors, and victim coordinators on various anti-trafficking issues. The government received and executed one extradition request from foreign authorities, and GPO sent 10 requests for legal assistance to foreign authorities.

PROTECTION ✓

The government increased victim protection efforts. The government and NGOs identified 165 potential victims, compared with 110 potential victims in 2022. Of these 165 potential victims, traffickers exploited 80 in sex trafficking, 58 in labor trafficking, including 55 in forced begging and 27 in forced criminality; 48 were women, eight were men, 67 were girls, and 42 were boys; and four were foreign national victims. MIUs in nine regions, consisting of social workers from NGOs and police officers, continued to identify most of the victims, but the units' sustainability remained uncertain because of a lack of resources; MIUs identified 115 potential victims (70 percent of total potential victims), compared with 75 potential victims (68 percent of total potential victims) in 2022. Police and other first responders identified 50 potential victims (26 in 2023). Experts reported police did not participate consistently in MIUs, despite signing an MOU that formalized their

participation, and law enforcement rarely initiated investigations when civil society identified a potential victim. The government maintained a multidisciplinary NRM with SOPs for identifying and referring victims to services. However, observers continued to report border police lacked resources, interpreters, and knowledge to screen consistently or implement SOPs for migrants and asylum-seekers. As in previous years, ASP did not screen individuals in commercial sex for indicators of trafficking during law enforcement operations and investigations of commercial sex establishments, and the Labor Inspectorate lacked the training to identify forced labor victims. Law enforcement justified cases of potential domestic servitude and forced labor in forced marriages involving Romani and Balkan-Egyptian communities as traditional cultural practices and customs. The government updated the NRM and added additional members, including the State Inspectorate of Labor and Social Services, Ministry of Justice, Agency for the Administration of Seized and Confiscated Assets, and National Agency of Employment and Skills. The government also renewed the NRM's "Responsible Authority" tasked with coordinating the implementation of the NRM. However, experts reported the government did not proactively coordinate or convene NRM meetings, which were inefficient with low attendance; the NRM met six times (once in 2022). Law enforcement and state social services conducted joint interviews for potential victims who voluntarily requested official victim status. While the law provided equal services and rights for potential and officially recognized victims, OSCE reported police lacked specialized knowledge, interview rooms, and staff to accurately conduct an assessment for official victim status. The government formally assessed one potential victim as an official victim in 2023 (two in 2022).

The government operated one specialized shelter and supported three specialized NGO-run shelters. The government allocated 22.7 million leks (\$243,480) to NGO-run shelters to support staff salaries in 2023 and 2022. The government provided an additional 7.2 million leks (\$77,230) for food support to NGO-run shelters in 2023 and 2022. The government allocated 24.1 million leks (\$258,500) to the government-run shelter, compared with 20.1 million leks (\$215,600) in 2022. The government also allocated one million leks (\$10,730) to an NGO-run shelter to provide legal assistance and a municipal government allocated 1.4 million leks (\$15,020) to the same NGO-run shelter for operational costs. The government approved a decision to increase funding for staff salaries at NGO-run shelters to 33.2 million leks (\$356,110) for 2024. Despite the increased funding for staff salaries, NGO-run shelters continued to operate under financial constraints and relied on non-governmental sources for operating costs. Experts reported the bidding process for social programs with municipal governments was not transparent and municipal government rarely dispersed funds to shelters because officials did not consider support services for trafficking victims a priority. The government did not allocate any resources from a fund of seized criminal assets for victim support services in 2023 or 2022.

The four specialized shelters constituted the National Coalition of Anti-Trafficking Shelters (NCATS); victims who required services not available in one shelter were referred to another shelter in the coalition. NCATS and the government provided food, mental health counseling, legal assistance, health care, educational services, employment services, assistance to victims' children, financial support, long-term accommodations, social activities, vocational training, and post-reintegration follow-up; NCATS and the government provided support to 328 victims (93 in 2022). NCATS maintained a total capacity to accommodate 71 victims, including 10 children. One NGO-run shelter provided specialized services for victims younger than the age of 18 and rented apartments for male victims, where they received assistance from NGOs. NGO-run shelters allowed adult victims to leave the shelter voluntarily; the state-run shelter required victims to receive permission from the shelter director for their security. Observers reported the shelters in the NCATS had professional staff and quality care despite funding limitations, and the government reported good cooperation between NCATS and government institutions. The government also provided general support through two centers for victims of violence, including trafficking victims, that offered psycho-social support, legal assistance, and family assistance. However, experts reported a lack of resources for long-term care, employment, and other reintegration efforts, particularly for child victims and victims with children. For example, municipal governments rarely provided housing for victims because of a long list of requirements, and service providers faced obstacles in renting short-term apartments for victims because of the preference of landlords to only sign long-term leases. The government and NGOs provided vocational training for 43 victims and National Employment Services offices prioritized jobseekers from vulnerable groups, including trafficking

victims; 50 victims registered with the employment office for employment opportunities, 28 of which obtained work. The government also supported five victims to start small businesses and enrolled 14 victims into an economic assistance program that dispersed 9,900 leks (\$100) per month. Foreign victims had access to the same services as Albanian victims; the law provided foreign victims a three-month “reflection period” with temporary residency status and authorization to work for up to two years. The government provided residency status to one foreign victim.

Due to inconsistent implementation of victim identification SOPs, authorities may have detained or deported some unidentified victims, including women in commercial sex, migrants, and asylum-seekers. The government reported five victims chose to participate in investigations and prosecutions, and it provided legal assistance, in cooperation with NGOs, to 88 victims. The government reported interviews and testimonies took place in the presence of a psychologist, and prosecutors separated victims and defendants during trials to prevent re-traumatization. District courts lacked equipment to allow remote testimony, but SPAK possessed equipment that allowed testimony via video conferences, though it did not record how often it was used. Victims who testified against traffickers had access to the witness protection program; no victims participated in the program in 2023. Experts reported some prosecutors did not respond to requests or fulfill their responsibilities to provide assistance to victims and witnesses. For example, prosecutors did not respond to a request to remove parental rights from a parent exploiting their child. Similarly, a lawyer representing a victim requested witness protection for the victim, but the judge postponed the decision twice after the prosecutor failed to appear in court. Victim assistance coordinators provided legal assistance and guided victims in accessing services; the government appointed victim assistance coordinators to all victims participating in prosecutions. The government maintained the Development Center for Criminal Justice, which staffed prosecutors and a judicial police officer responsible for child protection in criminal proceedings, and five child friendly interview rooms. The government signed cooperation agreements with higher education institutions to add to a list of professionals that provided pro bono legal assistance to victims; however, observers reported lawyers did not always have knowledge on victims’ rights, courts did not consistently use victim-centered techniques, and the government often did not provide victims with necessary legal documents. Victims could obtain restitution through criminal proceedings or compensation through civil suits. However, judges generally rejected restitution in criminal proceedings and civil suits required victims to submit new testimonies, potentially causing re-traumatization. In addition, civil courts dismissed or closed civil suits if criminal courts dropped the case or acquitted the defendant. Courts granted compensation to only two victims to date in 2010 and 2018 but did not disburse compensation to the victims – the case from 2018 remained under appeal.

PREVENTION ✓

The government slightly increased efforts to prevent trafficking. The national coordinator led the Office of the National Anti-Trafficking Coordinator (ONAC) and overall anti-trafficking efforts; however, observers reported limited coordination efforts by the national coordinator, who maintained additional responsibilities, and ONAC. The State Committee against Trafficking in Persons, composed of relevant ministry representatives, was responsible for monitoring and implementing various anti-trafficking efforts; the State Committee has not met since 2021. The government implemented the 2021-2023 NAP and allocated 412.6 million leks (\$4,426,000) for its implementation. Twelve regional anti-trafficking committees, comprising local officials and NGOs, worked on local victim assistance and referral mechanisms. The Advisory Board of Victims of Trafficking consisted of three survivors who provided recommendations on anti-trafficking efforts, and for the first time in 2023, participated in NRM decision making procedures. The government, independently and in cooperation with NGOs and international organizations, conducted awareness campaigns for students, government officials, the public, and teachers. In December 2023, the government re-established its anti-trafficking’s hotline after suspending operations in 2020 but reported the hotline has not yet received any calls. The government maintained a legal framework for regulating and licensing private sector employers and recruitment agencies, including prohibiting worker-paid recruitment fees. However, labor inspectors did not have authority to inspect informal work activities, including unregistered businesses. Law on public procurement

disqualified companies – including administrative personnel, leadership, or supervisory bodies – convicted of trafficking or exploitation of children from competition for public contracts. The government made efforts to reduce the demand for commercial sex acts by investigating purchasers of commercial sex, compared with none in 2022.

TRAFFICKING PROFILE: ✓

As reported over the past five years, human traffickers exploit domestic and foreign victims in Albania, and traffickers exploit victims from Albania abroad. Traffickers exploit Albanian women and children in sex trafficking and forced labor in the country, especially during tourist season. Traffickers use false promises, such as marriage or employment offers, to exploit victims in sex trafficking. Traffickers commonly force children to beg or perform other types of compelled labor, such as selling small items, and also force children into criminality, including burglary and narcotics distribution. Traffickers exploit Albanian children, mainly from the Romani and Balkan-Egyptian communities, for seasonal work and forced begging. NGOs reported traffickers force children into selling narcotics mainly at schools. Traffickers exploit Albanian victims in sex trafficking across Europe, particularly in Belgium, Greece, Serbia, Montenegro, Kosovo, and France. Albanian migrants who seek employment in Western Europe are vulnerable to forced labor, including forced criminality, particularly in the UK. Traffickers exploit foreign victims from Sri Lanka, Ukraine, and Greece in sex trafficking and forced labor in Albania. Traffickers use social media to recruit potential victims and advertise commercial sex through mobile phone applications and online platforms. Migrants, asylum-seekers, and refugees traveling, being smuggled, or voluntarily resettled in Albania, particularly women and unaccompanied children, are vulnerable to trafficking. Experts report children with mental and physical disabilities were increasingly vulnerable to trafficking.