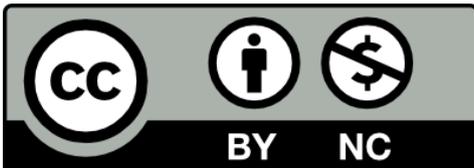




Albania: Trafficked boys and young men

May 2019

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This report was produced with the kind support of the Paul Hamlyn Foundation.

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Explanatory Note

This report presents country-of-origin information (COI) on Albania specifically relating to trafficked boys and young men published between 1 January 2016 and 31 March 2019, as well as information generated by interviewing a range of stakeholders between December 2018 and March 2019. Some sources published before this timeframe have been included given their particular relevance to the topic.

Legal representatives representing young Albanian asylum seekers in the UK and elsewhere in Europe identified this topic as a major gap in COI relating to young person and child-specific persecution and harm and a common barrier for quality decision making for young Albanian males claiming asylum in the UK.

Albanian children regularly form one of the top five largest groups of unaccompanied asylum-seeking children in the UK, yet out of 58 initial decisions on Albanian children's cases in 2018, not one was granted asylum or humanitarian protection¹. Albania was also the third-most prominent foreign country of origin for trafficked children in 2018² and trafficking is one of the most common reasons boys from Albania claim asylum in the UK. However, existing COI and UK guidance on trafficking, including Country Guidance and Home Office Country Policy and Information Notes, has thus far been very centered on women and girls.

Asylos and ARC Foundation share a belief in the importance of the role of COI in refugee decision making and both have the desire to contribute to the fair and sound administration of asylum law. We hope to fill the gap in the COI literature about the situation of Albanian boys and young men who are victims of trafficking and to contribute to a more informed debate about the situation. The report is also intended as a tool to assist legal practitioners and to help ensure that decision-makers consider all relevant material.

Please note that we are not legally certified experts in the matters we research and cannot be classified as expert witnesses. We compile primary and secondary information to address certain country-specific questions, but we do not provide assessment or analysis of the data. Similarly, we do not provide legal advice.

The COI presented is illustrative, but not exhaustive of the information available in the public domain, nor is it determinative of any individual human rights or asylum claim. All sources are publicly available and a direct hyperlink has been provided. A list of sources and databases consulted is also provided in this report, to enable users to conduct further research and to conduct source

¹ UK Home Office, Immigration Statistics, year ending December 2018, 28 February 2019, Asylum tables vol 3

² See Every Child Protected Against Trafficking UK, *FAQs on Child Trafficking*, 30 April 2019, p. 9

assessments. While we strive to be as comprehensive as possible, no amount of research can ever provide an exhaustive picture of the situation. It is therefore important to note that the absence of information should not be taken as evidence that an issue does not exist.

The note was researched, written and edited by Asylos' and ARC Foundation's project consultants who were supported by Asylos staff and its network of volunteer researchers. It combines publicly available sources and written or oral contributions by academics and/or practitioners with a specific expertise on Albania. For more information about our research methodology, please consult the Appendix "Methodology" of this report.

This document is intended to be used as a tool to help to identify relevant COI and the COI referred to in this report can be considered by decision makers in assessing asylum applications and appeals. **This report is not a substitute for individualised case-specific research and therefore this document should not be submitted in isolation as evidence to refugee decision-making authorities.** Whilst every attempt has been made to ensure accuracy, the authors accept no responsibility for any errors included in this report.

This COI report is the result of a joint three-year project by Asylos and ARC Foundation to publish a series of reports that present new and innovative forms of COI generated by conducting interviews alongside existing sources. All planned reports cover topics related to young asylum seekers in the UK for whom an absence of country information forms a barrier to protection. The report's concept and methodology builds on the August 2017 published pilot report on ['Westernised' young males from Afghanistan](#), which addressed a major COI gap and has been used by thousands of stakeholders across and beyond Europe.

Acknowledgements

We would like to thank the following external partners for their advice and support on this report:

- Migrant and Refugee Children's Legal Unit (MiCLU)
- Shpresa Programme
- Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD)
- Dutch Council for Refugees

This project would not have been possible without the generous financial support of the Paul Hamlyn Foundation. We are immensely grateful for their help and trust.

Feedback and Comments

Please help us track the impact of our work. It is our best reward and helps us align our work to your needs. If you have read this report, used any part of it to inform your case or decision and/or submitted it to court please go to <https://resources.asylos.eu/give-feedback/>, insert the **case reference number GLO2019-10**, leave your comment and press submit.

For general comments or inquiries about the project, or suggestions for future report topics, please email info@asylos.eu and info@asylumresearchcentre.org directly.

Who we are

Asylos is a global network of volunteers providing free-of-charge Country of Origin Information research for lawyers helping asylum seekers with their claim. Asylos works to ensure that asylum seekers and their legal counsel have access to crucial sources and data to substantiate their claim. Asylos volunteers use their research and language skills to access detailed information. More information can be found [here](#).

ARC Foundation is the charitable branch of Asylum Research Centre (ARC). ARC was set up in 2010 in order to raise standards in the refugee status determination (RSD) process, improve the realisation of asylum seekers' and refugees' rights and entitlements and to ensure that those in need of protection are recognised as such. It is staffed by human rights researchers and COI specialists and undertakes research, advocacy and training to improve the quality of RSD. More information on ARC Foundation and ARC can be found [here](#).

Sources and Databases Consulted

Not all of the sources listed here have been consulted for each issue addressed in the report. Additional sources to those individually listed were consulted via database searches. This non-exhaustive list is intended to assist in further case-specific research. To find out more about an organisation, view the 'About Us' tab of a source's website.

Databases

[Asylos's Research Notes](#)

[EASO COI Portal](#)

[European Country of Origin Information Network \(ECOI\)](#)

[Relief Web](#)

[UNHCR Refworld](#)

Media

[Albanian Daily News](#)

[Balkan Insight](#)

[Gazeta Shqiptare](#)

[Koha Ditore](#)

[Koha Jone](#)

[Panorama](#)

[Radio Free Europe/Radio Liberty \(RFE/RL\)](#)

[Rilindja Demokratike](#)

[Shekulli](#)

[Tirana Times](#)

[Zeri i Popullit](#)

Organisations

[Albanian Helsinki Committee \(AHC\)](#)

[Amnesty International \(AI\)](#)

[ARSIS \[Association for the Social Support of Youth \(ARSIS\)\]](#)

[Balkan Investigative Reporting Network \[BIRN\]](#)

[Caritas Albania](#)

[Center for Security Studies \(CSS\)](#)

[Center for Strategic and International Studies \(CSIS\)](#)

[Central Asia-Caucasus Institute \(CACI\)](#)

[Centre for Research on Inequality, Human Security and Ethnicity \(CRISE\)](#)

[Centre for Youth Progress \(CYP\), Kukes](#)

[Child Rights Information Network \(CRIN\)](#)
[Christian Michelsen Institute \(CMI\)](#)
[Congressional Research Service \(CRS\)](#)
[Conciliation Resources](#)
[Council of Europe - Commissioner for Human Rights \(CoE - CommDH\)](#)
[Council of Europe - Group of Experts on Action against Trafficking in Human Beings \(CoE - GRETA\)](#)
[Crisis State Research Centre](#)
[Danish Immigration Service \(DIS\)](#)
[Different and Equal \(D&E\)](#)
[European Asylum Support Office \(EASO\)](#)
[European Centre for Minority Issues \(ECMI\)](#)
[European Commission](#)
[Fair Trials International](#)
[Human Rights First](#)
[Human Rights Watch \(HRW\)](#)
[Hungarian Helsinki Committee \(HHC\)](#)
[Immigration and Refugee Board of Canada \(IRB\)](#)
[The Institute for Democracy and Mediation \(IDM\)](#)
[Institute for War and Peace Reporting \(IWPR\)](#)
[Inter Press Service \(IPS\)](#)
[International Committee of the Red Cross \(ICRC\)](#)
[International Council on Security and Development \(ICOS\)](#)
[International Crisis Group \(ICG\)](#)
[International Federation for Human Rights \(FIDH\)](#)
[International Federation of Red Cross and Red Crescent Societies \(IFRC\) \(Albania pages\)](#)
[International Organization for Migration \(IOM\)](#)
[Minorities at Risk Project \(MAR\)](#)
[Minority Rights Groups International \(MRG\)](#)
[The New Humanitarian \(formerly Integrated Regional Information Network\)](#)
[Organization for Security and Cooperation in Europe \(OSCE\)](#)
[The People's Advocate](#)
[Royal College of Psychiatrists](#)
[UK Foreign and Commonwealth Office \(FCO\)](#)
[UK Home Office](#)
[UN Children's Fund \(UNICEF\)](#)
[UN Commission on the Status of Women \(CSW\)](#)
[UN Committee on the Rights of the Child \(CRC\)](#)
[UN High Commissioner for Refugees \(UNHCR\)](#)
[UN Human Rights Committee](#)
[UN Human Rights Council \(formerly UN Commission on Human Rights\) \(HRC\)](#)

[UN Office for the Coordination of Humanitarian Affairs \(UN OCHA\)](#)
[UN Office of the High Commissioner for Human Rights \(OHCHR\)](#)
[UN Office on Drugs and Crime \(UNODC\)](#)
[UN Security Council](#)
[UN Women - UN Entity for Gender Equality and the Empowerment of Women](#)
[US Department of Labor \(USDOL\)](#)
[US Department of State \(USDOS\)](#)
[World Economic Forum](#)

Interviewees

Asylos and ARC Foundation aimed to identify interviewees that have varied extensive professional experience or recently published credible research on the topic and those that have recently been in the country of research.

Interviewees were identified by reference to those cited in UK case law, those having published academic material on the issue in question, those recommended on the Refugee Legal Group, Electronic Immigration Network (EIN), the Refugee Rights in Exile Programme, and by the Migrants and Refugee Children's Legal Unit (MiCLU), the Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD), the Dutch Council for Refugees and those cited in the UK Home Office Country Policy and Information Team's Report of their Fact-Finding Mission to Albania covering domestic abuse against women and the trafficking of women in Albania.

Asylos and ARC Foundation also sought recommendations from their respective boards of trustees and networks of legal representatives and all individuals and organisations contacted were asked to recommend other potential stakeholders for interview.

For details on how the interviewees were instructed, please consult the [Appendix 'Methodology'](#) of this report.

List of Acronyms

APOV	Abuse of a Position of Vulnerability
ARSIS	Association for the Social Support of Youth
BIRN	Balkan Investigative Reporting Network
CC/CRC	Criminal Code
CoE	Council of Europe
COI	Country of Origin Information
CP	Child Protection
CPU	Child Protection Unit
CPW	Child Protection Worker
CSE	Child Sexual Exploitation
CVDV	Centre for Victims of Domestic Violence
D&E	Different & Equal
DCM	Decision of the Council of Ministers
EU	European Union
FFT	Fact-Finding Mission
GDP	Gross Domestic Product
GRETA	Group of Experts on Action against Trafficking in Human Beings
ILO	International Labour Organisation
INSTAT	National Statistics Agency
IO	International Organisation
IOM	International Organisation for Migration
LGBT/LHBT	Lesbian, Gay / Homosexual, Bisexual, Transgender
LGU	Local Government Unit
MO	Modus Operandi
MoH	Ministry of Health
Moi	Ministry of Interior
MoSW	Ministry of Social Welfare
MS	Member State
MSWY	Ministry of Social Welfare and Youth
NA	(Abbreviation for Anonymised Name)
NCATS	National Coalition of Anti-Trafficking Shelters
NGO	Non-Governmental Organisation
NRCVHT	National Reception Centre for Victims of Human Trafficking
NRM	National Referral Mechanism
O/C	Organised Crime
ONAC	Office of the National Anti-trafficking Coordinator
OPCAT	Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment

OSCE	Organisation for Security and Co-Operation in Europe
POCSD	Programme of Cooperation for Sustainable Development
PVOT / PVT	Potential Victim of Trafficking
RA	(Abbreviation for Anonymised Name)
RATC	Regional Anti-Trafficking Committee
RF	(Abbreviation for Anonymised Name)
SAPCR	State Agency for the Protection of Children's Rights
SCC	Serious Crimes Court
SCPO	Serious Crimes Prosecutor's Office
SLE	Shared Learning Event
SOP	Standard Operating Procedures
SSS	State Social Service
THB	Trafficking in Human Beings
TLAS	Tirana Legal Aid Society
UASC	Unaccompanied Asylum-Seeking Children
UK	United Kingdom
UNCMW	UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crimes
UN	United Nations
UPR	Universal Periodic Review
USAID	United States Agency for International Development
USD	United States Dollar
USDOL	United States Department of Labor
VDV	Victim of Domestic Violence
VOT / VT	Victim of Trafficking

Findings

1. Profile and Factors Which Make Some Boys and Young Men Vulnerable to Trafficking

1.1. Albania as a Source, Transit and Destination Country

Albania is a key country of origin for victims of trafficking, with Albanians among the largest non-European group of identified victims of sexual exploitation, as noted by a 2016 Europol report on trafficking in the EU.

“Although the majority of victims of sexual exploitation originate from the European MS, a considerable number of identified victims are non-EU nationals (these are mainly from Albania, Brazil, China, Nigeria, and Vietnam, which demonstrates the transnational dimension of this criminal phenomenon). (p. 21)

[...] In contrast with sexual exploitation, a larger percentage of identified trafficked workers were non-EU citizens, in particular from countries bordering the EU such as Albania, Moldova, Morocco, Russia, Turkey, and Ukraine.” (p. 24)

Source: Europol, *Situation Report: Trafficking in Human Beings in the EU*, February 2016

Similarly, the US Department of State (USDOS) Trafficking in Persons Report 2017 notes Albania as both a source and destination country for trafficking of men, women and children.

“As reported over the past five years, Albania is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Albanian women and children are subject to sex trafficking and forced labor within the country, especially during tourist season” (p. 69)

Source: US Department of State (USDOS), *Trafficking in Persons Report 2017 Country Narratives : Albania*, 28 June 2018

IOM notes that there is currently very little literature on trafficking of young men or boys in Albania, with the literature so far having focused on the trafficking of women.

“[...] there is a gap in understanding about the causes of trafficking of males or their support

needs. (p. 8)

[...] Research undertaken within Albania often provides the best picture of the characteristics of individuals who have been trafficked. Overall, the literature is focused on the trafficking of women, with very little, if any, reference to cases of young men or boys being trafficked.” (p. 19)

Source: University of Bedfordshire, IOM, Institute of Applied Social Research, *‘VULNERABILITY’ TO HUMAN TRAFFICKING: A STUDY OF VIET NAM, ALBANIA, NIGERIA AND THE UK: Report of Shared Learning Event held in Tirana, Albania: 24-26 October 2017*, July 2018

Yvonne Rafferty, a Professor of Psychology, presents a literature review that supports the above-mentioned notion that there is very little research about the trafficking of boys. Her report adds that this is especially the case for those trafficked for reasons other than sexual exploitation. She further outlines that in some countries, National Plans of Action to Combat Trafficking are limited in scope and address only trafficking in girls and women.

“(d) Little recognition that boys can be victims. The purposes of trafficking, as well as the dynamics, can differ greatly between adults and children, as well as between girls and boys. Little research, however, has focused on the trafficking of boys, although some have noted that boys are less likely than girls to be identified as victims, and particularly boys who are trafficked outside of the sex industry. Particularly likely to fall below the radar are male victims of labor exploitation, street begging, those who are forced to work on fishing boats, or in plantations or factories, as well as infant boys who are trafficked from Vietnam into China. A number of reasons have been put forth for the complexities affecting the identification of boys, including legal and cultural barriers. A majority of interviewees noted that governments generally focus only on those who were trafficked for CSE (child sexual exploitation), paying attention only to girls and women, with no acknowledgement that boys too can be trafficked. On the other hand, some boys who have been sexually exploited find it harder to admit inexperience and to talk about their emotions.

In some countries, National Plans of Action to Combat Trafficking are limited in scope – addressing only trafficking in girls and women – and condone the trafficking of boys and men. In the Greater Mekong Sub-region, for example, legal systems rarely recognize male victims of trafficking, and therefore do not provide a basis for the provision of support services. In India, Bangladeshi girls who are rescued from brothels are treated as victims in need of protection under Section 366B of the Indian Penal Code. Boys, in contrast, are declared as transgressors of law and incarcerated under Section 14 of the 1946 Foreigners Act. Furthermore, government shelters for victims of trafficking do not admit boys. The

invisibility of boys was also noted among those who were interviewed in India, despite the routine sexual abuse of boys who are living on the streets. In Laos, there are no facilities for either boys or men. The lack of shelter capacity for males means that boys are imminently more at risk of revictimization, and the lack of access to care inhibits recovery from the abuse.” (pp. 161-2)

Source: Yvonne Rafferty, *Child Abuse and Neglect, Challenges to the rapid identification of children who have been trafficked for commercial sexual exploitation*, February 2016

In an interview conducted by ARC Foundation and Asylos for this project, Professor Dr. Edlira Haxhiymeri also points to a lack of research on the profiles of trafficked boys and young men. She argues further that the same risk factors that have been identified for victims of trafficking regardless of gender apply to boys and young men.

“There is no research in Albania about the profiles of trafficked boys and young men whereas we have done research on the profiles of trafficked girls and young women in this country. But the risk factors that you have included in Q1.2 [poverty, low education, suffering from physical or mental disabilities, domestic violence and/or sexual abuse within the family or a pre-existing blood feud, being LGBT and for children, being Roma or Egyptian or homeless] are also true for trafficked boys and young men in my opinion.”

Source: Professor Dr. Edlira Haxhiymeri, interview record, January 2019

A further interviewee agrees that all of these risk factors apply.

“Yes, yes, these are all criteria that we can apply to Albanian boys.”

Source: Caritas Albania, interview record, March 2019

For information on the lack of recognition that boys and young men can be victims of trafficking, see [4.2. Prosecution for Children’s Trafficking Cases](#), [4.3. Reasons for an ‘Implementation Gap’](#) and [5.2. Effectiveness of the NRM in Identifying Victims](#).

1.2. Ethnic Minorities

In a 2015 report from UNICEF, Roma and Egyptian communities were noted to be at a high risk of trafficking:

“For child trafficking in particular, Albania is primarily a country of origin for children trafficked abroad to Greece, Macedonia, and Kosovo. In addition, children are trafficked within Albania to large cities, tourist sites, border points, and ports. Children from the Roma and Egyptian communities make up the majority of children living and/or working in the streets (90%) and trafficking victims.” (p. 67)

Source: UN Children’s Fund (UNICEF), *Child Notice Albania*, January 2015

Similarly, the World Directory of Minorities and Indigenous Peoples describes the extent to which Albania’s Roma population, notably children, are at greater risk of trafficking due to various risk profiles.

“The Albanian government has signed up to the Decade of Roma Improvement – a World Bank-sponsored initiative which is set to run from 2005 to 2015. It has four priority areas: education, employment, health and housing, and two cross-cutting areas, gender and non-discrimination. At the national level, the Albanian government also adopted a national action plan for Roma in 2003. Among its aims are: the mitigation of poverty, the promotion of Roma involvement in public life, and support for the preservation of Roma identity.

[...] To date, however, the record has not been encouraging...The situation of the Roma community in Tirana notably worsened in 2006 with some 40,000 Roma in need of social and economic support by November 2006. Only 12 percent of the Roma are enrolled in secondary school, compared to a national average of 81 per cent. Social factors and the mobility of certain groups make lack of access to education and health services, especially vaccination, a particular problem. Weak or non-existent birth registration of Roma children in Albania, as well as lack of personal documents, makes them particularly vulnerable to human trafficking.

Migration, usually to neighbouring Greece and Italy, has become a crucial source of income for many Roma families’ survival. However, illegal migration has also facilitated human trafficking, and Roma women and children are among those most affected. International organizations are concerned about the rates of child trafficking from Albania, noting that a disproportionate number come from Roma and Egyptian communities. Albanian Roma who migrated to Greece in the hope of finding jobs and better lives say their living conditions were better in Albania. The income Roma earn as casual workers is insufficient, especially in the more expensive Greece. Roma women are rarely able to obtain work.” (n.p.)

Source: Minority Rights Group, *World Directory of Minorities and Indigenous Peoples-Roma*, June 2015

These particular risk factors are also identified in the IOM University of Bedfordshire report:

“The ethnic Roma and Egyptian populations in Albania are identified as experiencing disproportionately high levels of poverty, insecure accommodation, low levels of school attendance and, concomitantly, high levels of illiteracy. This is attributed to a history of stigma and discrimination against these communities, which has resulted in their experiencing greater economic pressures and heightened vulnerability to different types of exploitation, including trafficking.” (p. 19)

Source: University of Bedfordshire, IOM, Institute of Applied Social Research, ‘VULNERABILITY’ TO HUMAN TRAFFICKING: A STUDY OF VIET NAM, ALBANIA, NIGERIA AND THE UK: Report of Shared Learning Event held in Tirana, Albania: 24-26 October 2017, July 2018

The US Department of State, in its 2017 and 2018 country reports, outlines that there are many street children in the Romani community and that those children generally are at high risk of trafficking.

“There were many displaced and street children, particularly in the Romani community. Street children begged or did petty work. These children were at highest risk of trafficking, and some became trafficking victims.” (p. 21)

Source: US Department of State (USDOS), *Country Report on Human Rights Practices 2018 - Albania*, 13 March 2019

“There continued to be numerous displaced and street children, particularly in the Romani community. Street children begged or did petty work. These children were at highest risk of trafficking, and some became trafficking victims.” (p. 19)

Source: US Department of State (USDOS), *Country Report on Human Rights Practices 2017- Albania*, 20 April 2018

The 2016 USDOS report also identifies early and forced marriage in some Romani communities, especially in rural areas, as a risk factor for trafficking.

“ARSIS claimed that, in certain Romani communities, girls as young as seven and boys as young as nine were considered married. Some NGOs reported that early and forced marriages occurred in rural communities as part of human trafficking schemes, with parents consenting to their underage daughters marrying older foreign men, who subsequently moved them to other countries.” (p. 21)

Source: US Department of State (USDOS), *Country Report on Human Rights Practices 2016-Albania*, 3 March 2017

In interviews conducted by Asylos and ARC Foundation for this report, Caritas Albania and an anonymous source similarly noted the particular risk profile for the Roma and Egyptian communities:

“Ok, regarding the profiles, let’s say there are children and young boys—young men. Children are mostly from a Roma community community, and they are, let’s say, trafficked for exploitation inside and outside Albania. Young men...the profile of young men, it’s more the people exploited in agriculture and in the construction business. Outside Albania, let’s say, in neighboring countries like Montenegro and Kosovo. Based on our research, last year, the traffickers are renting children from Roma communities to be used in the streets of Kosovo and Montenegro. They are not directly with their families but with some other relatives, etc.

[...] Last year, we did a field visit in Kosovo, and we met a lot of children in street—Albanian children—and based on our discussion, they are with some people that they don’t know very well. They are with a grandmother, so an old lady who is not really their grandmother. They rent these children from small communities—Roma communities—in small cities because it’s a good possibility for them to earn a lot of money, and when the children, or the kids, are more, they can earn more money... young.”

Source: Caritas Albania, interview record, March 2019

“Most of the cases that I know of were Albanian boys and men; some of them come from the Roma and Egyptian communities.”

Source: Anonymous source 2, interview record, December 2018 and January 2019

In a 2015 report, the NGO Different and Equal suggests that while victims of trafficking were traditionally identified as primarily coming from Roma and Egyptian communities, more and more

ethnic Albanians are identified as trafficked cases.

“Between March 2012 and January 2015, D&E assisted 23 males who were trafficked to, from or within Albania.

[...] Of the 21 Albanian men and boys, twelve were ethnic Albanian and nine were of Roma or Egyptian ethnicity. This ethnic composition has changed over time, with the majority of male trafficking victims, who were first identified coming from Roma and Egyptian ethnicity, because the major part of the street kids belongs to this community. More recently though, ethnic Albanian males have been increasingly identified as trafficked cases. This shift may be due to the increased number of agencies and NGOs that take part in the process of referral, having a more comprehensive coverage of identification of diverse groups. As a result, the identification process is moving toward a more holistic and, arguably, more ‘astute’. Identification is now moving beyond the most obvious trafficking cases (e.g. street involved Roman children) to include the more opaque situations of trafficking (e.g. young men and boys generally, including ethnic Albanians). (p. 21)”

Source: Different and Equal: *Falling through the cracks! The trafficking of men and boys in Albania*, January 2015

1.3. Violence, Family Environment and Homelessness

Different and Equal outlines that the majority of young male victims of trafficking they have assisted came from unstable or abusive family backgrounds. In some cases, the unstable family background led to homelessness, which frequently led ‘quite directly’ to being trafficked.

“Between March 2012 and January 2015, D&E assisted 23 males who were trafficked to, from or within Albania.

[...] Of the 20 boys, 5 that were trafficked, 19 originated from family environments that could be described as abusive, neglecting or unsuitable to meet their needs. The environment in which these boys were raised was characterized by verbal and physical abuse.

[...] In some cases, parents had divorced or one of the parents was dead and the other parent was unable to care properly due to economic factors. Some boys were abandoned by one or both parents.

[...] Relations within families were sometimes unstable and characterized by continuous

conflict. In some cases, those responsible for the care of the boys (e.g. parents and/or step-parents) exhibited problematic behaviors, such as addiction to alcohol, gambling, and adultery. Some boys, forced by abuse and extreme neglect, left home and ended up living on the streets. This was the case for 14 of the boys assisted. Some were as young as nine years old when they ended up being homeless; others were older teens (16-17 years). It was, in 10 cases, the boy's homelessness that led quite directly to being trafficked. That is, while boys were living on the street, they were specifically targeted by adults who used their total vulnerability, by seducing them and entering them especially into forced criminality or sexual exploitation. To some of them was offered shelter, to some others food and to some a little money as ways of ensuring their consent. (p. 17)"

Source: Different and Equal: *Falling through the cracks! The trafficking of men and boys in Albania*, January 2015

Research conducted by the University of Bedford also mentions family breakdowns as a risk factor:

"[...] For children who are trafficked, there is focus on risk factors at the household and family level, such as a lack of stable family support – whether through family breakdown, abandonment or separation resulting from migration. The consequence of these is that children lack important protective structures." (p. 19)

Source: University of Bedfordshire, IOM, Institute of Applied Social Research, 'VULNERABILITY' TO HUMAN TRAFFICKING: A STUDY OF VIET NAM, ALBANIA, NIGERIA AND THE UK: Report of Shared Learning Event held in Tirana, Albania: 24-26 October 2017, July 2018

Coming from a dysfunctional family or having suffered domestic violence or abuse at home was also mentioned by several of the interviewees as another factor that can make individuals more vulnerable to being a victim of trafficking:

"What comes up most commonly and fairly endemically across the boys and young men that I work with is domestic violence. It has actually been the case in every single Albanian boy that I've worked with. It's been very common that they themselves have experienced violence as well as witnessing violence to siblings and their mother.

[...] Also exploited from very young ages due to family members not wanting to look after them".

Source: James Simmonds-Read, Service Manager at The Children's Society, interview record, February

“Most of the cases come from families in which they are violated physically, psychologically, and even have been in some cases sexually abused. Negligence is one of the factors that we see with the boys.”

Anonymous source 2, interview record, December 2018 and January 2019

“Personally, I have come to know boys who lack family support, a stable family support. The ones I have met had to take care of themselves, their mothers and sisters at a very young age, or have been in and out residential care institutions for “biological“ or “social“ orphans.”

Source: Anonymous source 1, written response to questions, March 2019

“Majority of them come from orphanages and dysfunctional families”

Source: Mr Alfred Matoshi, Mary Ward Loreto Foundation, interview record, January 2019

1.4. Poverty and Other Economic Factors

Research conducted by the University of Bedfordshire suggests that poverty and economic vulnerabilities are additional factors that makes boys and young men prone to becoming victims of trafficking.

“There is a high proportion of children and adolescents. Data from organisations working to protect women and children emphasise that most victims come from a background of poverty, including homelessness and low levels of education” (p. 19)

Source: University of Bedfordshire, IOM, Institute of Applied Social Research, *‘VULNERABILITY’ TO HUMAN TRAFFICKING: A STUDY OF VIET NAM, ALBANIA, NIGERIA AND THE UK: Report of Shared Learning Event held in Tirana, Albania: 24-26 October 2017*, July 2018

Different and Equal notes that in their experience, trafficked boys often come from poor families.

“[...] Trafficked boys came from quite impoverished families, sometimes from extreme poverty and homeless situations. Oftentimes, boys lived in substandard housing before being trafficked and a noteworthy number of boys (eleven boys) were literally homeless and

living on the street at the time of trafficking. Overall, the boys' families were poor and without the means to adequately support their children. This situation has led some parents to encourage their children to leave school and work, which in some cases led to them being trafficked. By contrast, the economic situation of the three adult males exploited for forced labor was better. The men had an average economic situation and a stable profession." (p. 18)

Source: Different and Equal: *Falling through the cracks! The trafficking of men and boys in Albania*, January 2015

In an interview conducted by ARC Foundation for this report, James Simmonds-Read from The Children Society notes that the interrelationship between poverty and domestic violence which, when combined, increase the risk of being trafficked:

"From the Albanian boys that I work with the majority of them have come from lower economic background in Albania.

[...]What comes up most commonly and fairly endemically across the boys and young men that I work with is domestic violence. It has actually been the case in every single Albanian boy that I've worked with. It's been very common that they themselves have experienced violence as well as witnessing violence to siblings and their mother.

Definitely poverty and I've worked with an Albanian boy who had moderate to severe learning disabilities and I would definitely say that's a huge reason for them being trafficked. Also exploited from very young ages due to family members not wanting to look after them.

[...] But I would say by far the most common thing I've witnessed is the interrelation between poverty and domestic violence that causes a breakdown in the family unit where commonly either the father leaves home or the mother escapes the family environment with children.

I have seen a few examples of where people seemed to have fairly stable relationship with their parents but where we still see the classic grooming model at school, through older young people and adults offering them money and trainers."

Source: James Simmonds-Read, Service Manager at The Children's Society, interview record, February

In further interviews conducted by Asylos for this report, interlocutors noted the impact of poverty

and lack of job opportunities combined with a culture where boys and young men are expected to find work in order to support their family, putting them at risk of trafficking:

“[...] our research interviews indicate that the biggest risk factor for Albanian youth is poverty and/or a lack of decent job opportunities in Albania”.

Source: Anne-Marie Barry, written response to questions, March 2019

“I can add that for trafficked boys and young men the main risk factor is poverty and the lack of adequate resources to cover the cost of living for young men and boys, in particular for those that live in remote areas (mountain areas and underdeveloped areas of the country) with no prospective for their future, no land as their family property, no possibility to work somewhere to make a living. They are the ones that face higher risks of being ready to accept any offer to work somewhere - these are the groups of people that do not think twice about an offer they get to leave the country and work somewhere else - so this is poverty and lack of future prospects that many young men and boys feeling at a higher risk of trafficking because some of them are also the only source of living for their families - families that have no father, or many children, many sisters that are all depending on the older brother - these are all extra factors that increase the vulnerability of boys to leave the country in any situation”.

Source: Professor Dr. Edlira Haxhiymeri, interview record, January 2019

“A family’s economic circumstances will be the main push factor. [...] The Albanian culture of ‘men’ working and supporting their families is highly relevant and this results in ‘victims’ not perceiving themselves as victims. They are ‘working’ and that is how it will be seen by their families. [...] [A]nother relevant factor would be the expectation that a boy starts supporting his family from the age of 14 and any ‘offer of work’ presents an opportunity to do that”.

Steve Harvey, Independent International Law Enforcement Specialist, written response to questions, March 2019

The point about lack of job opportunities is also noted by Mary Ward Loreto Foundation and an anonymous interviewee:

“another issue is unemployment which isn’t mentioned here, and we are talking approximately 30% youth unemployment in Albania”

Source: Mr Alfred Matoshi, Mary Ward Loreto Foundation, interview record, January 2019

“The discourse of factors in Albania should include lack of work opportunities for boys and men. Albania is an economy mostly made of services and remittances – work for women in the country, push to migrate for men. It should also include corruption of officials and immorality at high levels- lack of models of integrity.”

Source: Anonymous source 1, written response to questions, March 2019

1.5. Education Level and Disabilities

Different and Equal notes that whereas the trafficked boys they have been assisting had much lower education level than average, this trend was less distinct in trafficked men. They argue that while leaving school may increase an individual’s risk of trafficking, this decision is often a consequence of an already existing situation.

“Between March 2012 and January 2015, D&E assisted 23 males who were trafficked to, from or within Albania.

[...] The educational background of trafficked men and boys differed substantially. Most trafficked boys abandoned school at a very young age and have only very limited education. They often left school because they were obliged to beg on the streets, to help support the family or simply forced to do so. Nine of 20 boys abandoned elementary school, meaning they have typically only completed a few years of education. For many of these nine, this meant being illiterate or having only very basic literacy and numeracy skills.

[...] Education levels amongst the adult males were generally higher with all three having completed high school education and having received professional training as chefs in two instances and construction work in one case, (p. 18)

[...] Trafficked boys have a much lower education level than is typical in Albania. The average number of years of school in Albania is 11.9 years. By contrast, the average number of years of school amongst trafficked boys is only 5.5 years, putting them at a decided disadvantage as job seekers or in setting up a small business, which requires adequate levels of literacy and numeracy.

[...] While leaving school may increase an individual’s risk of trafficking, in most cases leaving school or interrupting education is a consequence of the already existing situation that the individual is in – extreme poverty, lack of family stability, early engagement into child work,

etc. For example, the majority of street-involved children abandons school early or is never able to attend.

[...] By contrast, the adult males had an average number of 11.6 years of education, which is consistent with the national average. (p. 20)”

Source: Different and Equal: *Falling through the cracks! The trafficking of men and boys in Albania*, January 2015

Research from The Children’s Society into the experiences of boys and young men who had been trafficked to the UK (from several different countries of origin) argues that all of the young men included in their study had been vulnerable in some way in their home country, for a variety of reasons including living with physical or mental disabilities.

“The young men and boys who had disclosed their experiences had different backgrounds and stories. Some had been sexually exploited in their home country, others along the journey and some whilst in the UK (or a combination of all three). All had been vulnerable in some way in their home country prior to being trafficked – this might have been for a variety of reasons including financial issues, being a member of a particular social group, or because they had a physical or learning disability. Most of the interviewees agreed that marginalised and isolated young people would have been more likely to be targeted for sexual exploitation by trafficking networks. (p. 14)

Source: The Children's Society, *Boys Don't Cry: Improving identification and disclosure of sexual exploitation among boys and young men trafficked to the UK*, March 2016

In interviews conducted by Asylos and ARC Foundation for this report, sources note a low education level and that learning disabilities are also a factor:

“From the Albanian boys that I work with the majority of them have come from lower economic background in Albania”.... “Definitely poverty and I’ve worked with an Albanian boy who had moderate to severe learning disabilities and I would definitely say that’s a huge reason for them being trafficked.”

Source: James Simmonds-Read, Service Manager at The Children’s Society, interview record, February 2019

“And if you look at risk factors, of course poverty, low education...”

Source: Dr Schwandner-Sievers, Bournemouth University, interview record, February 2019

1.6. Age

The US Department of State, in its 2018 country report notes that displaced children who are younger than 14 are particularly vulnerable to being used by gangs.

“Since the law prohibits the prosecution of children younger than 14 for burglary, criminal gangs at times used displaced children to burglarize homes.” (p. 21)

Source: US Department of State (USDOS), *Country Report on Human Rights Practices 2018 - Albania*, 13 March 2019

The Albanian NGO Different and Equal suggests that children (i.e. under 18 years of age) are at particular risk of being trafficked. They also note that these children are often identified and assisted only later on in life.

“Between March 2012 and January 2015, D&E assisted 23 males who were trafficked to, from or within Albania.

[...] A noteworthy number of males identified and assisted through D&E’s assistance program were children (i.e. under 18 years of age) when they were trafficked. Some were still children when assisted, while others were only identified and assisted later on in life (for example, when they were between 18 and 21 years of age). This is important not only in terms of highlighting that Albanian boys are at risk of trafficking, but also in terms of delays in receiving assistance. Going unassisted for a number of years extended the period of exploitation and further compromised the boy’s well-being. It also arguably compromised their reintegration process; the longer it takes for assistance to be received, the more difficult is the process of reintegration. (p. 14)”

Source: Different and Equal: *Falling through the cracks! The trafficking of men and boys in Albania*, January 2015

The joint report by the University of Bedfordshire, IOM and the Institute of Applied Social Research reports on a Shared Learning Event (SLE) held in Tirana in October 2017, during which speakers remarked that the majority of trafficking victims are children.

“The ONAC also outlined how the age of children varied between 4 to 18 years, with one unprecedented case of a newborn child reported as being sold. Other speakers outlined how children potentially constitute the largest number of victims, including how adult victims identified had been recruited as children.” (p. 23)

Source: University of Bedfordshire, IOM, Institute of Applied Social Research, *‘VULNERABILITY’ TO HUMAN TRAFFICKING: A STUDY OF VIET NAM, ALBANIA, NIGERIA AND THE UK: Report of Shared Learning Event held in Tirana, Albania: 24-26 October 2017*, July 2018

Two sources that were interviewed by ARC Foundation and Asylos for this report indicate a high prevalence of minors among male victims of trafficking:

“The ages of the boys who are victims of trafficking that I am aware of are young. The ages of the cases are from 14 years old up to 31 years old but 50% of the cases are minors. But even for the cases at the age of 18, 19 or 20 or more have been exploited when they were minors. And the abuses that they suffered have happened at a younger age - before 14 years old. So 90% of cases that I am aware of were exploited when they were minors starting from the age of 13/14 years old, sometimes even earlier.”

Source: Anonymous source 2, interview record, Dec 2018 and Jan 2019

“In my opinion, we’re looking increasingly at minors.”

Source: Dr Schwandner-Sievers, Bournemouth University, interview record, February 2019

The Home Office Fact-Finding Mission to Albania in November 2017 interviewed Dr Rifat Demalija, Civil Society Activist and Programme Manager of the Centre for Youth Progress, an NGO in Kukes. The following are the FFT’s notes on that interview:

“Human trafficking of young women and girls, as well as boys under 18 years old, has been of the most serious human rights [sic] facing Kukes region. This category of population, willing to leave the country because of the domestic violence and unemployment, often is lured with false promises of jobs then forced into exploitative labour situations. Young people under 18 mostly are victims of trafficking to United Kingdom, believing that they will benefit for their age [sic].” (p. 125)

Source: UK Home Office, Report of a Home Office Fact-Finding Mission to Albania,

Conducted 31 October to 7 November 2017, February 2018

In an interview conducted by the UK Home Office in their Fact Finding Mission to Albania, Anila Trimi from the Office of the National Coordinator for Combating Trafficking in Persons at the Albanian Ministry of Interior suggests that developing a typical profile for victims of trafficking in Albania is difficult.

“Typical women are 18-25 year olds, but there are also younger victims. Other than that, there is no typical profile. Ms Trimi explained that she had seen cases from all different types of background.” (p. 38)

Source: UK Home Office, Report of a Home Office Fact-Finding Mission to Albania, Conducted 31 October to 7 November 2017, February 2018

1.7. LGBT Communities

Whilst not specific to Albania, a report from the Dutch National Rapporteur on Trafficking in Human Beings and Sexual Violence Against Children suggests that internationally LHBT (lesbian, homosexual, bi-sexual and transgender) children may be ‘moderately to reasonably vulnerable’ to trafficking, arguing that this is connected to individual and socio-economic factors widespread among this population. The source suggests that boys and transgenders within this group are more vulnerable to human trafficking than lesbian and bisexual girls.

“On the basis of this initial study, the group of lesbian, homosexual, bi-sexual and transgender (LHBT) children is estimated to be moderately to reasonably vulnerable to human trafficking, with the proviso that homosexual and bisexual boys and transgenders are regarded as more vulnerable to human trafficking than lesbian and bisexual girls. The vulnerability of homosexual and bisexual boys and transgenders is mainly connected with individual and socio-economic factors. It did not appear from this study that human traffickers target LHBT children on a large scale. On the basis of this initial study, the group of LHBT children, with particular emphasis on homosexual and bisexual boys and transgenders, are assigned to the category ‘research and prevention’.” (p. 2)

Source: National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children, Vulnerability up Close. An exploratory study into the vulnerability of children to human trafficking. The Hague: National Rapporteur 2016.

Three interviewees also noted the risk profile of LGBTI persons in Albania and non-Albanians as factors that make boys and young men more vulnerable to being trafficked.

“There were cases even from the LGBT community and few cases of non-Albanian victims.”

Source: Anonymous source 2, interview record, December 2018 and January 2019

“Escaping a blood feud or homophobic discrimination may be relevant [as a risk factor]”

Source: Steve Harvey, Independent International Law Enforcement Specialist, written response to questions, March 2019

“... being a gay man is very difficult, so LGBT is also at risk, definitely, contrary to all the legislation, you would be frowned upon ... if you are a gay boy comporting yourself in what is seen as an effeminate way in a conservative context, you might face horrible abuse.”

Source: Dr Schwandner-Sievers, Bournemouth University, interview record, February 2019

1.8. Intersecting Vulnerabilities

The joint report by the University of Bedfordshire, IOM and the Institute of Applied Social Research reports on a Shared Learning Event (SLE) held in Tirana in October 2017, during which speakers commented on underlying and intersecting vulnerabilities which they had experienced to make people disposed to human trafficking.

“The causes or drivers of human trafficking appeared to be broad, multiple and overlapping. Stakeholders highlighted multiple vulnerabilities to trafficking in Albania across the different levels of the Determinants of Vulnerability model. These included poverty, other economic factors, low levels of education, mental health issues, forced marriage arrangements and limited options for safe and legal migration. (p. 7)

[...] ALBANIA: THE PICTURE OF HUMAN TRAFFICKING Statistics from January-September 2017 were presented from the Office of the National Anti-trafficking Coordinator (ONAC) at the SLE showing 22 total ‘victims of trafficking’ and 55 ‘possible victims of trafficking’ during that period. Of the 77 cases (62f/15m) 39 were children and 38 adults. A reported 7 people were of Egyptian origin and 1 from the Roma ethnic group. 70 were Albanian nationals and 7 were from other countries. It is important to note that the countries to which people were

trafficked, or where exploitation took place, was not included in presentations so it remains unclear whether any of these cases related to trafficking or exploitation in the UK. Exploitation type was also not included in these figures.

[...] Places of origin for people who had been identified within the ONAC figures were mainly Elbasani, Vlora, Tirana and Fieri districts. Limited numbers of people had been identified in Berat, Korçe, Durrës, Dibër and Shkodër districts. For the first time, Gjirokastër district had seen the identification of one person. Figures from a database from the Psycho - Social Centre 'Vatra' were presented at the SLE of 99 cases between 2015 and September 2017 which constitute part of 144 cases from 2014 to date. These figures represent both those formally identified as trafficked and potential cases. These cases illustrated an extensive range of places of origin, including: Vlorë, Fier, Berat, Tirana, Elbasan, Lushnjë, Shkodër, Tepelenë, Librazhd, Peshkopi, Burrel, Pogradec, Sarandë, Korçë, Skrapar, Gramsh and Durrës.

Speakers in this and other sessions commented on a broad range of issues which were considered as underlying vulnerabilities which make people disposed to human trafficking from their own experiences and from the perspective of their own organisations. Economic factors featured heavily in explanations as did risk factors at the household and family level such as domestic, intimate partner and sexual violence suggesting the partial enforcement of these laws outlined within the Global Status Report on Violence Prevention (2014) warrants further attention:

'Unemployment, domestic violence, sexual violence and other forms of violence are the causes.' (speaker comment, SLE Day 1, Session 1) 'They use vulnerabilities as a weakness – this might be domestic violence, sexual violence, economic problems, mental health issues or adolescent behaviour.' (speaker comment, SLE Day 1, Session 1) 'Encouraging employment is the best way to decrease vulnerability.' (speaker comment, SLE Day 1)

Other factors related to individual level factors as well as household and family level factors and the community level factors such as forced marriages, low levels of education plus physical, psychological and economic violence also featured in discussions. This range of causes will be followed up in subsequent interviews to be carried out January-June 2018 for this study. In relation to children, there was a suggestion that child labour was under-reported within Albania: 'Forced child labour needs to be recognised as trafficking in Albania.' (speaker comment, SLE Day 1)" (pp. 23-4)

Source: University of Bedfordshire, IOM, Institute of Applied Social Research, *'VULNERABILITY' TO HUMAN TRAFFICKING: A STUDY OF VIET NAM, ALBANIA, NIGERIA AND THE UK: Report of Shared Learning Event held in Tirana, Albania: 24-26 October 2017*, July 2018

According to Dr Stephanie Schwandner-Sievers, there are a number of overlapping risk factors which include geographical / topographical and social issues. She notes:

“And if you look at risk factors, of course poverty, low education, but I think there is one thing missing, which is people from disadvantaged backgrounds in Albania would also be the ones who don’t have the right connections for building a future and who are maybe not in the capital or from larger cities but more in the peripheries. So I think there are geographical/topographical and social issues, which go into this picture. We know there are minority issues; this again is related to poverty, but I don’t know whether it’s fair to say “low education,” it’s more like lack of access to education. Already, I would like to chip in and say from an anthropological point of view, what’s really important to understand is how hopeless it can feel for the younger generation, and also entire families, in terms of making a living and having a good future where you can found your own family, have an income, and provide, which is also very much a traditional role model, it’s very patriarchal there for young men. So if you can’t see any other way but to migrate or a criminal path to become a successful provider, what are you going to do when everyone expects you to become a provider for your family. So it’s really access or chances to good avenues of building a basic decent future. In that sense, yes, poverty, low education, of course you can have, sometimes, domestic violence, sexual abuse issues, but I don’t think, necessarily, this is the main thing, but it might also be an outcome of economic stress.

Source: Dr Schwandner-Sievers, Bournemouth University, interview record, February 2019

Research from The Children’s Society into the experiences of boys and young men who had been trafficked to the UK (from several different countries of origin) argues that all of the young men included in their study had been vulnerable in some way in their home country, for a variety of reasons.

“The young men and boys who had disclosed their experiences had different backgrounds and stories. Some had been sexually exploited in their home country, others along the journey and some whilst in the UK (or a combination of all three). All had been vulnerable in some way in their home country prior to being trafficked – this might have been for a variety of reasons including financial issues, being a member of a particular social group, or because they had a physical or learning disability. Most of the interviewees agreed that marginalised and isolated young people would have been more likely to be targeted for sexual exploitation by trafficking networks.

Any young people on the move who have come from traumatised and brutalised

backgrounds, and are reliant on adults controlling them, and where there is nobody to protect them, are susceptible to exploitations and forms of particular abuse.” (p.14)

Source: The Children's Society, *Boys Don't Cry: Improving identification and disclosure of sexual exploitation among boys and young men trafficked to the UK*, March 2016

One source mentioned that issues with identification of trafficking victims makes it difficult to delineate profiles:

“Problems with identification in general and identification and referral of trafficked boys and young men specifically, have made it difficult to delineate a profile.”

Source: Anonymous source 1, written response to questions, March 2019

For further information on this issue, see [5.2. Effectiveness of the NRM in Identifying Victims](#).

1.9. Other Risk Factors

A joint report by the University of Bedfordshire, IOM and the Institute of Applied Social Research reports on a Shared Learning Event (SLE) held in Tirana in October 2017, during which speakers commented that vulnerable individuals often live in remote locations.

“Historical and cultural factors have a direct bearing on the lived experience of communities. Vullnetari, examining the experience of Roma and Egyptian communities, describes the way in which discrimination against these groups is reflected in their community location, typically living in neighbourhoods on the outskirts of villages, socially marginalized and lacking access to basic health and education services. Poverty in rural areas is also important, placing extreme economic pressure on families that may result in individuals recruiting family members for trafficking.” (p. 19)

Source: University of Bedfordshire, IOM, Institute of Applied Social Research, *'VULNERABILITY' TO HUMAN TRAFFICKING: A STUDY OF VIET NAM, ALBANIA, NIGERIA AND THE UK: Report of Shared Learning Event held in Tirana, Albania: 24-26 October 2017*, July 2018

In interviews with Caritas Albania and with Dr Schwandner-Sievers that were conducted for this

project, the interlocutor supported the notion that remote living areas make up an additional risk factor.

“[...]people are trying to move internally to find more opportunities within the barracks areas (suburb areas of the main cities in Albania). There is a huge barracks area around the main cities, so it’s quite popular... (When asked whether living in this area is an additional risk factor) Yes, of course, of course, of course.”

Source: Caritas Albania, interview record, March 2019

“There used to always be this break down between north and south, and there are differences between north and south, but I think, basically, the main thing is rural-urban. People used to say that north is the most backward area, but you know, you have people from the north who have been in university education in England and come back, and you can find teachers who are very contemporary in a northern village school, so you cannot generalize anymore. Equally, you can have semi-urban towns in the peripheries, or if you are not from the externally educated and young intellectual elites in the capital, even in some of the intellectual circles in the capital, Tirana, (communist modernity, for example, pathologised homosexuality and there are cultural legacies) people can be extremely conservative and homophobic.”

Source: Dr Schwandner-Sievers, Bournemouth University, interview record, February 2019

Dr Tahiraj and the Shpresa Programme’s paper also suggests there may be a link between trafficking of girls and the old customary law, known as Kanun. However, it also states that little research has been done to shed light on how and why this law is applied in modern day Albania and it is not clear if this is also relevant to the trafficking of boys.

“Statements of trafficked girls and women from Albania show that in some cases trafficking is related to the old customary law, otherwise known as Kanun. A lot has been written about Kanun of Lekë Dukagjini, yet little seem to be known or understood about it, especially how it is applied in modern day Albania. Furthermore, little research has been done to understand why are we noticing this reverse to an old law.” (p. 19)

Source: Dr Enkeleida Tahiraj and the Shpresa Programme, Understanding Trafficking of Girls and Women from Albania, July 2017

2. Actors and Patterns

2.1. Traffickers' Profiles

Several of the interviewees Asylos and ARC Foundation interviewed for this report spoke about the profiles of traffickers including members of criminal networks and victims' family members.

“Mostly peers and young adults that form part of a criminal network that I’ve come across. Sometimes small, or sometimes large criminal gangs who are grooming young men into trafficking often from very young ages and in settings the young people are working at to support their families due to poverty or where they are being targeted at school. Age ranges from other teenagers grooming them, exploiting them or adults up to 30s or 40s.

[...] The vast majority are being trafficked by other young adult males.”

Source: James Simmonds-Read, Service Manager at The Children’s Society, interview record, February 2019

“[...] many boys have been brought into EU countries by family members, after which they will connect to destination countries and/or seek asylum in Europe.

[...] Albanian criminal networks are operating throughout Europe and the UK and many are associated by law enforcement agencies with drug trafficking.

[...] In the UK, some members of law enforcement told us that gang members (predominantly males) are recruiting boys and young men into these gangs who are sometimes criminally exploited, such as for ‘County Lines’ or cannabis cultivation.”

Source: Anne-Marie Barry, written response to questions, March 2019

“Family members and organised gangs involved in the supply of drugs and human trafficking [are trafficking boys and young men].”

Source: Steve Harvey, Independent International Law Enforcement Specialist, written response to questions, March 2019

“They are mostly relatives who play in many cases play a key role in the trafficking of boys and men from Albania, almost in every case they live abroad.

[...] [M]ost of them are recruited by their cousins”

Source: Mr Alfred Matoshi, Mary Ward Loreto Foundation, interview record, January 2019

“The traffickers may be the relatives of the boys, family members, or even friends or neighbours. But even people who are unknown have recruited them for exploitation.”

Source: Anonymous source 2, interview record, Dec 2018 and Jan 2019

“There are some groups that are very well organized, which means these groups know the process of trafficking and the vulnerability of their families, and they are preparing a trip from Albania to Kosovo or Montenegro. Sometimes they are from the same family of these kids, relatives or, I don’t know, Most of them, it’s not organized crime, but we can say organized groups that are managing this kind of trafficking. We have also sometimes groups crossing the border without being noticed by the police, without having documents. Because, as you know, by the law, kids alone cannot cross the border without one person—one family member or documents—that can help him to cross the border.

[...] Their trip in Italy (and in other EU countries) are organized often by criminal groups – well-structured criminal groups.”

Source: Caritas Albania, interview record, March 2019

“They are criminal groups that are doing the trafficking, organise the trafficking network in the country- otherwise called in some research - the mafia group. They are the ones who identify the most vulnerable boys those that have no family support - those that are in immediate need to make some sort of living. Boys and young men that need to find a job or to make some money in order to support all the other members of the family that depend on them that have no support system that have no family support system. These groups work mainly in rural areas because these are more undeveloped with less opportunities to make a living, so they identify these young men and boys then they try to make offers to them. These people that organise the trafficking they have experience from abroad and they are also connected to other regional and European networks.”

Source: Professor Dr. Edlira Haxhiymeri, interview record, January 2019

One newspaper article specifically mentioned one trafficker “Alkey Dauti” who was arrested in South London in June 2018.

“The head of an immigrant trafficking network towards Great Britain has been extradited to Belgium to serve the sentence of 10 years in prison and a fine of 720,000 euros. The

Albanian, Alket Dauti, was arrested in a joint raid in his apartment in south London in June 2018.

[...] The gang allegedly trafficked Albanians, who had paid huge sums of money by staying in hotels in Belgium before going to Britain.

[...] He treated desperate immigrants as a means to make money. He had not considered that their lives were in danger as they travelled on the back of the trucks. He is convicted by a Belgian court and we have extradited him there in order for him to serve his sentence "- said the prosecutor who led the investigation in Britain."

Source: Balkan Web, "*Koka*" e trafikut të emigrantëve në Angli, ekstradohet shqiptari [the head" of the traffic of immigrants in England, is being extradited], 27 January 2019, official translation by CTIS Translations

2.2. Recruitment Methods

A 2018 Children's Society document defines 'criminal exploitation' and explains that there are four main stages of recruitment:

"Criminal exploitation 'involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive "something" (eg food, accommodation, drugs, affection, gifts, money) as a result of them completing a task on behalf of another individual or group of individuals; this is often of a criminal nature.

Criminal exploitation often occurs without the child's immediate recognition, with the child believing that they are in control of the situation. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/ or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability' (Knowsley Safeguarding Children's Board). [...]

Targeting stage This is when an exploiter targets a young person who is vulnerable, reducing their chances of getting caught. Exploiters pick their targets based on things like your age, strength or situation. Signs of this stage include an exploiter:

- Observing a young person.

- Finding out a young person's vulnerabilities, needs and wants.
- Selecting a young person as a target.
- Glamourising their lifestyle.
- Gaining and developing a young person's trust.
- Sharing information with other members of their gang.
- Recruiting a young person to their gang or friendship group.
- Marking a young person out as someone to watch.

Experience stage This stage is where an exploiter might try to get a young person used to their lifestyle, or train them up in what they're doing. At this stage an exploiter might:

- Make a young person feel wanted.
- Give them gifts and rewards.
- Include them in their activities.
- Test out a young person's loyalty.
- Listen to a young person and remember what they say.
- Offer a young person protection.
- Relate to a young person and offer them advice.
- Give them a sense of belonging.
- Praise a young person.
- Give them a weapon.
- Introduce a young person to more established members of their gang.
- Ask to see and test a young person's skills.

Hooked stage This is the stage where an exploiter will make a young person feel like they're a member of their gang, even though they're just exploiting them. Signs that a young person is in the hooked stage of being exploited can include them:

- Having an identity in the group.
- Being given a bigger role in the group (eg people running for them).
- Getting more responsibilities within the group eg more money.
- Engaging in thrill seeking behaviour/ committing low level crimes.
- Feeling more powerful (although this may not be the reality).
- Feeling they've made a progression in the group (although this may not be the reality).
- Others may know their name, helping them feel more powerful (but this can result in rivalry).
- Having a dependency created by their exploiter.
- Being exposed to possible consequences to their actions.
- Being given access to information.

- Engaging in activities such as drugs, alcohol and sexual behaviour.
- Being asked for favours/to keep secrets/to recruit others to the gang.
- Becoming involved with trap houses.

Trapped stage Now a young feels dependent on the group, their relationship with their exploiter may start to become unpleasant, as their exploiter’s true intents or character is revealed. At this stage a young person may experience:

- Threatening behaviour.
- Attempts to reinforcing their dependency/make them indebted to their exploiter.
- Blackmail – include ‘fake’ mugging organised to create a debt.
- Physical violence and sexual assaults including strip searches, drugs being inserted for running (plugging).
- People playing on their guilt, shame and fear and attempting to isolate them from their family, friends and society.
- People forcing them to abuse others, assault or even shoot people.
- People humiliating them, either sexually or by exposing their mistakes to others
- Being made to feel trapped.
- Involvement in Class A drugs (cooking or running).
- Running a trap house.
- Drug addiction (encouraged by others) or dependency on their exploiter (resulting in them having less money).”

Source: The Children's Society, *Criminal Exploitation: Stages of Recruitment Children At Risk of Exploitation (CARE)*, 2018

A 2015 Different and Equal report discusses some of the ways in which boys are trafficked, particularly as it relates to the role of family members in recruitment:

“Recruitment happened in different ways depending on the form of trafficking. Some young boys were engaged in begging, criminal activity and sexual exploitation, forced by the abuse and extreme neglect by their family members, left home in a very young age and found themselves homeless since they were 9-12 years old some of them, while others when they were 16-17 years old. Some of them got involved in begging and early forced labor (collecting irons and different recyclable materials), since in their early childhood as a need to be sheltered somewhere. This situation was used by third persons, who in exchange of housing or some economic profits (as much as to buy some food) exploited them for criminal activities, for example drug distribution, begging or even sexual exploitation. In some cases, begging is a form of exploitation that had begun earlier in the family. In the begging cases, they have started to beg first pushed or forced by their family members. Finding himself in

street most of the day, one of the boys got in touch with people, who moved him across Albania to beg. In other situations, exploitation for begging was organized directly by the family.

Also, some of the minors were used to distribute drugs, or to steal. While in a street situation, they were recruited by adults at the age of 12-13 years old...Also in some cases, falling into exploitation is a direct consequence of a broken family. Due to the lack of support in the family, some minors established relationships with dangerous people, who took advantage of their vulnerability.

As previously noted, in at least two cases, family members were directly responsible for the recruitment and exploitation of male trafficking victims.

[...] Recruitment of adult males exploited for labor was more formal. Each of the men sought to migrate abroad for work and they were indeed actively seeking these opportunities. (p. 22)

[...] The majority of men and boys (21) were exploited within Albania. This includes 19 boys and men trafficked internally for different forms of exploitation – sexual exploitation (5), begging (2), criminal activity (4), forced labor (2), multiple forms of trafficking (6).

In addition, two cases were trafficked from the Philippines, first to Kosovo and then to Albania, where they were forced to work as cooks. Two Albanian males were trafficked abroad – to Kosovo for forced begging and to Africa for labor in construction.

Trafficked men and boys were exploited for different forms of trafficking. While it is commonly assumed that males are primarily exploited for labor, the experiences of these men and boys reveal very diverse trafficking experiences. That is, in addition to five instances of labor trafficking, men and boys were also trafficked for sexual exploitation (5), criminal activity (4) and begging (3) (p. 24)”

Source: Different and Equal: *Falling through the cracks! The trafficking of men and boys in Albania*, January 2015

The Albanian newspaper Koha Jone describes the arrest of a 37-year-old Albanian woman in London who was involved in issuing 500 false passports to Albanians in relation to human trafficking and other criminal activities.

“A 37 - year - old Albanian woman was arrested by the British Police Forces in Ilford, East London, on 18th of March.

The 37-year-old woman through fraud has enabled the equipment of 500 passports to the Albanians involved in drug dealing, trafficking people, trafficking of human beings, abuse of children, kidnapping and severe violence.

The arrest came after an investigation by the National Crime Agency, aiming at detecting the suspected criminal network involved in facilitating the grant of citizenship and British passports as well as money laundering.”

Koha Jone, Grupet shqiptare u pajisën me 500 pasaporta britanike, of Kush është e 37 vjeçarja që fshihet pas rrjetit? [Albanian groups were provided with 500 British passports. Who is the 37-year-old woman behind the network?], 19 March 2019, official translation by CTIS Translations

An article from Prishtina Insight describes the average costs associated with trafficking, which according to the article, are incurred by the families of victims of trafficking. The article also indicates that victims of trafficking rehearse a story, which they recount to British authorities upon arrival.

“The investigations carried out by the police show that payments for human traffickers exceed five thousand pounds, but in most cases they are paid by their relatives in Britain, only after the minors arrive there.

The minors report to authorities with a well-rehearsed history as abandoned children who escaped blood feuds or other problems in their country of origin.”

Source: Prishtina Insight, *Interrupted Childhoods, the Exodus of Albanian Adolescents to the UK*, 24 February 2017

The Albania Daily News outlines promises of a job, love and/or security as reasons why certain boys and young men are lured into trafficking situations:

“You are lured with empty promises of a job or love and security to go abroad and find yourself in a brothel or under forced labour. Look into UK or Italian newspapers. This hurts human rights as bad as a dictator can hurt. We agree with Albania that prevention, support and prosecution are not strong enough in this field and support the government to fight trafficking and to strengthen the prosecution in its efforts to deal with the organized and non-organized perpetrators behind the trafficking of human beings.”

Source: Albania Daily News, *A Conversation about Human Rights*, 10 December 2018

The UK Home Office Fact-Finding Mission [FFT] cites the Balkan Investigative Reporting Network (BRIN) as mentioning that the promise of going abroad can be a motivating factor:

“Traffickers always have ready recruits because parents are keen for their children to go abroad and they are sending them younger and younger” (p. 38)

Source: UK Home Office, Report of a Home Office Fact-Finding Mission to Albania, Conducted 31 October to 7 November 2017, February 2018

Besar Likmeta from BIRN elaborates on this point in the same report:

“Complaints from local NGOs that Europe is returning UASCs, and there isn’t the protection for them. Really sad part is that traffickers have ready recruits around the corner as parents are sending their kids abroad younger and younger. Remittances keep the country going. Devaluation of the pensions after fall of communism made it necessary for parents to survive. One successful migrant fuels the next.” (p. 99)

Source: UK Home Office, Report of a Home Office Fact-Finding Mission to Albania, Conducted 31 October to 7 November 2017, February 2018

Besar Likmeta also speaks about kidnapping as a recruitment method:

“There was an ALB MP who was imprisoned as part of a trafficking network. We’ve talked to victims. Talked to women who came back. Seen cases from the Serious Crimes Court. This paints quite a bleak picture. They suggest that the gangs use violence to kidnap people. Families were also so poor that they would be complicit in the trafficking – they either didn’t know; or did, but turned a blind eye or otherwise convinced themselves it was not the case.

Also talked to women in the shelters in the Netherlands. Some are repatriated and go straight into the shelters here. Got some hard data from the police. Got some data from some studies by the police about the recruitment methods.” (p. 98)

Source: UK Home Office, Report of a Home Office Fact-Finding Mission to Albania, Conducted 31 October to 7 November 2017, February 2018

The US Department of State, in its 2017 Trafficking in Persons reports, outlines that false promises

of marriage or employment may be used as a bait for sex trafficking, but did not indicate if this applied to boys and young men:

“Traffickers use false promises such as marriage or employment offers to force victims into sex trafficking. Traffickers increasingly use social media to recruit victims. Children are commonly forced to beg or perform other types of compelled labor such as selling small items. Albanian children, mainly from the Romani community, are exploited regionally for seasonal work. There were also instances of children forced to work in cannabis fields in Albania and some traffickers are likely involved in drug trafficking. Albanian victims are subject to sex trafficking in countries across Europe, particularly Kosovo, Greece, Italy, Belgium, Germany, Switzerland, Macedonia, Norway, the Netherlands, and the United Kingdom. NGOs report an increase in the number of Albanian children subjected to forced labor in Kosovo and the United Kingdom. Foreign victims from European countries and the Philippines were subjected to sex trafficking and forced labor in Albania. Irregular migrants from Asia are employed as domestic workers by wealthy families where they are vulnerable to domestic servitude. Middle Eastern, Central Asian, and African migrants transit Albania to reach Western Europe and are vulnerable to trafficking.” (p. 69)

Source: US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2017 Country Narratives : Albania*, 28 June 2018

Sources interviewed by Asylos and ARC Foundation for this project spoke about a number of ways that young male victims of trafficking are recruited in Albania.

Caritas Albania referred to social media as a platform to attract people.

“there is one factor that traffickers use to attract people, and that is the digital devices, so the use of social media”

Source Caritas Albania, interview record, March 2019

James Simmonds-Read spoke about the use of grooming as a tactic to lure potential victims into trafficking situations:

“I have seen a few examples of where people seemed to have fairly stable relationship with their parents but where we still see the classic grooming model at school, through older young people and adults offering them money and trainers. The same range of things as we would see in the ‘Country Lines’ phenomenon that we see in the UK that gets quite a lot of attention now. I would say that I see a very strong correlation

between young British people being groomed into gangs and organised criminal exploitation and the trafficking of males in Albania- a very strong correlation between the kinds of background they come from and these kinds of networks which is why it's not surprising to me that Albanians criminal gangs operate in the UK.

I have seen a degree of sexual exploitation. I don't have much direct experience of male Albanian young people disclosing sexual abuse but we have had in our service a few young people who have been sexually abused by men as part of a grooming process into a criminal network in Albania rather than for financial purposes i.e. using it as a control tactic. Which is quite common, or where they aspirationally see expensive cars- most of the Albanians boys I've worked with are very into cars actually and it seems like criminal networks often drive flashy cars and it attracts them.

I've seen situations where they've been groomed at a carwash in Albania then helping out around the expensive home doing domestic work for good money."

Source: James Simmonds-Read, Service Manager at The Children's Society, interview record, February 2019

Anne-Marie Barry points to the use of networks and "agents" as a recruitment method:

"There are many well established Albanian networks and individuals (and some in collaboration with networks of other nationalities) involved in the smuggling of Albanians from Albania to the UK, US and Canada. Many 'agents' are based in Albania and are connected to groups and individuals outside of Albania and based within various transit and destination countries. These will facilitate the movement of young people and connect them up to other relevant individuals."

Anne-Marie Barry, written response to questions, March 2019

An anonymous source mentions the promise of a life abroad as a recruitment technique:

"Young boys and men do expose themselves to traffickers through their promptness to leave the country at any condition and do whatever they will be asked to survive."

Source: Anonymous source 1, written response to questions, March 2019

Similarly, Dr Schwandner-Sievers describes smugglers operating 'almost like travel agents':

“[Y]ou might have people actively seeking out traffickers. When I looked into this several years ago, they operated almost like travel agents in the region. Sometimes it’s just word of mouth, but they are seen as service providers. If you want to go abroad, because you don’t see a future at home...”

Source: Dr Schwandner-Sievers, Bournemouth University, interview record, February 2019

Two sources noted how the offer of a job was used to attract potential victims of trafficking:

“The most frequent method is that of offering a job so they can make the most money in the shortest time possible... Sometimes they tell them that they can be engaged in such kinds of activities that can make lots of money even mentioning the trafficking of drugs and arms smuggling and these kind of activities that people know are illegal, risky but profitable at the same time.”

Professor Dr. Edlira Haxhiymeri, interview record, January 2019

“They use newspaper adverts for example, for work, but not for European countries or the UK - usually for Middle East. Promise lucrative jobs with good salaries, with work contracts - but we have a lot of experiences, where the people when they go to the country where they’ve been promised they take the passport from them and they cannot leave the country and they can just work there for two or three years having no passport or possibility to return. The traffickers come to Albania for example for summer holidays and they meet a lot of people, traffickers. And they use this time to recruit youngsters for their business or their work, their objectives”.

Source: Mr Alfred Matoshi, Mary Ward Loreto Foundation, interview record, January 2019

Other sources referred to financial incentives as a recruitment strategy:

“My observation is that the majority of Albanian boys and young men are trafficked with the complicity of their parents and the promise of financial remuneration by the traffickers.[...]

Families are approached by traffickers and engaged with on the basis of how they will profit financially from the deal. Additionally, the family are the traffickers and the children are seen and used as resources. Other methods may be linked to providing a level of welfare for the individual or as a means of paying a debt.”

Steve Harvey, Independent International Law Enforcement Specialist, written response to

questions, March 2019

The traffickers and exploiters promise them money, a lot of money, and they promise them a job or when the boys are minors, they promise them accommodation, or clothes, so things that they need to have. In some cases family members were directly responsible for the recruitment and exploitation of male trafficking victims. The parents, mostly the fathers forced their sons to leave school and to work or use them for begging.

Source: Anonymous source 2, interview record, December 2018 and January 2019

“Their [the *Hellbanianz*, a street gang of Albanian boys in South London] former web sites that I looked into, suggested that the ‘blingbling’ factor was very important for their internal prestige economy: sending messages home to their peers of success featuring an abundance of money, speedy cars, women, gold necklaces and Rolex watches, branding also guns and power. So there is that. But I think there are also kids who really are sent by their families in order to have a chance at decent education and a future—to build a decent future—but nobody has really done this ethnography. It would be a really fascinating research question also to find out where they go with this aspiration and hope. And maybe this is also the hope that’s sold to them as well, and in addition with the pressures of expectations to succeed from home, some of them might end up becoming drug mules.”

Source: Dr Schwandner-Sievers, Bournemouth University, interview record, February 2019

Two interviewees described how violence was employed, including threats of violence against the family, to break down an individual so that they would be compliant:

“Alongside what I’ve mentioned on the grooming process I have seen quite severe levels of violence to break down young men and make them as compliant as possible. I’ve had a few young men disclose quite extreme forms of physical violence and abuse, lots of threatening with weapons. People being very severely beaten and being locked in rooms for days at a time without food and water. Others have experienced initially softer tactics, followed by violence. For others violence wasn’t utilised until they were trying to extricate themselves. Sometime violence and threats against their family.

Some have been kidnaped and forced to grow cannabis. Have seen the occasional example of the kidnapping scenario ...”.

Source: James Simmonds-Read, Service Manager at The Children’s Society, interview record, February 2019

“Sometimes they even abuse them physically and put them under pressure to do everything they ask them to do. And mostly this has happened with boys who have been released from children’s institutions and they don’t have anywhere or any place to go to live so they use these kinds of methods with them. Sometimes the boys are threatened by them. They are threatened by the traffickers to do the things they ask them to do.”

Source: Anonymous source 2, interview record, December 2018 and January 2019

2.3. Trafficking Pathways

The UK Home Office Fact-Finding Mission [FFT] to Albania in 2017 found that:

”IOM commented that the most common route to the UK at the moment is through the Netherlands and Belgium. (p. 37)

[...] IOM: Suggest contacting the shelters. But the data shows that they are using different MO. They are going to EU countries, particularly Holland and Belgium, and aiming to get to the UK.” (p. 113)

Source: UK Home Office, Report of a Home Office Fact-Finding Mission to Albania, Conducted 31 October to 7 November 2017, February 2018

Based on an interview conducted with Anila Trimi from the Office of the National Coordinator for Combating Trafficking by the UK Home Office for the purpose of the same report, the following is noted about trafficking destinations:

“AT also didn’t believe that the UK was one of the main trafficking destinations. This is more likely to be Kosovo and other neighbouring countries, as well as GER, SUI, GRE, IRA.” (p. 70)

Source: United Kingdom: Home Office, *Report of a Home Office Fact-Finding Mission Albania*, February 2018

Sources interviewed for this project contrast the above source, noting that boys and young men are in fact trafficked in to the UK and other countries.

“Boys and young men are certainly smuggled at a high rate to the UK, US and Canada [...]

and many remain as Unaccompanied Asylum Seeking Children in EU countries.”

[...] in the UK, some members of law enforcement told us that gang members (predominantly males) are recruiting boys and young men into these gangs who are sometimes criminally exploited, such as for ‘County Lines’ or cannabis cultivation.

[...] According to the NCA and law enforcement, Albanian organised crime groups play a significant role in the cocaine trafficking market within the UK. Some interviewees who supported Albanian boys claimed that Albanian boys are recruited into these groups and engage in criminality for these groups. It is not clear from our interviews at what point they are recruited/enter into these groups. “

Source: Anne-Marie Barry, written response to questions, March 2019

“[O]nce they leave the country you never know where and what do they do as much as I know they end up stealing and begging in the streets of neighboring countries like Italy, Greece, Germany the Netherlands...”

Source: Professor Dr. Edlira Haxhiymeri, interview record, January 2019

[Where are boys and young men trafficked to and for what purpose?] “abroad in the UK”

Source: Anonymous source 1, written response to questions, March 2019

“I have [heard of cases where boys and young men were trafficked to the UK] for car wash business and for drug like Marijuana farms in houses [...] Construction but mostly these two-marijuana farms and car washes.”

Source: Mr Alfred Matoshi, Mary Ward Loreto Foundation, interview record, January 2019

“[Boys and young men are trafficked to] any and all countries/cities/towns with an established diaspora. [For the purpose of] Drugs and THB. The European Union provides a lucrative market for traffickers with the richer countries being preferred or where there is an established diaspora (where there already exists an Albanian community) e.g. UK, Spain, Belgium, France, Italy. With regards types of exploitation its street crime and the most frequently reported examples are connected to the supply of Class A and B drugs. Also, as ‘farmers’ in residential cannabis farms. i.e. cannabis being grown in a residential property.”

Steve Harvey, Independent International Law Enforcement Specialist, written response to questions, March 2019

“We have had some young males who have disclosed exploitation into the UK for criminal exploitation within my trafficking service, just very few and I’ve not worked with them directly. The only ones I can think of were trafficked for unknown exploitation or to work in car washes.”

Source: James Simmonds-Read, Service Manager at The Children’s Society, interview record, February 2019

“regarding the profiles, let’s say there are children and young boys—young men. Children are mostly from a Roma community, and they are, let’s say, trafficked for exploitation inside and outside Albania. Young men...the profile of young men, it’s more the people exploited in agriculture and in the construction business. Outside Albania, let’s say, in neighboring countries like Montenegro and Kosovo.”

Source: Caritas Albania, interview record, March 2019

Several sources interviewed by Asylos and ARC Foundation mentioned that young male victims of trafficking are internally trafficked in Albania:

“Internally for seasonal work in touristic places... in begging, pick pocketing and theft, selling small things, working in bars and restaurants, working night hours in parking lots, and in cultivating and distributing drugs. ... Child trafficking is mostly internal – within the borders, but the law/article on child trafficking does not recognize internal movement as trafficking the same way it does for adult trafficking/ trafficking in persons.”

Source: Anonymous source 1, written response to questions, March 2019

“Often internally within their local area. The vast majority its criminal exploitation for drug distribution. Some is very localised e.g. distributing drugs in their own school. Others its traveling on train routes still within the city limits. [...] it’s relatively localised. Very rarely have any talked about international trafficking. It’s domestic exploitation in Albania and then they have left Albania and come to the UK to get away from those networks.

[...] Some moved from cities further away by vehicles into northern areas or unknown locations in mountainous areas of Albania that have been transported a decent distance- specifically working cannabis cultivation rather than drug distribution (which can also be class A drugs).[...]

Source: James Simmonds-Read, Service Manager at The Children’s Society, interview record, February 2019

Professor Dr. Haxhiymeri explains that she has experienced cases in which individuals were first trafficked internally, thereby 'tested' for later external trafficking.

"I have heard of cases that have been trafficked internally first and after that externally. So, in a way they have been tested as to whether they are useful and after that they have been trafficked externally"

Source: Professor Dr. Edlira Haxhiymeri, interview record, January 2019

2.4. Forms of Exploitation

A report jointly published by the University of Bedfordshire, IOM and the Institute of Applied Social Research describes initial findings from a research study into human trafficking in Albania and outlines that there are multiple forms of exploitation, including sexual exploitation, forced labour, forced marriages, forced begging and forced criminality.

"[...] The forms of exploitation are multiple. Alongside sexual exploitation as a key purpose of trafficking for adults, other forms included forced labour (in businesses or within families), forced marriages, petty criminality or enforced criminality and work on cannabis production. For children sexual exploitation, forced begging, early marriages and enforced criminality were considered the main forms. For both adults and children, multiple forms of exploitation were outlined as common but under-researched."

Source: University of Bedfordshire, IOM, Institute of Applied Social Research, *'VULNERABILITY' TO HUMAN TRAFFICKING: A STUDY OF VIET NAM, ALBANIA, NIGERIA AND THE UK: Report of Shared Learning Event held in Tirana, Albania: 24-26 October 2017*, July 2018

The Head of Presence in Albania for the OSCE has remarked on the presence of boys in forced labour in Bulqiza, Albania.

"(...) in Albania 200 children are in child labour and most of them in Bulqiza. This is not a matter of the past. This morning we went up to the stone dump of the mines and we met young boys there, one of them telling us that most of his classmates are working there. (...) If the entire system and society fails to protect children from hazardous work and child

labour, it shows that their vulnerability to more severe forms of human rights violation is exacerbated, such as child trafficking, exploitation and illegal migration.” (p. 1)

Source: Organisation for Security and Cooperation in Europe (OSCE): Presence in Albania, Head of Presence Remarks at Bulqiza Event on World Day Against Child Labour, 12 June 2018

A report by UNICEF notes that child trafficking victims face forced labour, including forced begging, and sexual exploitation.

“197. Trafficked and exploited children in Albania are mostly subject to forced labour, including begging, and sex trafficking. They can be trafficked to large cities, tourist sites, and border points and ports within the country, or trafficked to other countries. The recruiter and the trafficker may be an individual, a small informal group, or a larger organisation. Whilst it is often parents who exploit children for begging and other forced labour, other adults, too, may exploit children living and/or working in street situations. Children who have been exposed to violence and abuse at home, or who live in otherwise dysfunctional families (e.g. those with alcoholic parents), are at special risk of trafficking by neighbours, relatives, or strangers abusing their vulnerable situation” (p. 67)

Source: UN Children’s Fund (UNICEF), *Child Notice Albania*, January 2015

For more information on violence and abuse at home as a risk factor for trafficking, please refer to section [1.3 Violence and Family Environment](#).

Sources interviewed by ARC Foundation and Asylos for this project have also highlighted different forms of exploitation that young male trafficking victims face. Factors that are mentioned include begging, theft and other crime, cultivating and distributing drugs, forced labour and sexual exploitation.

“Internally for seasonal work in touristic places, and abroad in the UK. Internally they are more in begging, pick pocketing and theft, selling small things, working in bars and restaurants, working night hours in parking lots, and in cultivating and distributing drugs.”

Source: Anonymous source 1, written response to questions, March 2019

“Most of the boys have been exploited for committing criminal acts, for distributing drugs, for stealing... selling things they have stolen and for begging they have been exploited for begging. They have been exploited as well for forced labour and for sexual purposes. Some

of the cases have had more than one form of exploitation. So there are cases who are exploited for begging or committing criminal acts, or sexual exploitation and begging at the same time, etc. Most of the cases have been exploited internally, inside of Albania, and a few cases have been exploited even in other countries - in Kosovo, Germany - and they are cases that are exploited mostly for forced begging and forced labour”.

Source: Anonymous source 2, interview record, December 2018 and January 2019

“According to the NCA and law enforcement, Albanian organised crime groups play a significant role in the cocaine trafficking market within the UK. Some interviewees who supported Albanian boys claimed that Albanian boys are recruited into these groups and engage in criminality for these groups.

[...] It is believed that many enter the UK with the debt burden from smuggling, and due to their irregular status and inability to seek legitimate employment enter into criminal activity, e.g. drug dealing or cannabis cultivation. Some interviewees told us that boys have reported feeling threatened as a result of the debt they acquired on coming to the UK, and have a strong fear of returning home, which these interviewees believe indicate a situation of trafficking and exploitation”

Source: Anne-Marie Barry, written response to questions, March 2019

“With regards types of exploitation its street crime and the most frequently reported examples are connected to the supply of Class A and B drugs. Also, as ‘farmers’ in residential cannabis farms. i.e. cannabis being grown in a residential property.

Trafficked boys will also be involved in other criminality, but you have to look at where Albanian Organised Crime is making its money and in the UK its drugs. I also suspect that as the drug supply and manufacture market exposes Albanian Organised Crime to a higher level of risk than say THB, children used as drug mules etc who are detected and detained, pose less risk to the organisation as potential witnesses and sources of information. They will be dealt with as children, subject to special protective measures and can claim trafficking as a defence. They are disposable, easily replaced and often, re-cycled after arrest. This does not happen to an adult offender.

[...][C]ases that have been referred to me for comment by UK legal aid lawyers [...] would include exploitation in the commission of street crime (drugs) and sexual exploitation (forced prostitution)”

Steve Harvey, Independent International Law Enforcement Specialist, written response to questions, March 2019

“The vast majority its criminal exploitation for drug distribution. Some is very localised e.g. distributing drugs in their own school. Others its traveling on train routes still within the city limits. Some of them where they are close to ports, it’s seaside locations distributing drugs to those ports or drop off drugs to locations as opposed to people. Most have not disclosed travelling large distances, it’s relatively localised. Very rarely have any talked about international trafficking. It’s domestic exploitation in Albania and then they have left Albania and come to the UK to get away from those networks. Sometimes I question the reality and have had concerns about young men not disclosing—there are significant barriers to disclosure for Albanian males, often it can take years for them to disclose to me more than just the basic details so it’s a real challenge to have the full picture of what has happened to them. Some descriptions of how people have left Albanian have been quite questionable e.g. that at very young ages they have left independently without an agent. This is all quite speculative and hard to be clear on.

Some moved from cities further away by vehicles into northern areas or unknown locations in mountainous areas of Albania that have been transported a decent distance—specifically working cannabis cultivation rather than drug distribution (which can also be class A drugs)

[...] We have had some young males who have disclosed exploitation into the UK for criminal exploitation within my trafficking service, just very few and I’ve not worked with them directly. The only ones I can think of were trafficked for unknown exploitation or to work in car washes.

Sometimes young men turning up at social services with severe physical injuries at young ages and being taken into care but without really getting to bottom to the circumstances of the exploitation.”

Source: James Simmonds-Read, Service Manager at The Children’s Society, interview record, February 2019

“In Italy, Albanian children (they are the first common nationality of unaccompanied minors in Italy – 1600 cases in 2018) are found in labour exploitation networks and illegal labour markets, and forced to provide sexual services, deal drugs or commit crimes. The stories of these boys and girls show that demand for people who are forced into practices comparable to slavery remains high in Italy.

[...] [T]here are three categories of trafficking, exploited in neighboring countries for seasonal work, and they are mostly from the Roma community, and they are exploited from the parents and relatives, and they are exploited from traffickers who earn money from that. The second is inside the country, inside Albania, young boys, let’s say, 10 years old, selling

small items in the street and doing some small works, washing cars, etc. And the third is children that are, let's say, entering the asylum system in Europe—France, Italy, etc.—and are recruited from the traffickers for small crimes.”

Source: Caritas Albania, interview record, March 20

“[O]nce they leave the country you never know where and what do they do as much as I know they end up stealing and begging in the streets of neighboring countries like Italy, Greece, Germany the Netherlands...”

Source: Professor Dr. Edlira Haxhiymeri, interview record, January 2019

“I have [heard of cases where] boys and young men were trafficked to the UK] for car wash business and for drug like Marijuana farms in houses [...] Construction but mostly these two—marijuana farms and car washes.”

Source: Mr Alfred Matoshi, Mary Ward Loreto Foundation, interview record, January 2019

“So we have here the “Hellbanianz.” These are a street gang of Albanian boys in South London who become drug mules. [...] There are Albanian boys who do not end up becoming drug mules in this country. Working for car washes has been very common and visible [...]”

Source: Dr Schwandner-Sievers, Bournemouth University, interview record, February 2019

3. Legislation and its Effectiveness

3.1. Legal Framework

The Criminal Code of the Republic of Albania (1995, amended 2015) provides for the following legislation:

“Article 110/a

Trafficking in adult persons

(Added by law no. 8733, dated 24.01.2001, article 28;

Amended by law no. 9188, dated 12.02.2004, article 1;

The title, wording in the first and third paragraphs are changed and paragraph II is added by law no. 144, dated 02.05.2013, article 26;

The part that provides Fine as main punishment in addition to imprisonment is abrogated by law no.144, dated 02.05.2013, article 48)

The recruitment, transport, transfer, hiding or reception of persons through threat or the use of force or other forms of compulsion, kidnapping, fraud, abuse of office or taking advantage of social, physical or psychological condition or the giving or receipt of payments or benefits in order to get the consent of a person who controls another person, with the purpose of exploitation of prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or forms similar to slavery, putting in use or transplanting organs, as well as other forms of exploitation, both within and beyond the territory of the Republic of Albania, shall be punishable by imprisonment from eight to fifteen years.

When such offence is committed against an adult female person, it shall be punishable by imprisonment of from ten to fifteen years.

The organization, management and financing of the trafficking of persons is punished with imprisonment of from seven to fifteen years.

When such offence is committed in collaboration, more than once, accompanied with maltreatment and forcing the victim to commit various actions through the use of physical or psychological violence, causing serious consequences to the health or threatening his life, is punishable by imprisonment of no less than fifteen years

When the offence as a consequence has caused the death of the victim, it is punished by imprisonment of no less than twenty years or with life imprisonment.

When the criminal offence is committed through the utilization of a state function or public service, the punishment of imprisonment is increased by (1/4) one fourth of the punishment given.

Article 110/b

Benefit from or use of services provided by trafficked persons (Added by law no.144, dated 02.05.2013)

The benefit from or use of services provided by trafficked persons, or services which are subject to exploitation by trafficking, being aware that the person is trafficked, shall be punishable by imprisonment of from two to five years.

When this offence is committed against a minor, it shall be punishable by imprisonment of from three to seven years.

Article 110/c

Actions facilitating trafficking (Added by law no.144, dated 02.05.2013)

Forgery, possession, or provision of identity cards, passports, visas or other travel documents, or their retaining, removal, hiding, damaging or destruction which have served for the trafficking of adult persons, but having no knowledge of this fact, shall constitute criminal offence and shall be punishable by two to five years of imprisonment.

The same offence, when committed in complicity, more than once, or is committed by the person who has the task to issue the ID card, passport, visa, or the travel document, or has enabled trafficking of children, shall be punishable by four to eight years of imprisonment.

The same offence, when it results in serious consequences, shall be punishable by not less than five years of imprisonment.

[...] Article 128/b

Trafficking of Minors

(Amended by law no. 9188, dated 12.02.2004, article 3;

Added by law no. 9859, dated 21.01.2008, article 3;

Wording in paragraph I are changed by law no.144, dated 02.05.2013, article 31;

The part that provides Fine as main punishment in addition to imprisonment is abrogated by law no.144, dated 02.05.2013, article 48)

Recruitment, sale, transport, transfer, hiding or reception of minors with the purpose of exploitation for prostitution or other forms of sexual exploitation, forced labor of service, slavery or forms similar to slavery, putting in use or transplanting organs, as well as other forms of exploitation, shall be punishable by ten to twenty years of imprisonment.

Organization, management and financing of the trafficking of minors is punished with imprisonment of from ten to twenty years.

When this crime is committed in collaboration or more than once, or is accompanied with the maltreatment and forcing of the victim through physical or psychological violence to commit various actions, or bring serious consequences to health, it is punished with imprisonment of no less than fifteen years.

When the offence as a consequence has brought about the death of the victim it is punished with imprisonment of no less than twenty years or with life imprisonment.

When the criminal offence is committed through the utilization of a state function or public service, the punishment of imprisonment is increased by one fourth of the punishment

given.”

Source: Government of Albania, Criminal Code of the Republic of Albania (1995, amended 2015), Unofficial translation of the consolidated version of the Law 7895, 11 June 2015

This 2015 report from UNICEF details the specific legislative and institutional arrangements regarding child victims of trafficking.

“182. Albania has ratified the two optional protocols to the Convention on the Rights of the Child - covering between them child trafficking, selling children, child sex work, pornography and other issues (see 2.1 Conventions on children’s and human rights). It also ratified the Council of Europe Convention on Action against Trafficking in Human Beings in 2006.” (p. 64)

Source: UN Children's Fund (UNICEF), *Child Notice Albania*, January 2015

This report from the Council of Europe describes some of the developments in the legal framework in Albania relating to trafficking up to 2016.

“2. Developments in the legal framework

17. In its first report, GRETA made a number of recommendations related to the criminalisation of trafficking in human beings and asked the Albanian authorities to address shortcomings arising from the lack of harmonisation between certain legal provisions. As a follow-up to GRETA’s recommendations, in 2013 several amendments were made to the Criminal Code (CC) which concerned the provisions on trafficking in human beings. Article 110/b concerning trafficking in women was repealed and Article 110/a now criminalises trafficking of adults, both men and women. The wording of Article 110/a has been amended to expressly refer to internal trafficking. Further, a new Article 110/b was added criminalising the use of the services of a victim of THB, with the knowledge that the person has been trafficked. Furthermore, penalties for human trafficking have been increased. Other amendments concerned the list of aggravating circumstances and the criminalisation of offences linked to travel and identity documents related to THB. Moreover, a new Article 52/a enshrines the principle of nonpunishment of victims of THB for offences they are forced to commit while being trafficked.

18. Law No. 108/2013 on Foreigners, passed on 28 March 2013, has introduced changes with regard to the right of stay of foreign victims of trafficking, and in particular their right to a recovery and reflection period and a residence permit (see paragraphs 130 to 136).

19. Further, Law No. 10383/2001 on Compulsory Health Insurance has been amended by Law No. 141/2014 to provide for free-of-charge health care for victims of trafficking (see paragraph 111). Moreover, Law No. 10039/2008 on Legal Assistance was amended in May 2013 by Law No. 143/2013, intended, inter alia, to improve access to legal assistance for trafficking victims.

20. The above-mentioned legal developments are examined in greater detail in later parts of this report (see in particular paragraphs 150 to 159).” (p. 8)

Source: Council of Europe, Group of Experts on Action against Trafficking in Human Beings (GRETA), *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Albania; Second Evaluation Round [GRETA(2016)6]*, 3 June 2016

3.2. Legislation for Child Protection

The 2016 GRETA report also outlines the legislation in place for child protection in Albania and the institutions responsible for its implementation, as well as the plans in place to establish monitoring and control mechanisms for the units across the country.

“59. Since the introduction of Law No. 10347 of 2010 on the Protection of the Rights of the Child, several institutions have been tasked with protecting children’s rights. At the central government level, the National Agency for the Protection of Children’s Rights is responsible for monitoring and coordinating central and local institutions. At the regional level, children’s rights units are present in each of the country’s 12 regions. At the municipal level, child protection units are tasked with assessing and monitoring the families of vulnerable children and co-ordinating the work between local institutions and NGOs in respect of vulnerable children, including victims of trafficking. The existing 200 units do not cover the whole of the country’s territory and the units’ effectiveness is hampered by limited technical, financial and professional resources. GRETA was informed that the territorial reform, which involved merging municipalities, could result in units being closed down. The Albanian authorities have indicated that Law No. 10347 was being revised to strengthen the child protection system by establishing regular monitoring and control mechanisms for child protection units, and to ensure adequate budget allocation for them.” (p. 15)

Source: Council of Europe, Group of Experts on Action against Trafficking in Human Beings (GRETA), *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Albania; Second Evaluation Round [GRETA(2016)6]*, 3 June 2016

In 2014 the Philippines, France, Slovenia, Lithuania, Ireland, Mexico, and Brazil all indicated in the United Nations' Committee on Human Rights' Mid-term Universal Periodic Review that Albania should:

“Strengthen and ensure effective implementation of the legislative measures and strategies to prevent and fight trafficking in persons, especially women and children, including due punishment of the perpetrators of such crimes.”

Source: UPR Info, *Mid-Term report of Albania on the implementation of the recommendations received during the second cycle of Universal Periodic Review (UPR)*, March 2017

Albania responded in 2017:

“In recent years, the framework for combating human trafficking was further developed, and sanctions were made harsher.

A strategy on the fight against human trafficking (2014-2017) and accompanying action plan were adopted in November 2014.

A regulation on the organization and functioning of the Authority responsible for the identification, referral, protection and reintegration of victims / potential victims of trafficking was adopted in 2015.

In 2015, the Ministry of Interior, the General Prosecutor's Office and the Albanian state police signed a memorandum of understanding to set up a task force in charge of reviewing cases of human trafficking that were dismissed or not initiated.

The free National Hot Line 116 006 and the application "Report! Save" were launched in 2014 for reporting suspected cases of trafficking.

A number of awareness raising activities were organized in 2014 and in 2015, the Ministry of Internal Affairs allocated a special budget of 5.2 million ALL for the Department of Anti-Trafficking, which inter alia resulted in a national campaign for the prevention of trafficking, where state and non state institutions, national and international partners, participated in organizing awareness activities, in discussion forums, at local and national conferences, in marches and TV shows.

The National Coordinator against Human Trafficking has signed a number of bilateral agreements with NGOs and International Organizations to institutionalize collaboration on prevention and fight against human trafficking." (p. 36)

Source: UPR Info, *Mid-Term report of Albania on the implementation of the recommendations received during the second cycle of Universal Periodic Review (UPR)*, March 2017

The report that the Albanian government submitted to the UN Committee on Migrant Workers in 2017 provided the following updates on their legislative efforts against human trafficking:

"Recommendations No. 42. Information about the measures taken in the fight against trafficking and prevention of children and women trafficking, as well as measures in their protection

186. With the Decision of the Council of Ministers no. 814, dated 26.11.2016 "On some amendments in the decision no. 663, dated 17.07.2013 of the Council of Ministers" On the approval of the Common Strategy on Fighting Organized Crime, Illicit Trafficking and Terrorism 2013-2020 and Action Plan 2013-2016, it is drafted the Strategy in the fight against Trafficking of Human Beings and the Action Plan for 2014-2017, which is being monitored by the Office of the Anti-trafficking National Coordinator and being implemented by the relevant structures set up specifically for this purpose by the highest political levels, technical as well as operational.

[...] Also, the new law "On State Police", July 2014, provides additional legal guarantee for better protection and support for victims of trafficking, especially children.

192. This law, among the duties of the state police, provides in Article 17 (g) the identification, protection and referral for assistance to appropriate authorities of victims of trafficking. While Article 123 provides the measures to be taken by the state police for the protection of minors. Officials of the state police are obliged to assist and refer, when deemed necessary, for children abandoned or removed from their homes.

193. Also, the National Anti-Trafficking Coordinator is working together with the Ministry of Finance in terms of effective implementation of the Anti-mafia law with the support of the National Coalition of Anti-trafficking.

194. According to Law no. 141/2014 "On compulsory insurance of health care in the Republic of Albania", as amended, is activated free health service for victims/potential victims of trafficking, giving them health cards in each case. By March 2016 a total of 44

victims/potential victims of trafficking have gained health cards.

195. In January 2016, it was created the Office of Victims Assistance focusing on the victims who are minors or persons with disabilities, victims of domestic violence, victims of violence or sexual exploitation, trafficking etc.

196. In 19 June 2015, it was signed the Regulation for the organization and functioning of the responsible Authority for the identification, referring, protection and reintegration of victims or potential victims of trafficking. During the reporting period, periodic meetings of the members of the responsible authorities are kept to treat special cases of victims or potential victims of trafficking.

197. In 21 October, 2014, it was signed a Memorandum of Understanding between the National Coordinator of the Issues of Fight against Trafficking of Persons, the General Directorate of State Police and the State Labour Inspectorate and Social Services "On the identification of cases of forced labor and trafficking in order to exploit the labor of others".

198. Decision No. 115, dated 17.02.2016 approved the Action Plan for Socio-Economic Reintegration of women and girls victims of trafficking. This Action Plan helps in socio-economic development of women and girls VT/PVT in the field of economic empowerment, eg property rights, employment and vocational training, housing, education and social care." (pp. 32-33)

Source: UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (UNCMW), *Consideration of reports submitted by States parties under article 73 of the Convention, Second periodic reports of States parties due in 2015, Albania*, 18 January 2017

The 2018 European Commission 'Albania 2018 Report' provided the following information regarding legislative changes relating to child rights, juvenile justice, legal aid and the rights of victims:

"The legislative and policy framework on the rights of the child was reinforced in 2017 with the adoption of the Law for the Protection of Children's Rights, the Criminal Justice for Children Code and the 'Children's Agenda 2020'. The Law for the Protection of Children's Rights provides for a child protection system. However, related bylaws are needed to make it operational. Interinstitutional cooperation, data collection and reporting mechanisms on child protection should be improved. Further efforts are also needed to ensure the child protection system functions effectively. In 2016 and up to June 2017, 586 street children and their families were taken into protection. The Criminal Justice for Children Code in March 2017 ensured Albania's de jure compliance with international standards on juvenile justice.

The code needs to be completed with secondary legislation. The adoption of the 'Justice for Children' strategy, encompassing both juvenile justice and equitable access to justice for children, is still pending. The Law on Legal Aid adopted in December 2017 aims to ensure children's access to legal aid. The Ministry of Justice has established a section on criminal justice for children and developed an online system for tracking cases of children that committed offences. (p. 29)

[...] On procedural rights, the new Law on Legal Aid broadens the category of people that benefit from legal aid and introduces primary and secondary legal aid concepts. The rights of victims were strengthened through amendments to the Criminal Procedure Code in May 2017. Victims can now have full access to information on the investigation file, be given medical and psychological assistance and have an interpreter to communicate in their own language. Furthermore, specific categories of victims are recognised by the code, including those that have been sexually abused or victims of trafficking in human beings. Nevertheless, the legal aid scheme still needs to develop an outreach mechanism and access to services. The vast majority of cases involving vulnerable groups are still handled by civil society with donor support. (p. 30)

[...] The legislative framework for victims to obtain access to justice was improved through amendments to the Criminal Procedural Code, with the inclusion of additional rights for sexually abused victims and victims of trafficking in human beings." (p. 33)

Source: European Commission, *Albania 2018 Report*, 17 April 2018

The US Department of Labor (USDOL) report, *2017 Findings on the Worst Forms of Child Labor - Albania*, provides some further information on legislation relating to child labour which crosses over with child trafficking issues.

"In 2017, Albania made a moderate advancement in efforts to eliminate the worst forms of child labor.

[...] Although the government made meaningful efforts in all relevant areas during the reporting period, the law does not explicitly prohibit using, procuring, or offering children for illicit activities. In addition, the Labor Inspectorate needs to be strengthened to conduct adequate inspections in all sectors in which child labor is known to occur. (p. 1)

[...] II. LEGAL FRAMEWORK FOR CHILD LABOR

Albania has ratified all key international conventions concerning child labor (Table 3).

[...]The government has established laws and regulations related to child labor (Table 4).

However, gaps exist in Albania's legal framework to adequately protect children from child labor, including using children in illicit activities. (p. 2)

[...] The law in Albania does not explicitly prohibit using, procuring, or offering children under age 18 for illicit activities, including in the production and trafficking of drugs. Article 129 of the Criminal Code prohibits only inducing or encouraging children under age 14 to participate in criminality. (p. 3)

[...] In 2017, the Government of Albania passed the Regulation on Protection of Children at Work. The law provides a list of hazardous occupations for children under age 18. In addition, the government adopted the Criminal Justice for Children Code, which prescribes a child-friendly approach to the justice system, such as providing psychologists for trials that involve a minor. The Law on the Protection of the Rights of the Child, also passed during the reporting period, creates an integrated system to prevent the abuse and exploitation of children in employment and codifies rights for children. The government is also drafting bylaws to this law for the identification and referral process for street children." (p. 8)

Source: US Department of Labor (USDOL), *2017 Findings on the Worst Forms of Child Labor - Albania*, 20 September 2018

3.3. Effectiveness of the Legislation

Research conducted at the University of Bedfordshire with IOM and Institute of Applied Social Research, summarises the information gathered at a shared learning event (SLE) with various stakeholders working with trafficking victims in Albania, pointing to an 'implementation gap' of the legislative and policy framework:

"There is an implementation gap between a strong legislative and policy framework in Albania with practice in reality. Stakeholders at the SLE highlighted high level political commitment to responding to human trafficking in Albania, evidenced by the adoption of a number of policy and legislative measure but there was a feeling that these are not being fully implemented in practice." (p. 8).

Source: University of Bedfordshire; IOM; Institute of Applied Social Research, *'VULNERABILITY' TO HUMAN TRAFFICKING: A STUDY OF VIET NAM, ALBANIA, NIGERIA AND THE UK*: Report of Shared Learning Event held in Tirana, Albania: 24-26 October 2017, July 2018

One source interviewed by ARC Foundation and Asylos for this project points to legislative gaps in trafficking provisions:

“There have been and remain other legislative gaps – child trafficking within the borders is not foreseen and cases of internal trafficking are in practice treated as “child maltreatment”; forced labor is not sufficiently provided for by the penal code. [...]”

Source: Anonymous source 1, written response to questions, March 2019

This report from the Council of Europe describes some of the limitations of the legal framework in Albania relating to trafficking up to 2016.

“152. The sentences provided for in Articles 110/a and 128/b of the CC, where there are no aggravating circumstances, have been made harsher: from 8 to 15 years’ imprisonment for trafficking in men, from 10 to 15 years’ imprisonment for trafficking in women, and from 10 to 20 years’ imprisonment for trafficking in children. The previous Article 114/b of the CC concerning trafficking in women has been repealed, but a specific reference to trafficking in women appears in Article 110/a with regard to the penalties incurred. The Albanian authorities have justified the harsher sanction for trafficking in women (from 10 to 15 years of imprisonment) compared to that for trafficking in men (from eight to 15 years of imprisonment) by the fact that women represent the majority of trafficked persons in Albania, noting that this aims to have positive effects in addressing gender-based violence. While acknowledging the gender dimension of THB, in view of the non-discrimination principle enshrined in Article 3 of the Convention, GRETA invites the Albanian authorities to keep under review the effectiveness of the different penalties for trafficking in women and trafficking in men.

153. Both Articles 110/a and 128/b of the CC contain open-ended lists of types of exploitation. The Albanian authorities have stated that while human trafficking for the purposes of forced criminality and forced begging are not specifically mentioned, they are covered by these provisions.

[...] 156. In its first report, GRETA invited the Albanian authorities to consider the possibility of criminalising the use of services of a victim of trafficking, with the knowledge that the person has been trafficked. In line with GRETA’s recommendation, this provision was introduced in the CC in 2013, under Article 110/b, and is punishable by between two and five years’ imprisonment. GRETA welcomes the adoption of this provision, but notes that it has not yet been applied.

[...] 159. At the time of the first evaluation, there was no specific provision in Albanian law

stipulating that victims of THB are not to be punished for their involvement in unlawful activities, to the extent that they have been compelled to do so. As noted in paragraph 17, in the light of GRETA's recommendation, amendments were made to the CC in 2013 to include a specific non-punishment provision pursuant to Article 26 of the Convention. Article 52/a of the CC provides that victims of THB may be exempted from punishment if they were forced to commit an illegal act or to refrain from action during the period in which they were trafficked. There is no case-law related to this provision.

160. Whilst welcoming the adoption of a specific legal provision concerning the nonpunishment of victims of trafficking for offences committed as a result of being trafficked, GRETA invites the Albanian authorities to ensure full compliance with this provision in practice by developing guidance for police officers and prosecutors on the implementation of the non-punishment provision." (p. 33)

Source: Council of Europe, Group of Experts on Action against Trafficking in Human Beings (GRETA), *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Albania; Second Evaluation Round [GRETA(2016)6]*, 3 June 2016

When asked what impact the gaps in Albania's legal framework mentioned by USDOL to adequately protect children from child labor have for trafficked boys and young men, sources interviewed by ARC Foundation and Asylos mentioned issues with identifying victims of trafficking and a weak system of protection for children:

"I think the problem is identification. There are good legislative grounds to exempt victims but the individuals working in structures responsible for identification either do not know about them or deliberately do not do their job, and boys and young men end in up jail."

Source: Anonymous source 1, written response to questions, March 2019

"[...] we do not have a sophisticated system for protection of children they are not considered very seriously - their situation is not considered or taken seriously by the prosecutor's office - as part of the whole system - in general the weakness system of protection in the country is that of children."

Source: Professor Dr. Edlira Haxhiymeri, interview record, January 2019

Other sources mentioned that it is not gaps in legislation that is a problem, but rather issues in implementing legislation:

“We don’t have any gaps in the legal framework for the child protection. It is the implementation of all laws in Albania in the context. First, child labor, under Albanian mentality, they are always called potential victims of trafficking. Children’s situation or child labor is recognized as part of trafficking, but in our statistics—government statistics—they are never reporting numbers, figures, about this kind of situation, which means the law it’s not implemented. It’s not because we have gaps but because the law is not implemented, and the children are not recognized as being in a situation of trafficking.”

Source: Caritas Albania, interview record, March 2019

“The legislation protects the children from the forced labour, yes. In Albania there is even the National Agency for the protection of children’s rights. Besides that at the Ministry of Interior there is the Office of National Anti-Trafficking Coordinator and Responsible Authority. The establishment of the Responsible Authority is aimed to guarantee protection and assistance to victims, potential victims and persons at risk of trafficking, and to define the duties of the institutions involved in this process. The purpose of the establishment of the Responsible Authority is the coordination and monitoring of the process of referral for assistance, protection and reintegration of victims and potential victims of trafficking.”

Source: Anonymous source 2, interview record, December 2018 and January 2019

For further information on this point, see section [4. Prosecution](#).

3.4. Judicial Punishment for Acts Committed as a Result of Being Trafficked

The 2018 USDOS report on trafficking in persons considers that legal provisions are sufficiently stringent, however they identified that the government continued to penalise victims of trafficking for unlawful acts committed as a direct result of their being trafficked, such as prostitution:

“PROSECUTION:

Articles 110(a) and 128(b) of the criminal code criminalized sex and labor trafficking and prescribed penalties of five to 15 years imprisonment and a fine between two million lek (\$18,080) and five million lek (\$45,210), which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape.

[...] The government penalized one victim for an unlawful act committed as a direct result of being subjected to trafficking; as in similar cases in past years, authorities convicted an officially identified trafficking victim for prostitution and sentenced her to eight months of probation. The government may have deported, detained, or restricted freedom of movement of some trafficking victims due to inadequate identification efforts ." (pp. 67-68)

Source: US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2018*, 28 June 2018

The above example relates to a women victim of trafficking and it is not clear from others sources or those interviewed by ARC Foundation and Asylös for this report whether young men and boys have also been convicted for prostitution. Whilst one source was not aware of trafficking victims having been prosecuted for committing unlawful acts, another mentioned that boys and young men exploited for the purposes of drug dealing or pick pocketing have ended up in jail as a result of misidentification, and a further source indicated that foreign nationals in Albania might be detained owing to their immigration status:

"For the cases of males that I am aware of there were no cases that have been punished in the last years".

Source: Anonymous source 2, interview record, December 2018 and January 2019

"Through my work as a trainer I have information that boys who have been exploited for dealing drugs or pick pocketing have ended up in jail as result of misidentification. I have also heard of a recent initiative in Tirana to outlaw begging – if so, begging would count a great deal here."

Source: Anonymous source 1, written response to questions, March 2019

"If we refer this question to an unaccompanied minors in Albania from foreign countries—in this case—such as refugees. Yes maybe they are forced into a detention center, because for their status, maybe.

[...] It's totally different if we talk about Albanian minors coming, for example, from rural areas and involved in labor exploitation. There is no real punishment (unless they commit serious crimes), but rather authorities should try to intervene through social services, with alternative measures to punishment. These types of interventions and procedures are not supported by legislative acts."

Source: Caritas Albania, interview record, March 2019

On the issue of judicial punishment of male victims of trafficking, Different & Equal stated in its 2015 report that:

“Unfortunately in some cases, there have been even judicial punishments against male victims of trafficking. “D. is a sixteen years old boy. He has been institutionalized since he was a child. Later, when he was in institutions, he got in touch with some adults who abused and exploited him sexually, benefiting from his mild developmental delay and his early but untreated complex traumas. One of the perpetrators was condemned, while the other was released, serving only some months of detention. Once released, he got in touch with the boy influencing him and pushing him in committing thievery. So, the boy was sentenced for community services”.

This is just one of the cases that have been going through penitential sentences. In another case, one of the boys was exploited for thievery, but the judicial system sentenced him to jail. According to an interview with one of the social workers of Vatra Psycho-Social Center, similar problems were also noted. She cited the case of a boy, when she used to work in the penitential system as an educational staff some years ago. The boy was around 16 years old and was sexually exploited in the suburbs of a coastal city in southern Albania. Later, he was condemned for thievery. When he ended up in prison, he told about his exploitation. Even though the police was contacted, still they said that there are not enough evidences.” (pp. 47-48)

Source: Different and Equal: *Falling through the cracks! The trafficking of men and boys in Albania*, January 2015

James Simmonds-Read’s experience of trafficked boys and young men being punished for any other unlawful acts is:

“If anything the young men I’ve worked with have talked about encounters with police- largely that has been witnessing direct relationships between police and the traffickers, rather than them facing prosecution or repercussions. Sometimes when picked up by police, once they have provided the name and the phone number of the person who is in charge of the criminal network then they have been released without charges.”

Source: James Simmonds-Read, Service Manager at The Children’s Society, interview record, February 2019

For further information on the relationship between trafficking networks and the police and/or

judiciary, see the [Prosecution](#) chapter, section [4.6 Corruption as a Barrier to Implementing Legislation](#) and [Protection](#) chapter, section [5.3 Corruption and low trust in authorities as a barrier to protection](#).

4. Prosecution

4.1. Conviction Rate

Several sources document a low conviction rate for trafficking. The EU Commission 2016 Albania country report outlines that while Albania is among the top five non-EU countries of citizenship for registered victims of human trafficking, the number of related convictions remains ‘rather low’. It reports further that the identification of minors who are victims of trafficking is low:

“Albania is among the top five non-EU countries of citizenship for registered victims of human trafficking. However, the number of related convictions remains rather low. Police reported 69 cases of human trafficking in 2015 (compared to 34 in 2014) and 38 in the first half of 2016. Most of the referrals involved adults, while reportedly child trafficking is on the rise. In 2015, 21 people received final convictions for human trafficking, and only two in the first half of 2016. Identification of minors who are victims of trafficking continued to be low. There is no synergy with other ongoing identification mechanisms, such as the field teams working to identify children in street situation.” (p. 74)

Source: European Commission, *Albania 2016 Report*, November 2016

The UK Home Office Fact-Finding Mission [FFT] to Albania in 2017 found that:

“2.15.2 Since 2013, there has been an increase in sentences by the Serious Crimes Court. In 2013, there was one conviction, compared to 22 in 2016.

2.15.3 The Office of the National Coordinator for Combating of Trafficking in Persons provided the following statistics:

2016			
	Trafficking in adults	Trafficking in minors	Exploitation of

			prostitution
State Police Data	47	22	81
Prosecutor's Office	19 (24 under investigation)	8 (13 under investigation)	
Sentenced	11	7	

“ (p. 39)

Source: UK Home Office, *Report of a Home Office Fact-Finding Mission to Albania, Conducted 31 October to 7 November 2017*, February 2018

The Council of Europe GRETA report details some of the measures taken by the Albanian government to ensure effective investigations up until 2016. It notes that the number of convictions for THB (trafficking in human beings) is low. It urges the Albanian authorities to take measures to ensure that THB cases are investigated proactively and prosecuted successfully.

“153. [...] Forced marriage is criminalised by Article 130 of the CC and the Albanian authorities have indicated that there had not been any cases of trafficking for the purpose of forced marriage to date. (p. 32)

[...] 158. The Albanian authorities have indicated that no criminal cases implicating legal entities in THB offences have been recorded to date. GRETA considers that the Albanian authorities should examine the reasons why no legal entities have been punished for trafficking-related acts and, in the light of their findings, take the necessary measures to ensure that the criminal liability of legal entities can be acted upon in practice.

4. Investigation, prosecution and procedural law:

a. Measures related to ensuring effective investigations (Articles 1, 27 and 29):

161. The Police Anti-Trafficking Section, which comes under the Organised Crime Directorate, is competent for investigating THB cases but its jurisdiction extends beyond THB and covers other criminal offences such as trafficking in weapons, vehicles and artworks, as well as illegal border crossings. It comprises five staff members at central level and there are 12 units in each of the country's regions. There are also three police stations with a small THB team, located in areas far from the regional units (in Sarandë, Kavajë and Tropojë). The total staff of their units comprises 100 police officers. At both the central and regional levels, one person has particular responsibility for trafficking in human beings. The authorities

informed GRETA that they intended to recruit 40 additional staff for the anti-trafficking units.

162. The Serious Crime Prosecution Office and the First Instance Court for Serious Crimes continue to be competent for cases of trafficking in human beings. (p. 34)

[...] 167. As regards prosecutions and convictions for THB, GRETA has been provided with several different sets of data – from the Serious Crimes Prosecutor’s Office, the First Instance Court for Serious Crimes, the Court of Appeal for Serious Crimes, and the Supreme Court – which are difficult to compare. Thus in 2012, the Serious Crimes Prosecution Office investigated 30 cases, out of which 13 were new and 17 were carried over from previous years. In 2012, the First Instance Court for Serious Crimes registered only one new case of trafficking in women and handed down sentences in two other cases of trafficking in women (respectively, 10 years of imprisonment and a fine of ALL 4 million, and 15 years of imprisonment and a fine of ALL 6 million). In 2013, the Serious Crimes Prosecution Office investigated 42 cases of THB, of which 10 were carried over from previous years and 32 were new cases. In the same year, the First Instance Court for Serious Crimes ruled on two cases of THB (in one of them the trial was carried over in 2014 and in the other the court sentenced two perpetrators). In 2014, the Serious Crimes Prosecutor’s Office investigated 71 cases of THB, out of which 25 were cases carried over from previous years and 46 were new cases. In the same year, 11 new cases were tried before the First Instance Court for Serious Crimes Court (including 5 cases concerning children) and 3 cases were carried over from previous years.

168. In 2014, the internal investigations service of the Ministry of the Interior submitted three reports to the Prosecutor’s Office implicating four police officers in offences related to trafficking in human beings, which included assistance for illegal border crossings and abuse of authority. Two of these cases are being investigated by the Prosecutor’s Office. In the third case, the police officer concerned was found guilty by the first instance court of abuse of authority and sentenced to six months in prison.

169. GRETA notes that the number of convictions for THB is rather low and urges the Albanian authorities to take measures to ensure that THB cases are investigated proactively, prosecuted successfully, and lead to effective, proportionate and dissuasive sanctions, including by:

- identifying gaps in the investigation and prosecution of THB cases;
- sensitising prosecutors and judges to the rights of victims of THB and developing further their specialisation to deal with THB cases and apply the provisions criminalising THB;
- continuing to prosecute in disciplinary and criminal proceedings any police officer or official involved in cases of trafficking.

170. Further, recalling the obligation for Parties to the Convention to confiscate criminal

assets linked to human trafficking, GRETA considers that the Albanian authorities should intensify their efforts to identify, seize and confiscate criminal assets generated by trafficking offences.” (p. 35)

Source: Council of Europe, Group of Experts on Action against Trafficking in Human Beings (GRETA), *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Albania; Second Evaluation Round [GRETA(2016)6]*, 3 June 2016

The 2018 USDOS report on trafficking in persons states that the Albanian government reported fewer prosecutions and convictions than in the last reporting period. It outlines further that authorities continued to investigate and prosecute some traffickers for lesser crimes of exploitation of prostitution.

“PROSECUTION:

The government decreased law enforcement efforts. [...] The state police investigated 69 cases with 80 suspects (69 cases with 69 suspects in 2016); 22 of these suspects in 2017 were investigated for child trafficking (22 in 2016) and 58 for adult trafficking (47 in 2016). The Serious Crimes Prosecutor’s Office (SCPO) prosecuted ve defendants (18 in 2016); two of these suspects were prosecuted for child trafficking (nine in 2016) and three for adult trafficking (nine in 2016). Courts convicted seven traffickers (24 in 2016); one trafficker was convicted for child trafficking (11 in 2016) and six for adult trafficking (13 in 2016). All convicted traffickers received prison sentences, which ranged between eight years and eight months to 17 years.

[...] Twenty-three trafficking victims cooperated with law enforcement in investigations and prosecutions; however, the government did not consistently apply victim-centered investigations and prosecutions.

[...] Authorities continued to investigate and prosecute some traffickers for the lesser crime of exploitation of prostitution. Authorities reported the confusion between overlapping elements of exploitation of prostitution and trafficking and at times applied the lesser charge because it required less specialization and time, or due to the false belief that trafficking crimes required a transnational element. (p. 67)

Source: US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2018*, 28 June 2018

A 2018 report from the European Commission considers the issue of trafficking in human beings as

part of the fight against organised crime in Albania. Whilst it states that the legislative framework has been improved and that some criminal groups have been dismantled it also points out that 'investigations and prosecutions do not cover yet the upper echelons of the criminal organisation and the number of final convictions remains limited.' It points out further that most of the recorded referrals involved adults. In relation to children, the report states that Albania should pay particular attention to unaccompanied children and child victims of trafficking (especially among children begging in the streets) in its efforts to strengthen the criminal justice system.

“Fight Against Organised Crime:

[...] Implementation and Enforcement Capacity:

As regards Albania's track record, the number of operations carried out by the police is high and has particularly increased in the past months, leading to more offenders being arrested (including 39 individuals arrested for suspected illegal trafficking of Albanian citizens and public officials of a municipality arrested for abuse of office, and misappropriation of land property). While some criminal groups have been dismantled, investigations and prosecutions do not cover yet the upper echelons of the criminal organisation and the number of final convictions remains limited. New investigations of criminal organisations and structured criminal groups have also increased (from 23 in 2015, to 46 in 2016, and 31 in 2017). However, final convictions in organised crime cases remained very low and have only marginally increased. In February 2018 four people have been convicted in final instance for membership of a structured criminal group involved in drug cultivation and trafficking (Lazarat case). Overall, there is still a relatively high percentage of cases that are initially reported as organised crime cases but subsequently transferred to local prosecutors' offices (therefore not considered organised crime cases anymore) or dismissed for lack of evidence and/or due to the poor quality of referrals.

Statistics on serious crimes that are not linked to criminal organisations and structured criminal groups indicate an increasing trend of crimes related to the production and cultivation of narcotics: almost 54 % in 2015, 66.5 % in 2016 and 72.3 % in 2017. They are followed by money laundering, trafficking in vehicles, money counterfeiting and forgery, and trafficking in human beings. In these cases, too, there remains a serious gap between the numbers of final convictions and of finalised investigations.

The government is making a concerted effort to improve the law enforcement capacity to tackle organised crime and has improved the law enforcement and security institutions through legal and institutional reforms. The quality of investigations in criminal proceedings has been improved through the use of special investigation techniques. However, the law enforcement authorities' response to organised crime is often delayed and limited. This is due to a combination of factors: inadequate resources; undue influence and pressure on police and prosecution services; frequent and unjustified turnover of State Police personnel; low salaries; and the limited equipment made available to the judicial police. (pp. 33-4)

[...] On trafficking in human beings, the Prosecutor's Office registered 52 new criminal proceedings in 2015, 24 in 2016 and 19 in 2017. Most of the referrals involved adults. The number of related convictions remains low. Albania remains a source country for trafficking in human beings. Vulnerable Albanian minors are victims of sexual exploitation both in Albania and in some EU Member States. The National Referral Mechanism for Victims / Potential Victims of Trafficking was fully functional during the reporting period. In 2017 no victim benefited from the right to financial compensation. The task force in charge of reviewing dismissed and not initiated cases of trafficking in human beings achieved limited results. Cooperation between the police and the prosecution in sharing investigation acts improved, and administrative procedures were simplified. However, Albania should strengthen its criminal justice system and step up efforts to prevent trafficking in human beings. It should pay particular attention to unaccompanied children and child victims of trafficking, especially among children begging in the streets. Moreover, Albania is encouraged to implement the principle of non-punishment for child victims of trafficking and provide them with adequate protection, such as witness protection programmes and temporary residence permits. Adequate protection should be granted irrespective of their ability or willingness to cooperate with the prosecutorial authorities." (p. 35)

Source: European Commission, *Albania 2018 Report*, 17 April 2018

4.2. Prosecution of Children's Trafficking Cases

When asked for the reason why fewer children's trafficking cases than adults are registered by the Prosecutor's Office, sources interviewed by ARC Foundation and Asylos for this project responded that they thought it is due to the fact that child victims are generally trafficked internally but that this is not fully recognised in law; that children don't see themselves as victims (especially if they are being exploited by family members); the general weakness of child protection system; that children are less empowered to bring a case than an adult; as well as fear of reprisals and that the government holds a deep sense of shame and denial about child trafficking:

"Child trafficking is mostly internal – within the borders, but the law/article on child trafficking does not recognize internal movement as trafficking the same way it does for adult trafficking/ trafficking in persons."

Source: Anonymous source 1, written response to questions, March 2019

"Children don't inform on their parents/family, they don't see themselves as victims and therefore, they don't provide the evidence of their exploitation. The law identifies that

children are particularly vulnerable and procedures for dealing with child victims will take their vulnerability into account but the law does not provide a magic wand to get them to see themselves as a victim or to cooperate with the authorities.”

Steve Harvey, Independent International Law Enforcement Specialist, written response to questions, March 2019

“I think there’s a very deeply held sense of shame and denial about fact that children are being trafficked in Albania. I think at various level of society and civil society and senior government levels there is a willful disbelief- to the point that they don’t want to admit in internally and certainly don’t want to admit it externally.

It’s very clear that Albania has a strong desire to become a member of EU and I think with my discussions with Albanian officials it was really obvious that they felt shamed by the idea of admitting to this problem existing and existing to anywhere near the extent that UK statistics would bear out. There’s an invested intention to be in denial and to hide the phenomena as it exists rather than admit it is there. That would be my viewpoint. If they were to admit the level that it was happening to children they would have to recognise it as an issue much bigger than they currently do. Although I do think that there are some slow changes happening, progress is very slow.”

Source: Anonymous source 3, interview record, 2019

“[...] this is a new culture. Most of the cases where victims are minors, they do not see themselves as a VOT they think there has been mistake in their life or there have been a situation where they were not able to think of themselves or find a solution so they sent them to institutions like churches or NGOs where they think they are more protected. But usually they connect this problem with the work of NGOs or religious institutions. This is connected with culture. We think this is a new trend. It is still not at being taken seriously. Because of a cultural concept, the problems of minors have been treated with no precedence and are mainly addressed in non-state institutions. Another reason that there are fewer cases of minors dealt with by the prosecution is that they find it harder to demand their rights or understand whether they have been trafficked or exploited.”

Source: Mr Alfred Matoshi, Mary Ward Loreto Foundation, interview record, January 2019

“My personal opinion is that there is a lack of understanding when it comes to children’s rights. It’s just under the parapet of visibility in many ways.”

Source: Dr Schwandner-Sievers, Bournemouth University, interview record, February 2019

“It’s much easier for an adult to come forward and to bring a case against those that have exploited them. An adult is going to be much more empowered to do so than a child which relies much more on the police themselves choosing to prosecute. We know full well even with the frame of reference in the UK how difficult that is. Also they may hold such a fear of reprisal that they might not come forward.

I have worked with a number of male children that have gone to the police, often when the family has been involved and no one has been able to protect them. They tried moving from location to location and the networks have still found them. Sometimes the police are even giving guidance to hand drugs back rather than them do anything themselves or suggest to prosecute them. The police see themselves as having less power than the criminal networks.”

Source: James Simmonds-Read, Service Manager at The Children’s Society, interview record, February 2019

For information on why the numbers of male potential victims of trafficking identified through the NRM are so low, see Chapter [5. Protection](#), section [5.2 Effectiveness of the NRM in Identifying Victims](#). Also see Chapter [7. General Child Protection Measures](#), section [7.4 Police Attitudes to Safeguarding of Children](#).

4.3. Reasons for an ‘Implementation Gap’

Research conducted at the University of Bedfordshire with IOM and Institute of Applied Social Research, summarises the information gathered at a shared learning event (SLE) with various stakeholders working with trafficking victims in Albania, pointing to an ‘implementation gap’ of the legislative and policy framework:

“There is an implementation gap between a strong legislative and policy framework in Albania with practice in reality. Stakeholders at the SLE highlighted high level political commitment to responding to human trafficking in Albania, evidenced by the adoption of a number of policy and legislative measure but there was a feeling that these are not being fully implemented in practice.” (p. 8).

Source: University of Bedfordshire; IOM; Institute of Applied Social Research, *‘VULNERABILITY’ TO HUMAN TRAFFICKING: A STUDY OF VIET NAM, ALBANIA, NIGERIA AND THE UK*: Report of Shared Learning Event held in Tirana, Albania: 24-26 October 2017, July

When asked for their views on the reason for the implementation gap between a strong legislative and policy framework in Albania with practice in reality, sources interviewed by ARC Foundation and Asylos mentioned: issues with identification; a lack of training and expertise; corruption; weak institutions; a lack of witness protection and legal aid; and distrust of the protection system which prevents victims from coming forward.

“This state of affairs [the ‘implementation gap’] is common to every country in the world including the UK. It is the consequence of many related factors but lack of or sufficient implementation of procedures aimed at identification, training, awareness and appropriate judicial response are the usual fundamental weak links.”

Source: Steve Harvey, Independent International Law Enforcement Specialist, written response to questions, March 2019

“Well I would say that in general the implementation of legislation is a problem in Albania because [...] we pretend to have a strong legislative and policy framework but in most of the cases this legislation is prepared under the pressure of international organizations and I think that the lawyers in the country have not been able to digest the legislation framework.

So, their mentality and professional formation is far from what they really need. Cultural factors also influence this situation. So, in general there is a big problem between the legislation and implementation in practice let alone the fact that the Albania legal system is considered the most corrupt one in the country.

So, I think there are two reasons - one is this formation on the other side - the corruption plays an important role in the gap between the legislation and what is done in practice.

[...] In general, the boys and young men either do not make any statement against their traffickers because they do not trust the system or if they make it they will never profit from the process.”

Source: Professor Dr. Edlira Haxhiymeri, interview record, January 2019

“It’s the low trust, why you don’t report, but also it’s the power of those people who actually do have the money and do have the connections. You can’t break through that, so actually it’s too dangerous if you’re on the weaker side in some situations.

Weak institutions, I think it’s really important. The significance of having social capital,

having connections. Again that explains a lot about your disadvantages if you're from the back waters in Albania—the periphery of periphery—you just need your connections. And that goes beyond family, often just really whom you've gone to school with... “

Source: Dr Schwandner-Sievers, Bournemouth University, interview record, February 2019

“There is also a gap from the state institutions in providing free legal assistance. The sub laws for the implementation of the Law no.111/2017 “For the Legal Aid Guaranteed by the State” have not yet been approved.

Another problem is the transferring and changing of trained police officers in the anti-trafficking department. Different local and international organizations provide training to increase the capacities of police officers on different aspects of anti-trafficking: on identification of victims of trafficking, on standard operating procedures, or even for changes that are made to the penal code. But time after time the specialists who work in anti-trafficking units change, they change the place of work going to other departments. So, there is a need to continually provide training for the police all over Albania in different districts not only in Tirana. Some training has been provided to police officers, prosecutors, court representatives and lawyers to increase their knowledge and skills of law enforcement agencies regarding anti-trafficking legislation, especially new laws adopted during the implementation of the justice reform.

They don't want to go to the police and do the denunciation. They want to go ahead and be supported and leave behind this situation of exploitation. They show a kind of resistance not to do this kind of denunciation. The reasons for this include; Stigma; Fear from exploiter especially in cases where exploiters are family members; Albanian mentality that males can't be in the situation of exploitation or trafficking; Lack of information; Lack of elements for the verification of these crimes; Resistance of law enforcement structures to consider exploitation of cases where victims are males.

With the penal changes in the legislation the number of condemned traffickers is higher now than it was before. More strong let's say. The traffickers are condemned.”

Source: Anonymous source 2, interview record, December 2018 and January 2019

“What I can say is my evidence at Caritas, I can say for the police, when they are going to have somebody who they suspect is a victim of trafficking, for them, it's a lot of paperwork. You know, the local institution doesn't respond immediately to the situation, which means in the afternoon, the office is closed, and the police should find solutions for them—accommodations, food, etc.—and they should wait until early in the morning to organize the interview with the other actors.”

Source: Caritas Albania, interview record, March 2019

“The people who have the work in institutions, they do not have the expertise to implement these laws. Also the people for example who work in the offices they do not have specialised people to identify the victims of forced labour when they make their normal checks at the factories [...] or [...] everywhere where people are working. They do not have the expertise to identify where people are being used - forced to work or being trafficked. They have zero cases of identification. They don't have budget to train their people and they don't have budget for logistics because in all the borders normally we should have offices to offer to identify victims or potential victims - they cannot be part time officers like we have during the summer season - this is not a good solution. We have seasonal officers, but this is not good. Yes, even the culture of working because for us in Albania it's a new thing to think that the boys and men can be trafficked because until now we have been thinking only for women and girls. It is a new concept to believe that men and boys can be trafficked.”

Source: Mr Alfred Matoshi, Mary Ward Loreto Foundation, interview record, January 2019

One anonymous source elaborated on the identification issues, contending that there is complete denial that boys and young men are trafficked and this allows traffickers to operate:

“Definitely makes it far easier for traffickers to operate in a culture if these things are not being adequately followed up. I have been to meetings in the UK with senior Albanian government officials discussing the issue of Albanians being trafficking internally and prosecution and it's very clear that their viewpoint on trafficking is very narrow in Albania. There is complete disbelief at the very idea that boys and young men are being trafficked at all and if they are then it's only really trafficking for the purpose of things like forced begging. They are far more of the belief that some women are trafficked but much more so that they are trafficked out of the country e.g. to Italy and Greece and there is still significant disbelief around this regarding the numbers and scale of the problem.

There is almost complete denial about the possibility that boys and young men are being trafficked into things like labour exploitation and forced criminality. There really is a deeply held denial that these things are happening and a belief that young men are making it up or that people are doing it willingly- a different viewpoint on young adulthood. Predominantly absolutely denial that it even exists as a phenomenon and the belief that young men are falsifying this information while migrating for economic reasons and a belief that this is always facilitated by their family. So I would say that that very clearly creates a culture- if something doesn't exist according to those who are supposed to be identifying it then it's going to continue with impunity.”

Source: Anonymous source 3, interview record, 2019

When asked how effective protection measures are for young male victims of trafficking in cases where the trafficker is being prosecuted, sources responded:

“Most of the time they are left alone to face all of the threats from their families, the families of the traffickers, or from the community, so I would say this system doesn’t function.”

Source: Professor Dr. Edlira Haxhiymeri, interview record, January 2019

“It’s hard for me to answer that as none of the young men I work with have ever gone through a process of prosecution. My experience is the police have not been prosecuting.”

Source: James Simmonds-Read, Service Manager at The Children’s Society, interview record, February 2019

For further information on barriers to identification and denial that boys and young men are trafficked see sections [4.2 Prosecution for Children’s Trafficking Cases](#), and [5.2 Effectiveness of the NRM in Identifying Victims](#). Also see [8.3 Effectiveness of Assistance](#).

4.4. Suitability of Prosecutors

Regarding the responsibility for prosecuting trafficking cases, the UK Home Office Fact-Finding Mission [FFT] to Albania in 2017 found that:

“Several sources told the FFT that the Serious Crimes Court will no longer deal with trafficking cases, they are being decentralised and trafficking cases will now be tried at district courts and there are concerns about the professionalism and suitability of these courts. (p. 34)

Source: UK Home Office, *Report of a Home Office Fact-Finding Mission to Albania, Conducted 31 October to 7 November 2017*, February 2018

The 2018 USDOS report on trafficking in persons shares concerns about the ability of district courts

to adequately prosecute trafficking cases:

“Law enforcement did not consistently offer sufficient security and support, victims and their families received threats during court proceedings, and some victims appeared in front of their traffickers in court proceedings, causing re-traumatization.

[...] The government enacted judicial reforms that will eventually change court jurisdiction for trafficking cases; cases not related to organized crime will soon fall from the Serious Crimes Court to district courts, but authorities reported district prosecutors did not have the experience and capacity to adequately prosecute trafficking cases. The government operated a closed case task force to review successful and unsuccessful trafficking cases; so far the task force has only reviewed two cases. Observers reported limited resources and constant turnover within law enforcement created obstacles in maintaining capacity to investigate trafficking. The government, at times in cooperation with civil society, trained 20 police officers; 100 employees of local law enforcement; 40 border police officers; and 127 judges, prosecutors, and judicial police officers.

Source: US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2018*, 28 June 2018

Other sources interviewed by ARC Foundation and Asyllos similarly raise concerns over the ability of district courts to hear trafficking cases:

“Until now competent authority for the trial of trafficking and organized crime was the court and prosecution office for serious crimes. Although under the new law there is still no court against corruption and organized crime. The changes to the law mean that the competent authorities for trafficking are now the district courts, that do not have the proper legal expertise to prosecute these cases. The cases of crimes with 1 author will be prosecuted by the district courts while those with more than 1 author (is qualified as organized crime) will be prosecuted by the courts against corruption and organized crime. This situation has created confusion because of difficulties of legal qualification of trafficking in human beings.”

Source: Anonymous source 2, interview record, December 2018 and January 2019

Another source further explained the impact of moving trafficking cases to district courts:

“The legislative framework has recently regressed rather than progressed. Trafficking cases tried before by Serious Crimes Court now are tried by district courts. The crime of trafficking

is not considered as organized crime and consequently the victims are not eligible for witness protection”.

Source: Anonymous source 1, written response to questions, March 2019

4.5. Witness Protection

A further source mentioned the general lack of witness protection in Albania:

[...] “there is this whole issue of corruption and witness protection that matters. And the witness protection issue is really huge, because at the time, when I did my research and looked into that, and what can that actually be. And the only good witness protect is to send people abroad.”

Source: Dr Schwandner-Sievers, Bournemouth University, interview record, February 2019

The 2016 Council of Europe GRETA report continues to urge the Albanian authorities to ensure that full use is made of existing measures to protect victims of trafficking during criminal proceedings:

“171. In its first report, GRETA urged the Albanian authorities to reinforce the application of measures to protect victims of THB regardless of whether they have agreed to participate in judicial proceedings.

172. The Witness Protection Directorate is tasked with protecting witnesses, persons collaborating with justice and persons in their entourage, in accordance with Law No. 10/173 of 22 October 2009 on the Protection of Witnesses and Persons Collaborating with Justice. The protection envisaged includes measures such as providing a new identity and change of residence. The decision to place a person in the protection programme is taken by a committee made up of the Deputy Minister of the Interior, an officer from the Serious Crimes Directorate of the police, a prosecutor from the Serious Crime Prosecutor’s Office and a judge from the First Instance Court for Serious Crimes. In practice, this programme is still seldom used. Only one victim of THB benefited from this protection programme in 2012.

173. Witness protection measures envisaged in the Code of Criminal Procedure include the questioning of anonymous witnesses and/or witnesses in remote locations in Albania or abroad, the questioning of children in the presence of a relative or psychologist, the admissibility of evidence before proceedings begin, thus shortening the time in which the

victim of trafficking is involved in the court procedure, and hearings in camera to protect witnesses, particularly minors.

[...]175. Recalling the recommendation made in its first report, GRETA once again urges the Albanian authorities to ensure that full use is made of existing measures to protect victims of human trafficking from potential retaliation or intimidation before, during and after criminal proceedings.”

Source: Council of Europe (CoE), Group of Experts on Action against Trafficking in Human Beings (GRETA), *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Albania*; Second Evaluation Round, 3 June 2016

4.6. Corruption as a Barrier to Implementing Legislation

Several sources identify corruption as a barrier to successful implementation of trafficking legislation and as a barrier to access to justice in general in Albania.

“Judges accepts bribes to make decisions against the law because they think it is a chance for them to profit from the situation. They also for personal interests like family relations or people they know, make decisions against the law.

The legal system remains the most corrupt in the country and does not seem to be improved even under the so-called reform of the system.

[...] There are different forms of bribes I would say. Cash money in big amounts is one, offering land properties, expensive apartments in the capital city, villa and houses at the beach area, expensive vehicles, jewelry, etc. [...] The trafficker - paying under the table lots of money to stop the process - and in this case it is hard to continue with the prosecution.”

Source: Professor Dr. Edlira Haxhiymeri, interview record, January 2019

“I’ve even had discussions with officials and NGOs who work in Albania about this issue [the implementation gap between legislation and practice] who have acknowledged that there is a history of direct links between officials in Albanian government and police and traffickers. Some people have been prosecuted. Some individuals known to have been involved or had historic involvement, are still in positions of authority in Albania currently. So it’s my viewpoint that this makes it very difficult to have robust response to these issues.”

Source: Anonymous source 3, interview record, 2019

“[...] the only people who get justice are those who have more money and better connections. That means that if you are a vulnerable victim, a really vulnerable trafficking victim, and you’re up against somebody who is a big organized crime boss with lots of money, you have no chance because this person can bribe whomever, and they have the connections too. You are basically excluded from justice, regardless of what is on paper, it happens really subtly. It happens in the way in which certain things are submitted or not, so it’s very difficult to put your hand on where the problem really is because, if you observe, say, a court case, it looks all fabulous, but some of the things may not have been even admitted as evidence or witnesses or what-not. There are also real threats and stuff. So corruption is the big issue of whether somebody can actually have fair access to justice and protection.”

Source: Dr Schwandner-Sievers, Bournemouth University, interview record, February 2019

“The guy who is directing everything is always outside because he is always in collaboration with the officers or the judge and this is the biggest problem that we have in implementation of the law regarding trafficking. We know big source of money, and they always achieve corrupting the people they want. The impact is they have no hope, no trust in institutions and usually they over accept the fact they are...so they re-enter the world of trafficking or they end up in prison.”

Source: Mr Alfred Matoshi, Mary Ward Loreto Foundation, interview record, January 2019

“I do think there is an endemic problem with direct relationships between law enforcement and criminal networks in Albania. It comes up so consistently in the accounts of boys and young men that I work with that I find it very hard to believe that that’s not the case.

I think it also leads to a culture where boys and young men believe that they cannot rely on or access state support. I think that’s one of the reasons that they leave the country. It also leads to people feeling powerless to escape networks as they see them to be very well connected and they generally don’t believe that relocating to other areas will be enough to prevent them from being at risk again.”

Source: James Simmonds-Read, Service Manager at The Children’s Society, interview record, February 2019

In relation to corruption, the UK Home Office Fact-Finding Mission [FFT] to Albania in 2017 found

that:

“2.4.2 Caritas Albania (an NGO working in anti-trafficking) commented that although the ‘police are not the best’ they know how the National Referral Mechanism works and that they have to refer victims to social services.

2.4.3 Although police respect the procedures for interviewing VoT (e.g. presence of social worker and psychologist), Caritas said that interviews are often done in public spaces in police stations. Caritas has renovated some friendly interview rooms for VoT in police stations such as in Vlore and Lezhe and provided a room with beds in Kukes, Muriqan and Durres. (pp. 33-4)

[...] 2.6.1 UN agencies have invested considerably in the training of the judiciary which is arguably the weakest part of the system. Traffickers have been able to escape justice due to its corruption or inefficiency. This makes it difficult for the victims to trust in, and seek redress from, the justice system. (p. 34)

[...] 2.15.1 An Albanian MP has been imprisoned as part of a trafficking network. (p. 39)

[...] CARITAS: The police are not the best, but they know how the NRM works. They know how to refer. They know they have to refer to social services. They interview of VoT is supposed to happen in specific areas however they are done in the police department where there might be other officers present. They respect the procedures – i.e. the social worker is there, the psychologist is there – but the interview takes place in an open space where everyone could hear. This means other people can know. Caritas Albania has renovated some friendly interview rooms for victims of trafficking in the premises of the Police Departments such as in Vlore, Lezhe and provided also one room with beds in Kukes, Muriqan and Durres.” (p. 153)

Source: UK Home Office, *Report of a Home Office Fact-Finding Mission to Albania, Conducted 31 October to 7 November 2017*, February 2018

When interviewed by the UK Home Office, Besar Likmeta from the Balkan Investigative Reporting Network (BIRN) makes the following remark about corruption:

“Court system in Albania is quite corrupt.” (p. 96)

Source: UK Home Office, *Report of a Home Office Fact-Finding Mission to Albania, Conducted 31 October to 7 November 2017*, February 2018

The 2018 USDOS report on trafficking in persons states that:

“The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses; however, official complicity and corruption were significant concerns. The government signed extradition agreements with the United Kingdom and Northern Ireland and conducted joint investigations with Italian and Spanish law enforcement.” (p. 67)

Source: US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2018*, 28 June 2018

Reporting more generally on the judicial system, the 2018 Country Report of Human Rights Practices states that corruption within the judicial system and the police force remains a problem.

“Impunity remained a problem. Prosecution, and especially conviction, of officials who committed abuses was sporadic and inconsistent. Officials, politicians, judges, and persons with powerful business interests often were able to avoid prosecution. In response, authorities have undertaken an internationally monitored vetting of judges and prosecutors, and have dismissed a significant number of officials for unexplained wealth or ties to organized crime. Authorities also undertook technical measures, such as allowing electronic payment of traffic fines and use of body cameras, to improve police accountability and punished some lower-level officials for abuses. (p. 1)

[...] Police did not always enforce the law equitably. Personal associations, political or criminal connections, poor infrastructure, lack of equipment, and inadequate supervision often influenced law enforcement. Poor leadership contributed to continued corruption and unprofessional behavior. Authorities continued to make efforts to address these problems by renovating police facilities, upgrading vehicles, and publicly highlighting anticorruption measures. The Ministry of Interior has established a system of vetting security officials, but the Assembly has not appropriated funds to support it.

Impunity remained a serious problem, although the government made greater efforts to address it, in particular by increasing the use of camera evidence to document and prosecute police misconduct

While the government had mechanisms to investigate and punish abuse and corruption, police corruption remained a problem. SIAC received 3,832 telephone complaints through the anticorruption “green line” through August and 6,439 telephone complaints in 2017. The service also received 1,217 written complaints through August and 1,048 in 2017. The majority of the complaints alleged a failure to act, arbitrary action, abuse of office, or a

violation of standard operating procedures. Through August, SIAC filed 77 administrative violations, recommending 133 police officers for disciplinary proceedings, and referred six cases for prosecution. The Office of the Ombudsman also processed complaints against police officers, mainly concerning problems with arrests and detentions.” (pp. 4-5)

Source: US Department of State (USDOS), *Country Report on Human Rights Practices 2018-Albania*, 13 March 2019

A research paper from Dr Enkeleida Tahiraj and the Shpresa Programme states that widespread corruption within the courts and police in Albania is a problem and 'a barrier to access to justice' in human rights implementation.

“Corruption is a barrier to access to justice:

Recourse to law and policing are two major areas of weakness in human rights implementation. The biggest problem relating to human rights is corruption, which is “spread in all government branches, but especially in the court system and health service and discrimination against women”. Corruption in the courts and police is endemic. The US Ambassador in Albania has repeatedly called for corrupt and criminal individuals working in the judiciary system to be fired and prosecuted. Endemic corruption in the courts and police is a major impediment to social development and successful Vetting reform of removing corrupt judges has become a conditionality for EU to open negotiations with Albania, following parliamentary elections of 2017.

The OSCE found that “the corruption cycle begins with police officers who accept cash to destroy evidence, and prosecutors who accept between € 1,000 and € 2,000 not to press charges”. An expert panel summoned by parliament's Commission on Justice Sector Reform stated that corruption is endemic and considered a “normal” way to deliver justice at all levels of the system, from police to prosecutors and judges. The report states that Justice Police Officers often accept bribes to botch evidence, while prosecutors take bribes to dismiss criminal proceedings and judges take bribes to cause unnecessary delays.

On December 23, 2016 The Minister of Interior at the time, highlighting the efforts undertaken to fight the problem of corruption and abuse among the police, declared that about 23% of the police force were under investigation and penal procedures. Equally, the judiciary is a closed door even to NGO's: ‘Whenever we try to get information while assisting a domestic violence or trafficking case, or even for research purposes, we have been facing serious difficulties in accessing the court decisions.’ They are supposed to be public and published in the webpage of the court. ‘The prosecutor's’ office only responds when they need something from us’.” (pp. 33-4)

Source: Dr Enkeleida Tahiraj and the Shpresa Programme, *Understanding Trafficking of Girls*

This 2018 report from Freedom House claims that efforts to combat the high levels of corruption, and low levels of efficiency, stalled in 2017.

“Judicial Framework and Independence:

High levels of corruption, combined with low levels of efficiency, characterized the Albanian judiciary in 2017. An important effort to reform the justice system began in 2014, but stalled during 2017 due to the opposition’s boycott of parliament during the first four months of the year, as well because of the mid-year elections that only produced a new government in September.” (p. 9)

Source: Freedom House, *Nations in Transit 2018*, 11 April 2018

A UN Agency interviewed by the Home Office for their 2017 Fact-Finding Mission describes that traffickers have been able to escape justice in the past as a result of corruption or inefficiency.

“But the judiciary is arguably the weakest part of the system. Traffickers have been able to escape justice due to corruption or inefficiency. This makes it difficult for the victims to trust in, and seek redress from, the justice system. There is hope that the on-going justice reform and the vetting process of the judges and prosecutors will improve the judicial system.” (p. 115)

Source: UK Home Office, *Report of a Home Office Fact-Finding Mission to Albania, Conducted 31 October to 7 November 2017*, February 2018

An article on the Tirana Times suggests many judges have failed a vetting process, leaving many seats in the Albanian judiciary empty:

“The State Department says that as of August, 44 percent of judges and prosecutors who had undergone vetting had failed and been dismissed. As a result, only two of nine judges remained on the Constitutional Court; the others had been dismissed during the vetting process or resigned before undergoing vetting, which deprived the court of a quorum.

Further on, as of August, 15 of the 19 seats on the Supreme Court were also vacant, and the court faced a considerable case backlog. The politicization of appointments to the Supreme Court and Constitutional Court threatened to undermine the independence and integrity of these institutions.

As of October 24, the commission had dismissed 25 judges and prosecutors and confirmed 28, while 16 others had resigned from duty rather than undergo vetting.”

Source: Tirana Times, *Department of State: Albania lags behind in corruption, fighting impunity*, 18 March 2019

The World Economic Forum in its 2018 Global Competitiveness Report ranks Albania as the 126th worst country in the world with regards to “judicial independence” (out of 140), p.66.

Source: World Economic Forum, *The 2018 Global Competitiveness Report 2018, Competitiveness Rankings - Judicial Independence*, 17 October, 2018

For further information, see [5.3. Corruption and low trust in authorities as a barrier to protection.](#)

5. Protection

5.1. National Referral Mechanism (NRM) and Related Protection Procedures

In the UK Home Office’s ‘Fact Finding Mission to Albania’, the International Organisation for Migration (IOM) describes the framework Albania has in place for the protection of victims of trafficking. Whilst describing it as ‘good’ it suggests that there was room for improvement in how the mechanism dealt with the needs of unaccompanied children.

“Since 2005, Albania has the National Referral Mechanism for identification, referral and assistance of victims and potential victims of trafficking and the IOM is a member of the NRM. Currently, in Albania, the framework is a good one. The Responsible Authority follows all the cases identified outside of Albania, at the border and in the territory in accordance with the Standard Operating Procedures approved in July 2001 with decision of Council of Ministers. The penal code and others relating to TiP internal and external and are in line with the international conventions. The identification, referral and assistance of unaccompanied children could maybe be improved a bit. It’s the implementation that needs improving. Albania created the SOPs, for clear procedures for VoT and PVoT – in Albania, outside Albania and at the border. Clear steps for people to follow. In 2012, revision of NRM process – to get more involved in the identification of VoT. All cases are referred as PVoT and a group composed of anti-trafficking police and social worker conducts the formal interview for determining the status of victim of trafficking. They are then entitled to access all the

packages that are available in Albania.” (p. 112)

Source: UK Home Office, *Report of a Home Office Fact-Finding Mission to Albania, Conducted 31 October to 7 November 2017*, February 2018

In September 2016, World Vision and ChildPact launched the Child Protection Index, ranking nine countries in South East Europe and the South Caucasus on their ability to protect children from violence. The Index was intended to verify the needs and gaps in protection, and was accompanied by a briefing report on Albania, with a description of the protection procedures in place for victims of trafficking, and accompanying policy recommendations:

“Article 35 of the UNCRC requires that States Parties protect girls and boys from the abduction, sale or trafficking of persons. States Parties must take all necessary action, including joint action with other States Parties to prevent this type of exploitation.

Albania ranks third overall out of the nine Index countries in its efforts to end and prevent trafficking, scoring 0,703 out of a possible score of 1,0. Albania is closest in score to Bulgaria (0,753) and Serbia (0,628).

Albania’s law and policy score is a high 0,900. Its coordination score is also strong at 0,800. Albania’s three other dimensions of government action are more limited: services (0,600), capacity (0,500) and accountability (0,625).

Albania’s law and policy score is strong for the following reasons. Albania has adopted all relevant international agreements on the abduction, sale and trafficking of persons and has signed bilateral and multilateral agreements with neighbouring countries to support the safe return of trafficking victims across borders. Its domestic laws criminalise the sale of bodily organs and tissue from all living persons. It is also a criminal act in Albania to bond children into slavery.

Albania’s trafficking services score is advanced compared to its services score in other areas. For identifying and reporting situations of trafficking, the National Anti-Trafficking Coordinator operates a hotline in cooperation with an international donor. There is also a National Referral Mechanism for Victims and Potential Victims of Trafficking (NRM) that was designed to identify situations of trafficking.

Trafficking victims repatriated to, or identified in Albania as foreigners, are entitled to all of the services provided to Albanian victims identified domestically. With inclusive services open to all victims, Albania has developed Standard Operating Procedures for the Identification and Referral of Victims and Potential Victims of Trafficking (SOPs) as the

protocol and case management structure for assistance to trafficking victims. This protocol also provides standards for coordination of various actors that assist with the rehabilitation of victims.

Currently, Albania operates four centres licensed to provide services for victims/potential victims of trafficking. One of these shelters is operated by the state, while three are operated by civil society organisations. These centres provide specialised services for victims, but only one of the shelters offers protection and integration services for children. This shelter is operated by an NGO and survives through donor funding. It is recommended that Albania increase attention and specialised services for children who are victims of trafficking. It is also recommended that Albania create specific quality and financial standards for these shelters so that they can be managed and budgeted-for effectively. With such services in place, the next step is to sustain these shelters through sufficient resources. (p.21)

Although Albania's coordination score is fairly strong, there is more work to be done to enhance coordination with CPUs to validate their role and ensure that actors outside of social services (e.g. police, prosecutors, etc.) are accountable for the quality of care for victims. Coordination can also limit situations of corruption when there are many different sectors and actors involved." (p.22)

Source: World Vision International and ChildPact, *Child Protection Index: Albania 2016*, September 2016

However, on the issue of repatriation assistance for Albanian victims identified abroad, the USDOS highlights that out of those repatriated to Albanian only four individuals were identified as potential victims of trafficking in 2018 and none in 2017:

"The law provided repatriation assistance to Albanians citizens identified abroad; four potential victims were repatriated from Germany, Kosovo, the Netherlands, and Norway (none in 2017)." (p. 67)

Source: US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2018*, 28 June 2018

GRETA's report outlines the details involved in the Standard Operational Procedures' (SOPs) and the two phases of identification for VoT (victims of trafficking). These include involvement by the police as well as social services, labour, health and education directorates, child protection units and civil society organisations. However, the report cites cases where the police did not comply with

procedures, carrying out identification without involvement from the social services or where individuals were not identified despite the presence of clear indicators.

“The SOPs specify the different actors involved in victim identification and their respective roles, and provide indicators for the identification of victims in different situations. (p. 20)

[...] 90. ‘The SOPs describe two phases of identification: initial and formal identification. Initial identification of “potential victims” may be carried out by the police, border police, social services, labour inspectorate, regional education directorates, regional health directorates, municipal protection child units and civil society organisations. These actors are required to contact the group responsible for the formal identification of victims of THB, which comprises a police officer from the Anti-Trafficking Section and a social worker from the regional office of the social services. The group performing formal identification interviews the person referred to them as a potential victim, if necessary with the aid of an interpreter. The person has to consent to being formally identified as a victim of THB and must sign a confidentiality clause. Following formal identification, victims are informed of their right to assistance and, if necessary, are accommodated in a shelter.

91. According to ONAC’s report on the implementation of the National Anti-trafficking Strategy published in March 2015, there have been cases where the police performed formal identification without the social services being involved. There have been cases of persons initially not identified the victims of THB, despite the presence of clear indicators, but a second assessment was performed as a result of which they were formally identified as such. According to the report, the education and health services have not identified any victims of THB.

92. Regarding the identification of Albanian victims abroad, the SOPs specify that diplomatic and consular staff are responsible for initial identification and the Ministry of Foreign Affairs representatives of the Responsible Authority, based in Tirana, are tasked with formal identification.

93. From June 2013 to October 2014, mobile teams were operating in Tirana, Elbasan and Vlora to improve initial identification of victims of THB. These mobile teams consisted of a police officer and two social workers from the three shelters managed by NGOs (Different and Equal in Tirana, Another Vision in Elbasan, and Vatra in Vlora). The mobile teams took a proactive approach by going to places where there were risks of trafficking, such as night clubs and begging hotspots, and also geared their efforts to vulnerable groups such as Roma and Egyptians communities, and children in a situation of vulnerability. In 2014, this action resulted in 94 potential victims (40 adults and 54 children) being identified. (p. 21)

[...] Identification of and assistance for child victims of trafficking (Articles 10 and 12):

117. The SOPs provide for a differentiated procedure for identifying children, taking account of their specific situation. Tailored identification criteria have been established, taking into account the possible involvement of the children's families in the trafficking and exploitation. The format of interviews carried out for the purpose of formal identification and arrangements for referral to reception facilities are also adjusted accordingly.

118. The mobile team run by the NGO Another Vision in Elbasan, which was the only one still operational at the time of the second evaluation visit, carries out outreach among vulnerable groups, in particular children in street situations, in order to detect potential victims, and liaises with the municipal child protection units and the police. In two years of operation, the mobile team has identified 33 potential child victims of THB aged between 3 and 17 years.

119. Further, following the setting up of a Task Force for children in street situations in Tirana (see paragraph 61), the partners involved, notably municipal child protection units, identified 15 child victims of trafficking for the purposes of forced begging and forced labour in 2015. There are plans to set up similar task forces in two other towns. (p. 25)

[...] 122. In recent years, hundreds of children of Albanian origin have been detected as potential victims on THB in the United Kingdom. The Albanian authorities have expressed concern about the lack of information provided by the UK authorities on whether these Albanian children were formally identified as victims of THB and what happened to them. There are reportedly plans to open a reception centre to accommodate child victims identified in the United Kingdom and sent back to Albania, but for the time being, hardly any such children have been returned. (p. 26)"

[...] 174. The new Law on the National Police No. 108/2014 of 2014 provides for additional safeguards for victims of THB, especially children. Article 14(g) of this law establishes the protection of victims of trafficking as one of the tasks of the national police. Article 17/g stipulates that "the Police identifies, protects and refers for assistance to responsible authorities victims of trafficking and of domestic violence, especially women and children". Furthermore, Article 123 provides for measures to protect unaccompanied minors and children who have run away from home. Under the SOPs, those who come into contact with a potential victim are obliged to contact the anti-trafficking police units so that protection measures are taken without delay.

175. Recalling the recommendation made in its first report, GRETA once again urges the Albanian authorities to ensure that full use is made of existing measures to protect victims of human trafficking from potential retaliation or intimidation before, during and after criminal proceedings." (p. 36)

Source: Council of Europe, Group of Experts on Action against Trafficking in Human Beings (GRETA), *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Albania; Second Evaluation Round*, 3 June 2016

In its most recent fact-finding mission to Albania, the UK Home Office interviewed Anila Trimi from the Ministry of Interior (MOI). She commented on how cases of trafficking are investigated in Albania through the Standardised Operating Procedures (SOPs) and how a review of the Procedure is now underway.

“The Office of the National Coordinator for Combating Trafficking in Persons at the Ministry of Interior (MOI) explained the SOPs:

‘These deal with the investigations of victims of trafficking. There are two stages: Initial - this can be done by police or by any stakeholder. Formal - this is to provide a formal status as 'trafficked'. But need a proper interview, by the State Social Services and the police. In the SOPs, the police can interview and offer support to a victim regardless of their cooperation with the judicial process. In cases of children, the interview is conducted by a Child Protection Officer and the police.’

The MOI went on to describe how a reported case is investigated:

‘Had many cases where family come forward to report. When a case is reported, the police are obliged by law to start an investigation of a missing person. After investigation it can be re-classified. There is always a preliminary investigation. Had cases from Facebook – the NGOs forwarded a message they received from a person on Facebook, and we started an investigation. Also had referrals from the British Liaison Officer who forwarded information, and again we started an investigation. The police must forward the case to the Prosecutor’s Office.’

The MOI also explained that a review of the SOPs is underway:

‘This is led by the Office of the National Coordinator, and supported by IOM. Also linked to changes of law on the rights of children since June 2017. We have also been around the 12 districts of Albania and had many stakeholder comments. It started in 2011, we started reviewing what went right and what went wrong, but may have to review again and review the institutions involved, depending on new Government structure. We want more people to be involved in the NRM. But all NGOs are involved in the identification of victims of trafficking, depending on expertise and what stage it is at.’” (p. 32-33)

Source: UK Home Office, *Report of a Home Office Fact-Finding Mission to Albania, Conducted 31 October to 7 November 2017*, February 2018

The USDOL's 2017 Findings on the Worst Forms of Child Labor Albania report provides the following information regarding protection for children exploited for labour or trafficked:

"If a child is exploited for labor, the identifying agency or individual refers the child to the CPU to create a child care plan. The CPU then refers the child to social services offered by the government or NGOs. In 2017, CPUs identified and managed 586 cases of street children involved in begging.

Criminal Law Enforcement:

In 2017, criminal law enforcement agencies in Albania took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including human resource allocation.

In 2017, police officers from the Illicit Trafficking Police, State Police, and Border Police, were trained on child protection and trafficking in persons, including in the context of migrant flows through the Western Balkans. In addition, the Office of the National Coordinator for the Fight Against Trafficking in Human Beings (ONAC) and the State Agency for the Rights and Protection of Children trained 240 local government professionals, including police, CPUs, and educators, on child protection and child trafficking. An additional 160 teachers were trained on the prevention of trafficking organized by ONAC and the Ministry of Education. Other training was organized by regional anti-trafficking committees.

NGOs noted that, due to police turnover, frequent training for police officers is needed to improve identification of child trafficking victims and street children, including child beggars trafficked from neighboring countries.

If a child is trafficked for labor exploitation, the agency identifying the child refers the child to the police and state social services and then to an anti-trafficking shelter. Standard operating procedures (SOPs) exist to identify and refer victims of trafficking, including children. Although the SOPs are being reviewed to align with the new legal framework and institutional changes, border police did not consistently identify trafficking victims." (p. 5)

Source: US Department of Labor (USDOL), *2017 Findings on the Worst Forms of Child Labor - Albania*, 20 September 2018

This report from Organization for Security and Cooperation in Europe (OSCE) reports:

“[...] Albania has adopted Standard Operating Procedures that set procedures on how a child (or adult) who is suspected of being trafficked anywhere in Albania is treated and referred for assistance and services by different agencies. In most cases, it has been reported, child victims of trafficking are referred for assistance to a specialist centre in Elbasan run by the NGO Tjetër Vizion. Over two years (2015–16) a Tjetër Vizion mobile team responsible for checking on children in street situations reportedly identified 33 children (aged 3 to 17) who may have been victims of trafficking.” (p. 44)

Source: Organization for Security and Cooperation in Europe (OSCE) - Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings Occasional Paper No.9 : *Child Trafficking and Child Protection: Ensuring that Child Protection Mechanisms Protect the Rights and Meet the Needs of Child Victims of Human Trafficking*, 3 December 2018

5.2. Effectiveness of the NRM in Identifying Victims

For information on the lack of recognition and denial that boys and young men can be victims of trafficking, see [4.2 Prosecution for Children’s Trafficking Cases](#), [4.3. Reasons for an ‘Implementation Gap’](#).

The joint report by the University of Bedfordshire, IOM, Institute of Applied Social Research discusses how the term ‘vulnerability’ is linked to trafficking and outlines critiques of the way in which the term has been used in this context.

“There is considerable critique of the way in which those who have experienced trafficking are viewed through lenses of ‘victimhood’ and vulnerability. Critiques are also often centred around focus on the organized crime aspects of trafficking resulting in part from the Palermo Protocol on trafficking supplementing the Convention Against Transnational Organised Crime. The Protocol’s focus on women and children has been criticized for leaving the trafficking of men poorly understood and overlooked resulting in a lack of support and assistance for trafficked men.” (p. 12)

Source: University of Bedfordshire, IOM, Institute of Applied Social Research, *‘VULNERABILITY’ TO HUMAN TRAFFICKING: A STUDY OF VIET NAM, ALBANIA, NIGERIA AND THE UK: Report of Shared Learning Event held in Tirana, Albania: 24-26 October 2017*, July 2018

Different and Equal, in its 2015 report, discusses how certain young men are not formally identified as victims of trafficking, because of social norms of vulnerability, a focus on women victims and a misunderstanding of forced labour:

“[...] when males were identified in the past, they were initially identified only as victims of labor exploitation and forced begging (not as victims of sexual exploitation). For example, from 2000 to 2004, 156 cases of trafficking for labor, begging and delinquency were identified in Albania, of whom most were boys (between 69.2% and 79.3% each year) 10. No cases of boys being sexually exploited were documented and neither was it common to document sexual abuse of boys amongst these children trafficked on the street, in spite of significant overlaps between the different types of exploitation. However, between 2012 and 2015, D&E has identified and assisted 5 boys who were trafficked for sexual exploitation and 4 boys who suffered sexual exploitation alongside other forms of abuse.

Different agencies and institutions are involved in identification. Most trafficked boys were initially identified and referred by NGOs or international organizations. (p. 30)

“[...] while trafficked males are increasingly being identified as such, still lagging is the formal identification procedure. That is, in Albania, trafficking victims must be formally identified by the officer of the Anti-trafficking police and the social worker from the regional office of the State Social Service, who then entitles them to “victim of trafficking”. However, to date only 4 of 23 males have been formally identified; the rest have been designated as “potential victims”. This was the case even in very clear cut cases of trafficking. (p. 31)

[...] Failure to identify men as VoTs is likely also linked to social norms of vulnerability – that men are strong and cannot be victims. The case managers interviewed for this study tell that even in some of the cases assisted some resistance is noted in accepting the fact that they are victims of trafficking or exploitation.

[...] In Albania, social understandings of “manhood” and the traditional roles of men affect understandings of “victimhood” and perceptions of vulnerability. Because men are understood to be able to take care of themselves (whereas women are considered to be more vulnerable), according to the social schemas men “cannot” be victims, because the concept of “victimhood” refers to someone who cannot defend himself. The dominant standpoint, common in traditional societies such as Albania’s, is that men “cannot” be powerless. According to Surtees, “this is consistent with masculinity in the Western Balkans, where the ideal man was expected to protect his family; have strength of character; be successful; not be womanly, weak, or gay; and be physically strong.” Therefore, male victims of trafficking find themselves in an ambiguous situation: “the term ‘victim’ is, on the one

hand, important in terms of recognizing the crime or violation to which the individual has been subjected. (...) On the other hand, to be a victim arguably implies a powerlessness and fragility, which may not sit well with many trafficked persons. (p. 39)

[...] This position has two consequences: one is the prevention of identification of male victims of trafficking by professionals that can get in touch with them, and the other is the impediment for men to ask for help or to consider themselves as 'victims of trafficking'." (p. 40/41)

[...] The understanding of forced labor is informed to be an important hinder for the identification and especially for the recognition of the trafficking and exploitation of males. (p. 36)

The focus and attention of most of identification in Albania is on trafficked women and children, primarily for sexual exploitation. There is a limited capacity amongst different professionals and agencies in Albania including police, social services, school psychologist, health staff, and labor inspectors.

In addition, not considering trafficking in men as an equal concern comparing to trafficking in women and children has led agencies to conduct less training regarding trafficked males, reducing the capacities of identification of males by agencies, which may be in contact with them. (p. 37)

[...] In some cases, there were difficulties even by the police to consider forced labor as related to trafficking. (p. 38)

Source: Different and Equal: *Falling through the cracks! The trafficking of men and boys in Albania*, January 2015

The US Department of State Trafficking in Persons Report 2018 cites the number of PVoT (potential victims of trafficking) and VoT (victims of trafficking) identified through the Albanian NRM in 2017, with only 56 minors and 25 males identified. However, the report does show an increase from 2016:

"The government maintained victim protection efforts. The government and NGOs identified 105 potential trafficking victims (95 in 2016). Of these, 49 were adults and 56 were children (51 adults and 44 children in 2016), 80 were female and 25 were male (84 females and 11 males in 2016), and nine were foreigners (eight in 2016). Seventy-nine were identified as potential victims and 26 officially identified as victims (62 potential victims and 33 officially identified victims in 2016)."

Source: US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2018*, 28 June 2018

One source told Asylos the following on the increase in numbers referred to the Albanian NRM:

“I consider it an effect of better understanding of trafficking of males/ identification, but also an effect of improvement of services for male victims.”

Source: Anonymous source 1, written response to questions, March 2019

However, these numbers contrast with statistics from the UK National Crime Agency which show that 227 Albanian minors were referred into the UK NRM in 2017.

OFFICIAL

Minor Referrals – By Nationality⁸

Claimed Nationality	Domestic Servitude	Labour Exploitation	Sexual Exploitation	Unknown Exploitation	Total 2017	Change over 2016	Total 2016
United Kingdom	0	301	360	16	677		255
Vietnam	18	175	34	135	362		227
Albania	2	143	28	37	210		227
Sudan	4	126	1	26	157		24
Eritrea	17	71	10	32	130		48
Afghanistan	6	21	10	19	56		74
Iraq	2	21	5	18	46		29
Nigeria	14	6	12	10	42		43
Ethiopia	7	22	2	10	41		9
Iran	2	15	8	16	41		42
Romania	4	19	10	5	38		27
Slovakia	0	12	5	6	23		35
China	0	14	1	7	22		22
Democratic Republic of the Congo	5	2	6	5	18		13
Somalia	4	4	2	7	17		16
Bangladesh	6	4	1	4	15		11
Bulgaria	2	2	7	4	15		3
Poland	0	4	5	5	14		8
Czech Republic	1	4	4	1	10		8
Lithuania	0	6	4	0	10		2

Source: UK National Crime Agency, *National Referral Mechanism Statistics – End of Year Summary 2017*, 26 March 2018

The report from the University of Bedfordshire, IOM and the Institute of Applied Social Research

states:

“There is a gap between the number of Albanian nationals referred into the UK NRM and the numbers of people accessing support service for trafficked persons in Albania. The difference between the numbers of people referred into the UK NRM and the numbers of people identified as victims of trafficking or potential victims of trafficking within Albania was great. There is a need for further research into the reasons for such differences and potential challenges for reintegration and identification of people returning from the UK to Albania.” (p. 8)

Source: University of Bedfordshire; IOM; Institute of Applied Social Research, *‘VULNERABILITY’ TO HUMAN TRAFFICKING: A STUDY OF VIET NAM, ALBANIA, NIGERIA AND THE UK*: Report of Shared Learning Event held in Tirana, Albania: 24-26 October 2017, July 2018

Several of the sources interviewed by Asylos and ARC Foundation for this report commented on the issue of numbers of VoT and PVoT reported by the Albanian authorities. Dr Stephanie Schwandner-Sievers stated that when she did her research in Albania in 2008 no-one knew the exact figures regarding victims:

“So the figures are one thing, then of course with these figures, we found there was this strong tendency because of the image anxieties of any national agency to play them down whereas you had other groups, like NGOs or so, who really wanted the problem to be a problem because that was where their income was coming from, so they played them up, so you really don’t know what the exact truth is, nobody knows what the exact figures are.”

Source: Dr Schwandner-Sievers, Bournemouth University, interview record, February 2019

Caritas Albania also commented on the discrepancies between the numbers of victims reported by different bodies, citing Albania’s planned accession to EU as a factor:

“As you may know, Albania is trying to enter in Europe, okay. And one of the recommendations from Europe is to reduce trafficking in the country and outside the country. We are still an origin country for victims of trafficking, and it is also happening internally. Let’s say we have internal trafficking in the country. The government sometimes is not presenting real statistics. etc. From the trafficking in persons report, from the US government Department of State, several times we had recommendations on the identification because it’s not true that in Albania we have low numbers of victims or that trafficking doesn’t exist, but we receive recommendations that the identification of the

victim or identification of different types of trafficking is not done in, let's say, a good way. And we have different bodies reporting about the numbers of victims. First, we have police, the directorate of the police from each region. We have border police reporting to the ministry of interior about figures. We have child protection units from local institution reporting about children. We have state social services reporting. We have NGOs reporting. We have regional trafficking committees, led by the prefects reporting.

[...] In Albania, we have a base divided into 12 regions, okay? Each region has a prefect, and it was established five years ago—a committee, a regional committee against trafficking, led by the prefects, which means members of these committees are all regional directors of the police, regional director of the border police, of the health system, of the commission, social services, etc. And their task is to discuss about the trafficking at a local level and to report in the ministry about the situation, about the prevention, about the protection, etc. And they are reporting cases because if some cases are identified at local level, the cases should be referred or let's say managed at local level. And they are reporting, I don't know, monthly or quarterly to the government. In the end, we have several sources, but the final paper, final document, final report is from the national coordinator. All these sources don't match with each other okay? If you go to read a report, the state agency on child protection, you are going to find some figures about children in street situations, or about children at risk, or children victims of trafficking. If you were to read a report from shelter...coalition of shelters, you are going to find other statistics or data. And it's a big mess in Albania, and we don't know how to find solutions for the moment.”

Source: Caritas Albania, interview record, March 2019

The Director of Social Services at the Municipality of Kukes highlights that often a referral to the NRM is not followed up on, noting that this is related to the re-organisation of the Ministries and change in responsibilities.

“When we get cases, we refer to the NRM. There is a place online where we refer cases. But we are stuck in this phase at the moment where we make the referral, but we don't get a reply. When it comes to the re-organisation of the Ministries, we are in a limbo. We don't know who to refer to for now until it is settled. We are sceptical, because we didn't get enough help from the MoSW; now that it is moving to the MoH, we are concerned.” (p. 119)

Source: UK Home Office, *Report of a Home Office Fact-Finding Mission to Albania, Conducted 31 October to 7 November 2017*, February 2018

The USDOS report on Trafficking in Persons Report 2018 also discusses the NRM and some of the

related challenges, especially in identification efforts relating to children:

“A multi-disciplinary national referral mechanism (NRM) provided standard operating procedures (SOPs) for identifying and referring victims to services. The government, with the support of NGOs, reactivated mobile identification units in three regions, but the unit’s sustainability was uncertain due to a lack of permanent staff, formalization, and resources; mobile identification units identified 26 potential victims. Additionally, the government referred 60 potential victims, civil society referred 16, and three self-identified. Observers reported police did not consistently identify trafficking victims among individuals in prostitution and the labor inspectorate lacked the training to identify victims of forced labor. Similarly, identification efforts for forced begging remained inadequate, particularly among unaccompanied children, street children, and children moving across the borders for begging. First responders referred potential trafficking victims to law enforcement and state social services who conducted a joint interview and provided official victim status. The law provided equal services for both potential victims and officially recognized victims. (pp. 67-8)

Source: US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2018*, 28 June 2018

The USDOS Trafficking in Persons 2017 Report also states that there remain issues in the identification of victims who are trafficked internally:

“NGOs reported police often associated trafficking with movement and were unlikely to identify victims recruited and exploited in the same region of the country. Observers reported cases of border guards and immigration officials not carrying out standard screening procedures.” (pp. 59-60)

Source: US Department of State (USDOS), *Trafficking in Persons Report 2017 Country Narratives : Albania*, 27 June 2017

Different and Equal, in its 2015 report, reports that there are also challenges in identifying male victims who are trafficked internationally and then returned to Albania:

“Another important challenge faced during the process of identification of male victims of trafficking is that in many cases of forced labor, the trafficking victims or the potential trafficking victims are considered as irregular migrants and are deported without taking into consideration the possibility that they might have been exploited.

[...] One frequently informed difficulty for the identification of trafficking cases, males included, is that the traffickers apply more complex and “invisible” methods of coercion that give the impression that trafficked persons are free and willing complicit in crimes and transgressions.

[...] Another difficulty is to understand the abuse of vulnerability, especially drug and alcohol dependence. One of the assessment informants considered that it is difficult to recognize a victim in a man that is alcohol dependent. Another challenge for identification of male victims of trafficking was lack of information accompanying the forced return (p. 41)

[...] The majority of the boys interviewed were street-involved children and because of their street situation they were usually the first to be accompanied or interrogated by the police when something was stolen in their neighborhoods or if the police needed to ask for any information. This caused them to develop a sense of fear and mistrust toward the police.

[...] Those who were sexually exploited are not ready to talk openly to police about their trafficking experience. Some of them fear the prejudices and stigma that may accompany this process, the fear that somebody from their family may come in contact with what has happened and the fear that they may know their different sexual orientation in some cases. (p.42)

[...] The fear of possible consequences is another reason why they, in some cases, deny having been exploited or refuse to give the name of their exploiter.

The information in hand shows that migration of Albanians to EU countries for work reasons will continue and identification and protection of Albanian victims will, at large, depend on the system of identification and protection in countries of destination.

[...] With the evidence of high Albanian irregular migration flows to Italy and Greece, much of the identification responsibility is related with the potential and willingness of these destination countries to identify the victims. There is common understanding among informants in Albania that trafficking victims could be identified by better screening amongst the irregular migrants in Greece and Italy.” (p. 46)

Source: Different and Equal: Falling through the cracks! The trafficking of men and boys in Albania, January 2015

Whilst the 2018 USDOL report states the following:

“In addition, gaps exist in the screening of minors, including migrants traveling to and from

neighboring countries.” (p. 5)

Source: US Department of Labor (USDOL), *2017 Findings on the Worst Forms of Child Labor - Albania*, 20 September 2018

A report jointly published by the University of Bedfordshire, IOM and the Institute of Applied Social Research describes initial findings from a research study into human trafficking in Albania and outlines that there is little understanding or support for male victims of trafficking:

“[...]There is little understanding or support for men and boys who have experienced trafficking. The focus of support for women and children was apparent from discussions and there is a gap in understanding about the causes of trafficking of males or their support needs.” (p. 8)

Source: University of Bedfordshire, IOM and Institute of Applied Social Research, *'Vulnerability' to Human Trafficking: A Study of Vietnam, Albania, Nigeria and the UK*, July 2018

Sources interviewed by Asylos and ARC Foundation agreed that challenges around the identification of victims limited the effectiveness of the Albanian NRM and its related protections, with several sources indicating that this is because human trafficking is still generally associated with females:

“Our interviews showed that human trafficking in Albania is still mainly associated and identified with females in sexual exploitation. Males are unlikely to be seen by authorities as potential victims of human trafficking. There is also a strong sense of shame and stigma associated with these issues, and from my experience of speaking with NGOs and support agencies, it seems that it would be rare for a male to disclose exploitation, due to the associated shame surrounding that.”

Source: Anne-Marie Barry, written response to questions, March 2019

“Because I think they do not make identification a priority - the rest of the numbers are those of young women and they have been, for all these years, they have been the priority for identification and for referral for other services. Personally, I doubt if NRM staff are really trained to ID boys and young men victims.”

Source: Professor Dr. Edlira Haxhiymeri, interview record, January 2019

Steve Harvey cited some other challenges related to identification, including the fact that the majority of investigations are still based on the complaint of a victim:

“Victims are not identified because the responder is not aware of what THB (trafficking in human beings) is or their role in identifying a potential victim and investigations are still reactive i.e. the Police are not proactively looking for traffickers. The majority of investigations are still based upon the complaint of a victim/ i.e. they obtain a testimony and investigate the circumstances. It isn’t linked to gender or age although in all cases of crime where victims are children, the authorities face challenges in establishing the facts. It’s a global problem.”

Steve Harvey, Independent International Law Enforcement Specialist, written response to questions, March 2019

When asked what barriers to accessing the Albanian NRM and its related protections do child and young male victims of trafficking face, he also mentioned the issue of identification:

“From my understanding, none. Once identified the NRM kicks in. The NRM cannot respond to unknown persons. Individuals must be identified as a trafficked person. Unfortunately if they are not identified then there is no response. In Albania its no different to the UK, Sweden etc in that respect. [...] Albania has a National Rapporteur and a functioning and effective NRM if a victim is identified. Some shelters will cater for children and the legislation provides protection for all victims, again assuming the victim is identified. A key issue will be the proper identification of victims and then, their willingness to be dealt with as victims. A victim has to report their circumstances in order to be assessed and then become a recipient of state support.

[...] Victim identification is wholly dependent on the actions of a third party. It is the biggest challenge in any country. Some persons in exploitation may not identify as a victim i.e. a child trafficked by their parents. Victims are not unwilling to be identified. Simply put, although there is nothing simple about THB, they either cannot safely do so because of the traffickers threats for example against themselves or family members if the victim informs the authorities. Or they don’t know that they are victims. Some people do not know they are victims. They do not have the conceptual or theoretical knowledge of human trafficking and exploitation. If it’s their culture, how they are brought up by their parents then its their life, it’s what they do.”

Steve Harvey, Independent International Law Enforcement Specialist, written response to questions, March 2019

Shpresa Programme's 2017 research paper also indicates that one of the limitations of the NRM is that the mechanism is usually based on self-referral by VoT themselves:

"VoT identification procedures and links into the National Referral Mechanism have been established at Border Controls across Albania. However, NRM is based on self-referral, which may present a barrier of access for some. Return entails passing through an established bureaucratic process, beginning with assessment by Border police at Migration Counters on arrival, for consideration as a Victim of Trafficking (VoT). This would necessitate self-identification with the authorities as a VoT, with the authorities' decision based on supporting evidence and documentation, with referral to other agencies for further support." (p. 31)

Source: Dr Enkeleida Tahiraj and the Shpresa Programme, *Understanding Trafficking of Girls and Women from Albania*, July 2017

Dr Stephanie Schwandner-Sievers told Asylos that trust in the authorities was a significant barrier to disclosure for victims when she did her research in Albania in 2008:

"The numbers are... nobody knows exact numbers because it is a grey area, but people were not divulging... they were not giving away their victimhood, if it existed as such, at the border crossings because they did not want to be identified. They did not trust the authorities. They did not want to go into shelters. They wanted to be free to find other ways... mainly to go back abroad, to go underground.

[...] There's that and of course people's agency and degree of interest in being identified or marked, and again, low trust. But there is actually a field where I could imagine that there has been a little improvement in the sense of there was, I understand, policemen were trained [Maya confirms that there's been some training], and border customs were trained to recognize better potential victims of trafficking, so I think that there might have been an improvement since my research in 2008."

Source: Dr Schwandner-Sievers, interview record, February 2019

This source states that there are still issues with disclosure and that Albanian males have additional difficulties self-identifying as victims, which puts them at risk:

"I think it is a problem of identification because while there are some services and assistance for victims who are identified but there are other cases of males who are not yet identified as potential or victims of trafficking. In 2013 for example the 3 centers (in Tirana, Vatra in

Vlora and Another Vision in Elbasan) created Mobile Units in each of these districts doing outreach work and identifying potential VoTs. Later on because of a lack of funds to continue to do this outreach work, the number of cases identified, including males, decreased. During the last year the Mobile Unit was reactivated.

[...] because the men don't accept that they have been exploited so it is because of the hard work that we do to make them aware that this is exploitation and trafficking. So, they don't accept. Even here in Albania we are a patriarchal system and for the males it is hard for them to say that they were exploited for any kind of exploitation, so they are more resistant they don't want to express or to identify themselves as VOT.

In some areas they have a lack of information to accept or know that they are in a situation of exploitation - in the suburbs of Tirana - in the informal areas of Tirana there is a lack of information about trafficking issues - where the level of unemployment is higher and the level of education is very low - and they are people who have moved from the north or south of Albania and they are placed in the suburb areas informal areas - and living in this difficult situation they are more at risk of being trafficked."

Source: Anonymous source 2, interview record, December 2018 and January 2019

The same source states that victims of forced labour are not being identified as victims of trafficking:

"Another challenge faced during the process of identification of males victims of trafficking is the fact that in many cases of forced labor, the trafficking victims or the potential trafficking victims are considered as irregular migrants and are deported without tacking into the consideration the possibility that they might have been exploited."

Source: Anonymous source 2, interview record, December 2018 and January 2019

James Simmonds-Read also states that the issue of disclosure is a particularly significant obstacle for young male Albanian victims, in addition to a 'vested interest' not to recognise victims, lack of training amongst professionals and possible corruption:

"Overall as a society we are not doing a v good job of identifying Albanian victims. There's lots of reasons for that, specifically boys and young men.

Of every nationality I've worked with and having specialised in trafficking for the past five years, Albanian males are the most difficult I've worked with in terms of disclosure. In terms of trusting professionals there's a really deeply held belief that you don't trust professionals,

that you keep things to yourselves as individuals, don't share what you've been through with others, even with close friends. This is particularly the case with boys and men and young people I've worked with have said so explicitly. So disclosures are not being made.

I think this relates back to the fact that in Albania they are unlikely to recognise those victims if they were presenting. There's a vested interest to not recognize them, they may well not have the adequate level of training, knowledge and intention to identify victims of these particular profiles. At same time there is a willingness and intention perhaps to not identify them. Whether they are consciously aware of this or not, I don't know.

On top of that none of the young men I've worked with have ever come forward to the authorities in a way that I think has led to an NRM referral. Certainly I would question whether police are even aware of the process, what training police have in Albania to refer to the NRM. I'm not familiar with how the system works in that way. I know their NRM is modelled on our NRM but I think that lots of those people would never make it to the NRM. And certainly none of the young men I've worked with have ever been referred in to the NRM. As mentioned above I would add my concerns regarding police collusion with trafficking networks and that I assume the police are one of the main agencies who would make NRM referrals, hence a direct conflict there where policing is corrupt.

[...] Albanian society is deeply patriarchal, masculine from my experience and from the accounts I hear from young people. I think that also further worsens and makes it very difficult for both young boys themselves and for society to recognise themselves as victims. It's a society that views males as by far the dominant gender which encourages dominance in that sense. Which allows systemic domestic violence to play out in households and therefore this creates a whole other layer of the concept of "toxic masculinity" that ultimately hides the reality of male victimhood and doesn't allow space for it to be acknowledged and spoken about, whether that be publicly or internally within family or friendship networks. I think there's a huge culture of silence that exists.

I also don't think that many of the Albanian boys that I've worked with understood prior to arrival in the UK and prior to our socio educative work around this issue what the concept of trafficking is anyway. I think they might have recognised their experience as exploitative when they experienced abuse, but not thought of it as a crime in their country, but a system of how people get by or how people make money in their society. There is a very low level of awareness of trafficking, of healthy relationships and safety. An additional factor is the boys I've supported generally having a deep mistrust of the police whether they have directly encountered them or not and the state's ability to protect them more widely."

Source: James Simmonds-Read, Service Manager at The Children's Society, interview record,

February 2019

Professor Dr. Edlira Haxhiymeri also cites police corruption as a challenge to identification:

“[...] In general, the NRM staff are people that live in the border area so they know quite well the situation in the border area sometimes there are some relations between the trafficking groups and the members of NRM which make it even more difficult to identify the trafficked boys and young men - so it's a kind of corruption and connection of police officers with trafficking groups”

Source: Professor Dr. Edlira Haxhiymeri, interview record, January 2019

Another source describes other police practices of the police which prevent identification:

“I have heard of cases in which the police do not consider a person a victim if she or he does not file a report with them while according to SOPs filing a report is unnecessary for giving someone the status of victim.”

Source: Anonymous source 1, written response to questions, March 2019

For information on the barriers to children's trafficking cases being registered by the Prosecutor's Office, see [4.2 Prosecution for Children's Trafficking Cases](#). Also see [7.4 Police Attitudes to Safeguarding of Children](#).

5.3. Corruption and Low Trust in Authorities as a Barrier to Protection

This section should be read alongside the Prosecution chapter, sub-section [4.6 Corruption as a barrier to implementing legislation](#).

The UK Home Office Fact-Finding Mission [FFT] to Albania in 2017 stated that:

“[...] 2.6.1 UN agencies have invested considerably in the training of the judiciary which is arguably the weakest part of the system. Traffickers have been able to escape justice due to its corruption or inefficiency. This makes it difficult for the victims to trust in, and seek

redress from, the justice system.” (p. 34)

Source: UK Home Office, *Report of a Home Office Fact-Finding Mission to Albania, Conducted 31 October to 7 November 2017*, February 2018

The research paper from Dr Enkeleida Tahiraj and the Shpresa Programme also states that widespread corruption within the courts and police in Albania is a problem.

“Recourse to law and policing are two major areas of weakness in human rights implementation. The biggest problem relating to human rights is corruption, which is “spread in all government branches, but especially in the court system and health service and discrimination against women”. Corruption in the courts and police is endemic. The US Ambassador in Albania has repeatedly called for corrupt and criminal individuals working in the judiciary system to be fired and prosecuted. Endemic corruption in the courts and police is a major impediment to social development and successful Vetting reform of removing corrupt judges has become a conditionality for EU to open negotiations with Albania, following parliamentary elections of 2017.

[...] On December 23, 2016 The Minister of Interior at the time, highlighting the efforts undertaken to fight the problem of corruption and abuse among the police, declared that about 23% of the police force were under investigation and penal procedures.” (pp. 33-34)

Source: Dr Enkeleida Tahiraj and the Shpresa Programme, *Understanding Trafficking of Girls and Women from Albania*, July 2017

Whilst the 2018 Country Report of Human Rights Practices states:

“[...] Police did not always enforce the law equitably. Personal associations, political or criminal connections, poor infrastructure, lack of equipment, and inadequate supervision often influenced law enforcement. Poor leadership contributed to continued corruption and unprofessional behavior. Authorities continued to make efforts to address these problems by renovating police facilities, upgrading vehicles, and publicly highlighting anticorruption measures. The Ministry of Interior has established a system of vetting security officials, but the Assembly has not appropriated funds to support it.” (p. 4)

Source: US Department of State (USDOS), US Department of State: Country Report on Human Rights Practices 2018, 13 March 2019

When asked if they have any evidence that the police or judiciary are complicit in trafficking and/or are corrupt, interviewees responded :

“I have second hand information to suggest it - from individuals and reputable organisations that I’ve spoken to that people in the judiciary are known to have links both historically and currently.”

Source: Anonymous source 3, interview record, 2019

“Information from a reliable source informed me of cases of corruption on the part of police and judiciary in regards to sex trafficking cases involving women. There was no mention of specific cases involving the trafficking of young men.”

Source: Anne-Marie Barry, written response to questions, March 2019

“Only through the legal work I am referred whereby the victim’s testimony identifies the cooperation / collaboration of Police and officials. Anything else is anecdotal. Usually the information relates to how the victim became aware of the traffickers relationship with the authorities. i.e. the Police and that may include, in instances of forced prostitution, seeing Police officers in the brothel or club.”

Steve Harvey, Independent International Law Enforcement Specialist, written response to questions, March 2019

“I do not have any evidence myself. But I have heard lots of stories - we read in daily news that shows these things happen. During the last couple of years lots of cases have been published in different newspapers just to prove this fact that trafficking groups are in close relations with judiciary and police.”

Source: Professor Dr. Edlira Haxhiymeri, interview record, January 2019

Dr Stephanie Schwandner-Sievers expands upon how this issue of corruption and the corresponding low trust in authorities acts as a barrier to accessing protection:

“[...]They might not trust police, and there might be police corruption.

[...] I think it might just be lack of knowledge, and it might also be low trust in the authorities, in the police. And then, low trust, but also this relates to the shelter question. When we did our research on the matter, there were a lot of people at the government shelter in Tirana

whose role or purpose was not clear, just standing around the gate of the national shelter, so we were not sure this was working the way it was supposed to. This was this one insight. The other insight was how one of the private shelters that we visited and which came highly recommended, there was nobody in there. I cannot be sure whether anybody I spoke to or saw, in either case, was involved with criminal intentions, but, in theory, if they were, you've got all these people nicely corralled in these shelters, ready to be shipped off and make business. The persistence of corruption in the wider context does not help.

[...] To come back to your question, if even we outsiders felt a bit uncomfortable in the contexts described (but remember, this is a while back), why would people whose lives potentially might be at risk, trust these specific institutions more than themselves and their immediate friends and families? It might just be a conglomeration of lack of knowledge about things that might really work, on the one hand; and, on the other, concerns over unclear outcomes, long-term security and freedom of movement for those victimised; potential risks of being patronised, exposed and stigmatised or restricted in your freedoms; and wider institutional and interpersonal distrust (beyond people you know in person) that prevent young people from seeking the officially available support."

Source: Dr Schwandner-Sievers, Bournemouth University, interview record, February 2019

Professor Dr. Edlira Haxhiymeri and Mr Alfred Matoshi make similar observations:

"The victims are afraid that if they go to the NRM they would have more difficulties and less support. For eg. They have to tell their story of trafficking and the victims do not know whether this will be kept anonymous or not. They are afraid that words will be spread by NRM officers and the traffickers will get to know that they are back and where to find them."

Source: Professor Dr. Edlira Haxhiymeri, interview record, January 2019

"The lack of trust in institutions and the people which creates this gap between having the service and the victims."

Source: Mr Alfred Matoshi, Mary Ward Loreto Foundation, interview record, January 2019

5.4. Other Barriers to Accessing Protection

This source cites a lack of information about services as a barrier to accessing the NRM and related

protection mechanisms. They highlight that the mobile units are able to direct individuals to the relevant services, but it should be noted that the USDOS 2018 Trafficking in Persons report, cited earlier, stated that ‘the unit’s sustainability was uncertain due to a lack of permanent staff, formalization, and resources’.

“Sometimes the persons, the families don’t have access to the services that they need because they don’t have information how to reach these services. There are families (as I mentioned above) who have moved from the north or the south of Albania and they are placed in the suburb areas and they are not registered yet in the civil state so they don’t have access to the health centres and lack ID docs or other things like that.

During the direct contacts that the Mobile Unit has had with individuals and families, they have oriented them about how to receive and how to access the services they need”.

Source: Anonymous source 2, interview record, December 2018 and January 2019

Dr Stephanie Schwandner-Sievers also says the following on awareness:

“[...] If you are really a trafficking victim, you are not likely to, sort of, go into an internet café and download the national strategy against trafficking. You might not know that such a thing exists. I don’t know to what extent nowadays it’s being advertised.”

Source: Dr Schwandner-Sievers, Bournemouth University, interview record, February 2019

Whereas this source considers that less developed support for male victims is a barrier to protection:

“The other barrier is the kind of protection that can be afforded- assistance to male victims is much less developed than assistance to female victims.”

Source: Anonymous source 1, written response to questions, March 2019

For information on the impact that a lack of awareness of male trafficking has, see [4.2 Prosecution for Children’s Trafficking Cases](#).

6. Prevention

6.1. Measures to Prevent Trafficking

This report from Organization for Security and Cooperation in Europe (OSCE) reports that organisations involved in identifying Albanian victims of trafficking have refocused their efforts on those being trafficking and exploited internally, and then goes on to provide an overview of the 2010 Working Protocol for Child Protection Workers.

“The example of Albania shows how prevention and protection have been complementary: several initiatives have addressed both at the same time. A particular group of Albanian children have experienced exploitation and inadequate efforts to be protected: children deployed to beg and earn money for others (sometimes their parents or elder siblings, sometimes a beggar master)...Over the past 15 years, organizations in Albania that were initially concerned about Albanian children being trafficked out of the country to be exploited in prostitution or begging in Italy, Greece or other parts of Europe have reoriented much of their energy to focus on children living or working on the streets in Albania itself. They have realized that cases categorized as ‘trafficking’, those involving children earning money in commercial sex or being forced to beg and hand some or all of their earnings to a pimp or beggar master, were linked to continued abuse and exploitation, much directed against street children and other children in street situations (in most cases, Albanian children belonging to minority groups who have dropped out of school before finishing elementary education, or who have never attended school).

[...] International organizations (including the OSCE), NGOs and donors wanting to prevent human trafficking and protect children who have already been trafficked (especially from being re-trafficked) worked together to establish and strengthen Albania’s own State-run child protection systems at both the national and local (municipal) level. An important development was the adoption in 2010 of a Working Protocol for Child Protection Workers that defined the roles and responsibilities of different agencies, including State-run Child Protection Units (CPUs), the police, school staff, health professionals, State social services, local government authorities (municipalities and communes) and NGOs (some of which manage emergency shelters or other residential institutions where children receive alternative care). The Protocol envisages a multidisciplinary team approach in which child protection workers co-operate closely with the staff of other State-run agencies as well as NGOs. In early 2018, it was reported that a series of sector-specific policies were being developed by the government to replace the Working Protocol.” (p. 44)

Source: Organization for Security and Cooperation in Europe (OSCE) - Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings Occasional Paper No. 9, *Child Trafficking and Child Protection: Ensuring that Child Protection Mechanisms Protect the Rights and Meet the Needs of Child Victims of Human Trafficking*, 3 December 2018

In 2016 the European Asylum Support Office (EASO) compiled a 'Country Focus' report which cites the following sources:

"The Organization for Security and Co-operation in Europe (OSCE) Presence in Albania works closely with state authorities and civil society to particularly address the protection of children from trafficking and exploitation. In 2014-15, the OSCE Presence in Albania supported the government and state protection organisations with several anti-trafficking activities focusing on: regulations on victim assistance, an Action Plan for the identification and protection of children in street situations, a Code of Conduct on the Employment of Persons below 18, joint police and labour inspection teams for the identification of trafficking for labour exploitation cases, training anti-trafficking and border police.

[...] The Albania Helsinki Committee urged the government to better address trafficking of children or forced labour through preventive measures and punishment for those responsible. Awareness training should be enhanced, in particular among the Roma and Egyptian communities on the importance of education of children." (p. 37)

Source: European Asylum Support Office (EASO), *EASO Country of Origin Information Report - Albania Country Focus*, November 2016

In 2014 the Philippines and Croatia indicated in the United Nations' Committee on Human Rights' Mid-term Universal Periodic Review that Albania should:

"Continue to enhance programmes to protect children from all forms of violence or abuse including through awareness raising activities in both urban and rural areas." (p. 33)

Source: UPR Info, *Mid-Term report of Albania on the implementation of the recommendations received during the second cycle of Universal Periodic Review (UPR)*, March 2017

Albania responded in 2017:

"[...] A number of NGOs offer services for children in street situation or at risk of being victims of violence and exploitation. A network of these organizations was established in 2016. SAPCR [State Agency for the Protection of Children's Rights] facilitates and supports events and meetings of the network on case management.

An institutional agreement has been concluded between SCAPR and the Hotline 116 111 to facilitate the reporting of cases of children in street situation or at risk.

Several campaigns have been organized around Albania in 2015 and 2016 to raise awareness about children in street situation, child labour and violence against children." (p. 34)

Source: UPR Info, *Mid-Term report of Albania on the implementation of the recommendations received during the second cycle of Universal Periodic Review (UPR)*, March 2017

The Human Rights Officer of the U.S. Embassy in Albania raises the following concern about staffing on the Hotline:

"Albania does well to promote and highlight this every year. But the people who staff it are people on the verge of retirement etc. So you potentially have old men fielding calls from trafficking victims." (p. 89)

Source: UK Home Office, *Report of a Home Office Fact-Finding Mission to Albania, Conducted 31 October to 7 November 2017*, February 2018

The 2016 GRETA report outlines different measures taken by the Albanian government, international organisations and/or NGOs to raise awareness of trafficking in human beings (THB) in general. It asserts that the Albanian authorities should continue and strengthen their efforts to raise awareness of THB for different types of exploitation:

"47. In its first evaluation report, while welcoming the measures taken by the Albanian authorities to prevent trafficking, GRETA considered that they should step up their efforts to tackle root causes, foster access to education and jobs for vulnerable groups, particularly women and members of the Roma and Egyptian communities, and strengthen the protection of children.

a. Measures to raise awareness of THB (Article 5):

48. ONAC has organised several initiatives to raise awareness of trafficking in human beings in collaboration with international organisations and NGOs. In 2012 and 2013, it combined efforts with the NGO Different and Equal on an awareness-raising project entitled "Respect for victims' rights in Albania - Stop stigmatisation". A photo-story based on the experience of a trafficking victim was published, with 1 000 copies printed, a workshop was run for schoolchildren in Lezhë, meetings with civil society organisations were organised in Durrës, Berat and Lezhë, and workshops were run for employers in Durrës and Lezhë.

49. Since 2013, the Albanian authorities have run awareness-raising activities each year to mark the EU Anti-Trafficking Day, 18 October. In 2014, the National Co-ordinator launched the "Week against trafficking in human beings" (18-24 October) in partnership with international organisations and NGOs. Numerous awareness-raising initiatives were organised, including the running of 17 stands to distribute information materials, and the broadcasting of 10 television programmes and five videos on trafficking in human beings.

50. The Ministry of the Interior has launched a mobile phone application ("Report and Save") in collaboration with the Vodafone Albania and the NGO World Vision. The application is geared to raising public awareness of trafficking and ensuring that victims are identified (see paragraph 94).

51. Information materials have been published by ONAC in collaboration with the National Coalition of anti-trafficking centres and UN Women, notably calendars and leaflets promoting the 116 006 hotline for reporting cases of trafficking. ONAC has also published information documents in conjunction with the NGO Vatra, such as booklets, leaflets and posters aimed at police officers and victims of THB.

52. GRETA considers that the Albanian authorities should continue and strengthen their efforts to raise awareness of THB for different types of exploitation, both internally and transnationally. Future actions in this area should be designed in the light of impact assessment of previous measures, focusing on the needs identified." (pp. 13-4)

Source: Council of Europe (CoE), Group of Experts on Action against Trafficking in Human Beings (GRETA), *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Albania; Second Evaluation Round*, 3 June 2016

The same source goes on to describe the general measures that have so far been taken to prevent THB for the purpose of labour exploitation. It concludes the section with a list of recommendations for further measures to be taken by Albanian authorities:

“b. Measures to prevent THB for the purpose of labour exploitation (Article 5)
[...] 54. In 2012 and 2013, as part of the “Respect for victims’ rights in Albania - Stop stigmatisation” project, ONAC ran one-day workshops on trafficking for forced labour aimed at employees and students in Lezhë, Durrës, Tirana and Berat in conjunction with the NGO Different and Equal. Working with the OSCE, ONAC has also set up initiatives aimed at involving companies in the prevention of trafficking. In 2012, these activities reached 74 employers and business representatives in Tirana, Elbasan and Vlora. In addition, awareness-raising activities were organised in 12 schools (with around 360 participants) and community forums in Tirana, Elbasan and Vlora (with 167 participants). In 2013, further activities were organised across the country as part of the same project: 16 workshops with high school students attended by 529 participants; nine community forums attended by 226 participants; and two workshops for employers attended by 48 participants.

55. The National Anti-Trafficking Co-ordinator has signed an agreement with the national police and the Labour Inspectorate on “Co-operation procedures on identifying cases of forced labour and trafficking and trafficking for labour exploitation”, aimed at increasing prevention measures, proactive identification and protection of people trafficked for forced labour (see also paragraph 97).

56. The Albanian authorities have indicated having made efforts to have all workers in the informal economy entered into the social insurance scheme. During the tourist season from June to August 2015, the Labour Inspectorate conducted 667 inspections in hotels, bars and restaurants and identified 420 employees without social security. On the basis of the previously mentioned agreement, common inspections are conducted to identify potential victims exploited for forced labour. 9 In its 2015 report on Albania, paragraph 69, ECRI noted that “there are a number of occupational activities that are specific to the Roma, such as the collection of recyclable waste and the reselling of second-hand clothes. Although these activities are on the rise, they are confined to the black market economy, with all risks that this may involve, not the least health hazard and child labour”. ECRI recommended that the authorities “ensure that the employment promotion programmes specifically address the situation of Roma and in particular the question of their informal employment, exploring the possibility of formalising Roma black economy jobs through the creation of social businesses schemes and the promotion of public-private partnerships at local level”.

57. With a view to preventing trafficking for the purpose of labour exploitation, GRETA considers that the Albanian authorities should take further measures to:
- organise activities aimed at raising awareness on the risks of human trafficking for the purpose of labour exploitation in Albania and abroad, aimed in particular at vulnerable groups.

- sensitise relevant officials, in particular labour inspectors, about THB for the purpose of labour exploitation and the rights of victims;
- strengthen the monitoring of recruitment and temporary work agencies;
- work closely with the private sector, in line with the Guiding Principles on Business and Human Rights.” (pp. 14-5)

Source: Council of Europe (CoE), Group of Experts on Action against Trafficking in Human Beings (GRETA), *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Albania; Second Evaluation Round, 3 June 2016*

The report goes on to outline the measures that have so far been taken to prevent trafficking of children. It concludes the section by recommending to the Albanian authorities that efforts in the prevention of child protection should be strengthened, providing some further guidance on the areas that such efforts should focus on:

“c. Measures to prevent trafficking in children (Article 5)

58. In its first report, GRETA considered that the Albanian authorities should strengthen the protection of children, particularly through the recording of all children in the civil status register and awareness-raising measures, particularly in the Roma and Egyptian communities.

59. Since the introduction of Law No. 10347 of 2010 on the Protection of the Rights of the Child, several institutions have been tasked with protecting children’s rights. At the central government level, the National Agency for the Protection of Children’s Rights is responsible for monitoring and coordinating central and local institutions. At the regional level, children’s rights units are present in each of the country’s 12 regions. At the municipal level, child protection units are tasked with assessing and monitoring the families of vulnerable children and co-ordinating the work between local institutions and NGOs in respect of vulnerable children, including victims of trafficking. The existing 200 units do not cover the whole of the country’s territory and the units’ effectiveness is hampered by limited technical, financial and professional resources. GRETA was informed that the territorial reform, which involved merging municipalities, could result in units being closed down. The Albanian authorities have indicated that Law No. 10347 was being revised to strengthen the child protection system by establishing regular monitoring and control mechanisms for child protection units, and to ensure adequate budget allocation for them. GRETA would like to be kept informed of the development of this reform.

60. In 2012, the Ministry of the Interior adopted regulations aimed at reducing the number of unregistered children. It also signed an agreement with the Ministry of Foreign Affairs and

the NGO Tirana Legal Aid Society (TLAS) to speed up procedures for registering Albanian children born outside the country's territory. However, GRETA was informed that the number of unregistered children had increased in 2014, partly as a result of numerous Albanians previously living in Italy or Greece returning to the country with their children. Furthermore, while most women gave birth in hospitals, where all new-born children are registered, the number of women giving birth elsewhere was put at several hundred. GRETA considers that the Albanian authorities should continue their efforts to register children, particularly those born outside maternity units or abroad and/or returning to Albania without valid documentation.

61. The Ministry of the Interior and the Ministry of Social Affairs and Youth signed an agreement in 2014 with a view to identifying and protecting children in street situations. A Task Force has been set up for this purpose in Tirana, combining the forces of those two ministries and other institutions such as ONAC, the National Agency for the Protection of Children's Rights, the Tirana regional police directorate and the social services. An initiative entitled "Help for Families and Children in street situations" has also been set up by the Ministry of the Interior and the Ministry of Social Affairs and Youth, in collaboration with other agencies and NGOs, with a view to providing interdisciplinary support for these children. In recent years, the municipal child protection units have identified 161 children in street situations; 63 children were removed from the streets and nine were placed in an institution. During the 2014-2015 school year, 30 children were enrolled in schools, eight in nursery schools and one in a day nursery. However, the authorities encountered difficulties in enrolling these children since their families were registered in other municipalities. Moreover, these children often dropped out of school.

62. School drop-out is a particular problem in the Roma and Egyptian communities and among children living in rural areas. A national programme, "Zero school drop-out", was adopted for the period 2009-2013. There are psycho-social structures working with schools and seeking to provide assistance to families so that their children remain at school. Other initiatives have involved summer schools, tutoring and free meals for children attending school. It was also planned to introduce financial aid to help families in precarious financial situations to cover the costs of the school year for their children.

63. Children placed in institutions form a particularly vulnerable group. The United Nations Committee of the Rights of the Child and Human Rights Committee have both expressed concern about the fact that children were placed in institutions because of their families' poverty and inability to support them, and that children have to leave institutions at the age of 15 and are left with no support from the state, living in poverty, marginalised and vulnerable to abuse and exploitation. The Albanian authorities have indicated that Instruction No. 6 of 21 May 2014 "On the resettlement of children in residential social care institutions, public and private ones" states that children can stay in institutions until the age

of 18. Furthermore the authorities have taken steps towards the de-institutionalisation of children and, to this effect, in 2015, 103 children left institutions and returned to their families and 67 adoptions were carried out. In this respect, special attention is paid to monitoring of applications for foster care by the local authorities, where 153 children are currently placed in foster families.

64. GRETA refers to the report by the UN Committee on the Rights of the Child on Albania according to which a large number of children are subjected to economic exploitation in Albania and some are involved in hazardous occupations. In the framework of the World Day against Child Labour on 12 June 2015, the State Agency for the Protection of Children's Rights, in co-operation with ONAC, the Ministry of Education and Sports, the International Labour Organization (ILO), the OSCE Presence in Albania, USAID and NGOs organised an awareness-raising campaign to protect children from labour exploitation and to encourage access to education. The campaign conveyed the message "No child labour and exploitation, but proper education".

65. Albania has had a hotline to report child abuse, ALO 116, since 2009. Callers to this free phone number can obtain advice and information, particularly on financial assistance and health care services. This line is said to receive around 400 calls a day. During the last four years ALO 116 has received 95 calls which concerned children at risk of trafficking.

66. ONAC has organised several initiatives to raise awareness of trafficking in human beings in collaboration with international organisations and NGOs. In 2012 and 2013, it combined efforts with the NGO Different and Equal on an awareness-raising project entitled "Respect for victims' rights in Albania - Stop stigmatisation". A photo-story based on the experience of a trafficking victim was published, with 1,000 copies printed, a workshop was run for schoolchildren in Lezhë, meetings with civil society organisations were organised in Durrës, Berat and Lezhë, and workshops were run for employers in Durrës and Lezhë.

67. Several awareness-raising campaigns have focused on child trafficking in recent years. In 2013, as part of the above-mentioned project "Respect for victims' rights in Albania - Stop stigmatisation", ONAC organised three one-day workshops for school children in Lezhë. In 2014, during the week against trafficking in human beings, 14 awareness-raising activities were organised in schools and community centres around the country, 12 meetings took place on the theme of THB in Kukës, Gjirokastra, Shkodra, Korça and Dibër, and nine roving exhibitions were set up in schools. In addition, trafficking awareness raising workshops were incorporated in the school curriculum. In 2015, there were 10 discussion forums with students, school pupils and representatives of the governmental and non-governmental structures, exhibitions with pupils' drawings, and distribution of various information materials. A summer campaign was also organised in June-August 2015, including 13 awareness-raising activities in Tirana, Dibër, Kukës, Durrës, Korça, Lezhë, Berat, Elbasan and Fier; 11 discussion forums with members of the regional anti-trafficking committees and

pupils of high schools in Gjirokastra, Elbasan, Korça, Kukës, Vlora and Dibër; 10 summer camps in Elbasan, Tirana, Durrës, Dibër, Berat and Fier, where 230 pupils of high and secondary schools.

68. GRETA considers that the Albanian authorities should strengthen their efforts in the area of prevention of child trafficking, in particular by sensitising and training child protection professionals across the country, raising awareness of children through education, and paying special attention to children placed in institutions and children from the Roma and Egyptian communities.” (pp. 15-7)

Source: Council of Europe (CoE), Group of Experts on Action against Trafficking in Human Beings (GRETA), *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Albania*; Second Evaluation Round, 3 June 2016

Some of the sources interviewed by ARC Foundation and Asylos for this project gave details of the preventive measures that they were aware of:

“I can say the only in areas where the NGOs the other NGOs are working with people and programmes they can do effective protection because they do a lot of work on prevention in school and other organised groups where these VOT are but when we go to rural areas I don't know how effective they are [...].”

Source: Mr Alfred Matoshi, Mary Ward Loreto Foundation, interview record, January 2019

“As Caritas, we are working at local level with different communities to make aware and to inform them about irregular migration and to inform, because as we told in the beginning, a lot of children are leaving the country and trying to reach Europe as asylum seekers. We are trying to inform the population, the parents, the children that maybe you can be in a vulnerable category in Europe and maybe you can be recruited from different groups of traffickers. This kind of prevention is us informing them, especially with boys and young men, and we've show them different kinds of trafficking in Europe, exploitation, child labor, etc.”

Source: Caritas Albania, interview record, March 2019

“A lot of awareness raising activities are organized in continuation by different organizations and institutions. A National anti-trafficking awareness campaign was organized all over Albania during the month of October – the month against trafficking in persons.

There have been awareness activities in collaboration with Ministry of Interior (Office of

National Anti-trafficking Coordinator), Ministry of Education (Regional Education Directorate) providing information sessions in different high schools or providing trainings with different state and non state actors (teachers, psychologists and other actors) on trafficking issues.

[...] There are information sessions in schools to provide the pupils with the information about trafficking; about the profile of VoT; the profile of traffickers and the services the organisation provides and how they can reach the organizations and the services, (telephone numbers etc.).

The information provided in schools for the pupils or students is about trafficking issues. There have also been trainings for different professionals who work in state or non state institutions and organizations informing them about the NRM, SOPs and their role in identification and referral of VOT. Lately, school psychologists have referred the cases of females as well as males who have interrupted the school. They (the psychologist and the teacher) didn't have information about them and what was happening to them. Besides the school psychologist there is also the Child Protection Unit (CPU). The CPU functions within the administrative structure of the municipality, as a separate unit, or as a unit of the structures charged with social issues, and their task is to identify and manage cases of children at risk, which are located within the area of the unit's authority. Child Protection Workers know the children and the families who are living in their territory.

There has been a training today with school psychologists where 40 psychologists participated and they received training mostly on the SOPs as these procedures are reviewed and approved in Aug 2018, to explain to them their duties and role in identification, referral and protection of cases of VoT."

Source: Anonymous source 2, interview record, December 2018 and January 2019

6.2. Limitations of Prevention Measures

The Council of Europe summarises the GRETA report on trafficking in Albania, stating that although there has been progress in several areas including the legal framework, harsher punishment and other legal provisions, improvement is needed in combating gender based violence and discrimination and 'discouraging demand for the services of trafficked persons for all forms of exploitation':

"According to the report, progress has been made in a number of areas. The legal framework for combating trafficking in human beings has been further developed, in line with GRETA's

recommendations, and the penalties have been made harsher. Further, legal provisions on the granting of a recovery and reflection period and residence permits to victims of trafficking have been adopted. GRETA also welcomes the efforts made in strengthening the involvement of relevant stakeholders in anti-trafficking action, providing training and raising general awareness.

However, there are a number of areas which require improvement, according to the report. GRETA calls on Albania to take further steps to prevent human trafficking, including by combating gender based violence and discrimination, and discouraging demand for the services of trafficked persons for all forms of exploitation. The Albanian authorities should also step up their efforts to prevent and detect cases of trafficking during border controls, paying particular attention to unaccompanied children.

GRETA also urges the Albanian authorities to improve the identification of victims of trafficking, including by paying increased attention to detecting victims among irregular migrants and asylum seekers. The authorities are also asked to reinforce the proactive identification of child victims of trafficking, particularly among children in street situation, children in residential social care institutions and Roma children, and to introduce a procedure for identifying child victims among unaccompanied foreign children.” (p. 1)

Source: Council of Europe, *Publication of GRETA’s second report on Albania*, 3 June 2016

According to the 2018 USDOS report on trafficking in persons, the Albanian government does not fully meet minimum standards in the elimination of trafficking. However, it has continued to increase efforts in the prevention of trafficking, with financial aid, with plans to create new national action plan and awareness campaigns. However, it should be noted that it states that ‘the government conducted awareness campaigns on sex tourism but did not take steps to reduce demand for forced labor’:

“The government increased efforts to prevent trafficking. The government allocated 5.7 million lek (\$51,540) to the Office of the National Anti-Trafficking Coordinator (ONAC) in 2016 and 2017. The national action plan expired in December 2017, but ONAC, in cooperation with an international organization, convened three meetings with stakeholders to begin developing a new plan. ONAC continued to publish regular activity reports on its website and held four meetings with stakeholders involved in the NRM. Observers reported prosecutors rarely attended NRM meetings. Twelve regional anti-trafficking committees (RATC) comprising local officials and NGOs worked on prevention and victim assistance. The prime minister issued an order to strengthen the RATCs by mandating the government agencies required to participate, including social services, law enforcement, labor inspectors, and health representatives. ONAC and national anti-trafficking coordinators from

Montenegro and Kosovo signed a joint declaration ensuring the application of a unified SOP for victim protection and assisted voluntary repatriation. ONAC, in cooperation with civil society, conducted a month long awareness campaign and separate awareness campaigns targeting students and teachers. ONAC also conducted informative meetings with representatives from the Romani and Balkan Egyptian communities. The hotline received six calls that were trafficking-related and referred to law enforcement. The government did not make efforts to regulate or punish labor recruiters for illegal practices that increase migrants' vulnerability to exploitation abroad. Labor inspectors did not have authority to inspect informal work activities, including unregistered businesses. The government conducted awareness campaigns on sex tourism but did not take steps to reduce demand for forced labor. The government provided anti-trafficking guidance for its diplomatic personnel, and the national coordinator briefed Albanian diplomats stationed in nine cities on human trafficking regulations." (p. 68)

Source: US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2018*, 28 June 2018

The European Commission's 2016 report on Albania outlines that the framework for combating human trafficking has been further developed by the Albanian government. However, the report outlines concerns over the situation of unaccompanied children and child VoT and highlights the need to further align the legal framework to the EU acquis:

"Albania updated and continued to implement the strategy and action plan on the fight against organised crime and trafficking. (...) The 2014-2017 strategy on the fight against human trafficking and its accompanying action plan were adopted in November. In February, as part of its strategy on the fight against human trafficking, the government adopted the 2015-2017 action plan for the economic and social reintegration of women and girls who are victims / potential victims of trafficking. (p. 73)

[...] The framework for combating human trafficking was further developed, and sanctions were made harsher. However, Albania needs to step up efforts in preventing human trafficking, paying particular attention to unaccompanied children and child victims of trafficking, especially among children in street situation. The legal framework needs to be further aligned to the EU acquis." (p. 74)

Source: European Commission, *Albania 2016 Report*, 2016

The Head of Presence in Albania for the OSCE remarked on ongoing efforts to protect children in Albania from trafficking in June 2018.

“We realise that the legal mechanisms are in place, both regarding child protection and against trafficking. We are supporting the central and local institutions to strengthen the child protection mechanisms aiming to prevent child trafficking and other related phenomena such as sexual exploitation, illegal migration, and so on. There is a concerted effort of the Ministry of Health and Social Protection, UNICEF, OSCE and important child protection organizations to have new child protection procedures in place, including procedures for the identification of children in economic exploitation and procedures to prevent child trafficking. But these regulations would remain dead paper, unless there is political and personal will to emphasise the urgency of eliminating child labour. Albania made in 2017 a huge widely successful effort to stop cannabis production that is ongoing this year. I would wish for a similar effort to protect children better.

[...] What is the situation with the royalties that must be allocated to the local government? Can this money be used to tackle the issue of low-income families that have no other opportunity but rely on child labour?

[...] My third point is that it comes to the protection of children from harm there should be no excuse of institutional responsibility for not undertaking immediate action to remove the children from the hazardous work and to address each case in its specificity, as also my colleague from UNICEF mentioned. I am aware of the complexity of the phenomenon; many institutions have to work together. The new legislation requires that you work together as a multi-disciplinary team to search for solutions to end this plight.” (p. 1)

Source: Organisation for Security and Cooperation in Europe (OSCE): Presence in Albania, *Head of Presence Remarks at Bulqiza Event on World Day Against Child Labour*, 12 June 2018

In a meeting with the UK Home Office, the NGO Caritas Albania explains the funding situation of the 12 Regional Anti-Trafficking Committees and outlines a risk of lacking sustainability. The organisation explains concerns with the responsibility for VoTs being shifted to the regions.

“There are 12 Regional Anti Trafficking Committees in Albania (RACT), coordinating on counter trafficking actions headed by the Prefect. They receive information on cases of Victims of trafficking by the technical round table. All the local institutions such as Education Directorate, Border and Migration Police, Local Police, Health Directorate, Social Services etc. are part of the RACT. Caritas Albania under a JTIP funded project supported 6 of these to work better, but that leaves the other 6 and most of the initiatives are project based, and there is a risk of lacking sustainability.

The most important institutions such as the ministries are here in Tirana, and they don't really know what is going on elsewhere. For example, the Has region is one of the poorest

and lots of them go the UK.

The new penal code is amended. Before, VoT was dealt with by the Serious Crimes Court here in Tirana. Now it is moving to the regions. They don't know properly what a VoT is. If it was here in Tirana, they have dealt with cases, they have the experience, they have the training etc. if it moves, we have to begin all over again.

Plus, in the regions there is still a misunderstanding of who is a VoT and who is a prostitute, and mentality is still an issue. People know each other in the regions and it would be very difficult for the VoT to report a criminal.

[...] The issue is that the court has to identify a VoT." (p. 152)

Source: UK Home Office, *Report of a Home Office Fact-Finding Mission to Albania, Conducted 31 October to 7 November 2017*, February 2018

The sources interviewed for this project were asked for their views on the efforts the Albanian authorities have made to prevent the trafficking of boys and young men. Several sources pointed to a lack of preventive measures specifically targeted at boys or young men:

"Personally, I think the Albanian authorities do not make prevention of trafficking of boys and young men a priority. Of course, we have a national coordinator who covers all the work of different institutions mainly civil society against trafficking or trying to reintegrate the victims into normal life, but the Albanian authorities do not have a focus on boys and men or at least nothing is said by them especially on this group."

Source: Professor Dr. Edlira Haxhiymeri, interview record, January 2019

"There is no dedicated approach to a particular gender or age group. The measures in place are all inclusive and are routine."

Source: Steve Harvey, Independent International Law Enforcement Specialist, written response to questions, March 2019

"Not separately. Not only boys and young men. For us, we did as Caritas, in the past and we are still working with local authorities on prevention but not specifically boys and young men."

Source: Caritas Albania, interview record, March 2019

“My understanding is there would be very little if any work being done to meaningfully raise awareness of and engage with boys and young men being trafficked because they don’t believe it is happening at all.”

Source: James Simmonds-Read, Service Manager at The Children’s Society, interview record, February 2019

Additional sources also mentioned how other identification issues may impact on prevention measures:

“Authorities in Albania do not generally view the issue of trafficking of Albanian boys as UK authorities do. Authorities that we interviewed rather view it as cases of smuggling and young men either being sent by their families into the EU, or young men choosing to leave Albania and connect with acquaintances and family members in the UK and elsewhere. In the main, experts in EU countries we researched are also not viewing the issue of UASC from Albania in light of potential issues of human trafficking. There are increased efforts on the part of Albanian authorities to prevent parents moving young men and boys into the EU and returning without them. But since there is a lack of focus on the possibility of Albanian boys being trafficked, cases that do amount to trafficking may go unrecognised and boys and young men will not receive the support they need under anti-trafficking legislation.”

Source: Anne-Marie Barry, written response to questions, March 2019

“Many efforts are invested in awareness raising campaigns. But the awareness raising efforts are not based on the acknowledgement of the phenomenon and the effects of trafficking on victims and responsibilities for protection.”

Source: Anonymous source 1, written response to questions, March 2019

Dr Stephanie Schwandner-Sievers mentioned how little awareness there is in Albania of child safeguarding issues and children’s rights:

“[...]More often than not, I have been surprised how little awareness there is—this is with academics at university—how limited awareness there is of child safeguarding issues and children’s rights, but there is legislation in place, but the legislation is very much pushed through these international legislations and demands. There’s just so little awareness, and generally, an understanding of formal procedures relating to child protection, children’s rights and safeguarding is very different, I think, from the UK.”

Source: Dr Schwandner-Sievers, Bournemouth University, interview record, February 2019

For further information on issues with identification of young male victims of trafficking see [Section 5.1](#). National Referral Mechanism (NRM) and related protection procedures.

Dr Stephanie Schwandner-Sievers also mentioned that measures do not always lead to meaningful improvements, especially when there might be a pressure to overstate successes:

“Again when we did my research, you find that in my article (Social Opprobrium 2010), that so many years ago we found that there is so much conditionality on the EU accession and the EU progress reports, so they’ve put up all these things, which satisfy on the surface what is required, but do not necessarily reflect meaningful improvements. For example, at the time, they had put up a helpline for trafficking victims. Looks really great. “We have put up a helpline. This is part of our national referral...anti-trafficking strategy,” but actually, there was no one at the other end of the phone, or so we were told.

[...] This was around 2008 and I’ve written about the heightened image concerns in response to EU conditionalities, and what that means for pressures to present your success in your anti-trafficking measures in the 2010 (Social Opprobrium) article. We just have to be very alert to the fact that, sometimes, image anxieties drive the presentation of progress or the formal establishment of such wonderful strategies, but in fact, what is really happening on the ground is another matter. That has to be looked at very carefully. What is actually working in practice.”

Source: Dr Schwandner-Sievers, interview record, February 2019

Other reported limitations of preventive measures included that: they are typically only viewed as ‘awareness raising’; that they are likely to focus on women or have involved blaming victims’ families; that there is a lack of resources (although it was emphasised that this is not unique to Albania); and that there is a need to strengthen training and promote greater synergy and improved databases and information sharing between relevant institutions:

“I think that prevention is more perceived as awareness raising. Many efforts are invested in awareness raising campaigns.

[...]The efforts to discourage migration of boys and young men have targeted families and parents blaming them for being irresponsible, cruel, or even prosecuting them for sending their children abroad and exposing them to trafficking.”

Source: Anonymous source 1, written response to questions, March 2019

“They talk about investing in campaigns to raise awareness about trafficking- in terms of advertising, I think there’s some degree of partnership work with NGOs highlighting the issue. I still don’t believe that the messaging is targeted around male victims of trafficking. E.g. I imagine if they ever did a poster campaign it would be an image of a woman.”

Source: James Simmonds-Read, Service Manager at The Children’s Society, interview record, February 2019

“A limiting factor will be resources and again, in this respect Albania is no different from many other countries. [...] No state response is adequate to prevent and combat THB but in Albania there is a dedicated law, a dedicated task force, a National Rapporteur, an NRM, law enforcement and judiciary training initiatives, dedicated prosecutors and courts, and victim shelters. Better than some EU Member States in my opinion.”

Source: Steve Harvey, Independent International Law Enforcement Specialist, written response to questions, March 2019

“The country has made important progress in recent years in relation to the trafficking of boys and young men. But there are a lot of steps to do. First of all, to strengthen the collaboration among state and non-state agencies. The implementation of the national strategy fight against the trafficking of human beings is not so rooted in all the territories. If we want to implement the national strategy at territorial level, there is a need to strengthen:

- the training of the staff (officials) involved from the various governmental bodies (labor offices, police, ministries and regional authorities, social services....) and to create greater synergy between the various institutions. There is a huge need to increase the training and skills of the officials of the municipalities (even small ones) engaged in welfare and protection system, because they are in the field, they know their community and they can be considered like first social barrier of protection.
- the exchange of information between NGOs, IOs, and Authorities in Albania also at a “grass roots” level. Actually, few contacts and information are shared among these stakeholders, so are not enough the services such as advice, family tracing, or mediation for families of trafficked boys, young men and girls and this is generally on a poorly advertised ad hoc basis. This is very important element, because most of the time, information and interventions are going to be lost. every stakeholder plays his part without talking to others.

- data and databases (on victims or potential victims, shelters, services and interventions) among the different authorities don't match each other. That's why we have few cases intercepted in 2018."

Source: Caritas Albania, interview record, March 2019

7. General Child Protection Measures

7.1. Overview of Child Protection System

In 2014 Switzerland indicated in the United Nations' Committee on Human Rights' Mid-term Universal Periodic Review, that it felt Albania should:

"Take the necessary measures and adopt the laws that are needed to allow better protection of children's rights." (p. 30)

Source: UPR Info, *Mid-Term report of Albania on the implementation of the recommendations received during the second cycle of Universal Periodic Review (UPR)*, March 2017

Albania responded in 2017:

"In 2016, a new draft law on the rights and protection of children was developed and is currently pending approval by the Parliament (see above). The draft law consists of two parts: the first guarantees all rights of the child in accordance of the CRC and the second establishes a multi-sectorial child protection system, including mechanisms and procedures for protection of children's rights.

In December 2015, amendments to the Labour Code were approved, and entered into force in June 2016. The amendments aim at putting an end to child labor in Albania and regulating the terms of employment for children between 15 and 16 years old. In 2015, a comprehensive mapping of the child protection system was finalised. As a follow-up, a policy document outlining the government's vision for the future integrated system was published in December.

A national agenda for child safety online is being prepared." (p. 30)

Source: UPR Info, *Mid-Term report of Albania on the implementation of the recommendations received during the second cycle of Universal Periodic Review (UPR)*, March 2017

The 2015 Child Notice Albania produced by UNICEF states:

“6.2 Protection of disadvantaged and vulnerable children:

[...] Child protection systems and services are weak, and lack quality in their delivery and monitoring. There are only limited standard protocols to identify, record, coordinate and refer cases of violence, abuse, exploitation or neglect such as those encountered by school or health staff; and no formal reporting or referral lines through local social care structures and their staff. Although new operational methodology for case management at local level have been issued, their implementation will depend on ongoing training and, even more importantly, what LGU (Local Government Unit) capacities are in place after the current territorial reform programme (under the 2014 Territorial Reform law) is complete. (pp. 51-2)

Source: UN Children’s Fund (UNICEF), *Child Notice Albania*, January 2015

A 2016 UNICEF report which focused on Albania’s child protection system, Albanian children face ‘a series of risks and protection breaches that negatively affect their lives and those of their families’. The current child protection system is criticised for not being clearly structured with clearly defined roles of responsibility for those involved:

“Structures of CP system The CP legal framework in Albania attempts to set out a structure that includes layers of institutions and organizations responsible for children, their roles and responsibilities, and the relationships of coordination and collaboration between them. However, institutions specifically or potentially concerned with children’s wellbeing often do not have CP in their mandates, which add to inefficiencies, lack of coordination, and overall ineffectiveness. This is true at the ministry, directorate and agency levels.”

Source: UN Children’s Fund (UNICEF), *Mapping and Analysis of the Albania CP System: A participatory documenting of practices and perceptions*, 11 March 2016

The Commissioner for Human Rights of the Council of Europe, in her report on the visit to Albania in May 2018, states that ‘significant efforts’ have been made to to harmonise domestic legislation with the UN Convention on the Rights of the Child. Referring to a report commissioned by the

Council of Europe that point to deficiencies in the implementation of policies, the Commissioner states further that she supports the conclusion that there is a need for authorities to ‘move from the fragmented, issue-based approach to the systemic approach and to ensure a holistic approach to prevention and protecting children from harm’.

“1.1 LEGAL AND INSTITUTIONAL FRAMEWORK FOR THE PROTECTION OF THE HUMAN RIGHTS OF THE CHILD

8. Albania is a party to the UN Convention on the Rights of the Child and the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (“the Lanzarote Convention”).

9. In 2013 the Albanian parliament adopted a resolution “on the protection of children’s rights in Albania”, in which it stressed its commitment to improving the legislation relating to the protection of the human rights of the child and effectively monitoring its implementation.

10. The Commissioner notes that in recent years the authorities have made significant efforts to harmonise domestic legislation with the UN Convention on the Rights of the Child. In 2017 the Parliament enacted the Law on the Rights and Protection of the Child, which replaced the 2014 law governing this field. This piece of legislation recognises the child as a rights-holder and provides for a positive obligation of parents, the authorities and society to care for and protect every child. The law applies to all children on Albanian territory, regardless of their citizenship, as well as to the children of Albanian citizens living outside Albania. According to this law, every child has the right to live with his or her parents, to be brought up in a family environment and have regular communication with his or her parents, regardless of whether or not they live together, unless it is contrary to the child's best interests, or if the law provides otherwise. The law also stipulates that lack of financial means does not constitute sufficient grounds for the authorities to separate a child from the family or relatives living with the child, or to remove parental responsibility.

11. The Ministry of Health and Social Welfare and the State Agency for the Protection of Children’s Rights within this ministry, have the main responsibilities in developing and implementing policies relating to the protection of children’s rights. At local level, Child Protection Units (CPU) have been established to work on the protection of children. The Commissioner noted the concerns expressed by several interlocutors on the need for better coordination and co-operation between the central and local authorities on the implementation of the legislation concerning the protection of children and of social policies in general.

12. In the same vein, the Commissioner noted the concerns expressed in the 2016 Council

of Europe-commissioned report on an integrated and effective child protection system in Albania that “even though the relevant structures for the protection of children had been established, the coordination and co-operation between the different sectors and levels of action is ineffective, there is a lack of clear leadership and the implementation of the policies is poor.” It was also noted in the report “that the existing services and structures do not constitute a child protection system, but a ‘patchwork’ of services and dispersed action”. The Commissioner supports the conclusion contained in the above report about the need for the authorities to move from the fragmented, issue-based approach to the systemic approach and to ensure a holistic approach to prevention and protecting children from harm, and she brought this to the attention of the authorities.

13. In this context, the Commissioner would also like to emphasise the importance of collecting quality and reliable data on socio-economic status and desegregated data pertaining to vulnerable groups, including children and persons with disabilities. She notes with interest that in the context of the United Nations’ Programme of Cooperation for Sustainable Development (PoCSD) with the Government of Albania 2017-2021, the capacities of relevant ministries and the national statistics agency (INSTAT) to produce disaggregated data and to ensure the dissemination and use of such data, at national and local level, for evidence-based policy development and planning will be strengthened.

14. During her field visit in Shkodra the Commissioner visited one of ten community centres “For the family” established by the local authorities where activities are organised for families and children, including after-school and income-generation activities. The Commissioner was informed that, inter alia, these centres play an important role in assisting in the reintegration of Albanian children who returned to Albania after having spent some time abroad. The staff in the centre that the Commissioner visited comprises one psychologist, a community facilitator and a person dealing with income generation activities. The centre is financed by local authorities and donors. Noting with appreciation the enthusiasm of the staff and the work that they carry out, the Commissioner encouraged the national authorities to consider providing financial support to this and similar local initiatives.” (pp. 5-6)

Source: Commissioner for Human Rights of the Council of Europe (Dunja Mijatovic), *Report Following her Visit to Albania from 21 to 25 May 2018*, 13 September 2018

The Albanian Ministry of Health and Social Protection responded to the above-mentioned report by the Commissioner for Human Rights’ of the Council of Europe as follows:

“Children Rights’ and protection

2. National Agenda for Children's Rights 2017-2020, approved with DCM no. 372, dated

26.04.2017. is the strategic document for rights of children. The core vision of National Agenda is create conditions to foster social development of children, social inclusion and participation in all processes, considering the highest interest of the child. National Agenda aims at the protection and promotion of children's rights in the Republic of Albania, implementing national and international standards in the field of children's rights, with a comprehensive and systematic approach to children's rights. The Agenda is a multidisciplinary and systematic framework which aims to be integrated into all national, local, child-related documents, plans and other activities in the spirit of the UN Convention on the Rights of the Child.

The strategic pillars of the Agenda are: (i) Good governance in promotion, respect and protection of children's rights; (ii) Eliminate all forms of violence against children; and (iii). Friendly and Child Friendly Systems and Services for Children and Adolescents: Development and Education, Justice, Health and Diet and Social Protection.

3. Sub-legal acts on the Law 18/2017 "On the Rights and Protection of the Child" are currently in the drafting process. Until present, following DCMs have been approved:

a. DCM "On the Rules of Functioning of the National Council for Rights and Protection of the Child" (DCM Nr. 54, dated 31.01.2018)

b. DCM "On procedures for control and sanctions by the State Agency for the Rights and Protection of Children" (DCM Nr. 91, dated 14.02.2018)

c. DCM "On defining the rules of cooperation between institutional mechanisms, child protection structures at local level and non-profit organizations for the implementation of national and local policies, and services necessary for the protection of children" (DCM No 148, dated 03.13. 2018)

d. DCM "On the rules of operation of cross-sectoral child protection team in the municipalities and administrative units" (DCM Nr. 353, dated 12.06.2018)

This decision aims to regulate the functioning of the Cross-sectoral Technical Group, established and functioning as an ad-hoc group at the local level in the municipalities or administrative units. This decision defines roles and responsibilities of the members of the Cross-sectoral Technical Group for a comprehensive and effective approach to children in need of protection.

4. Law 18/2017 "On the Rights and Protection of the Child", foresees for the first time the protection measures in the case of a child in need of protection. These measures are related to the protection of the child, including the a) emergency protection measure, which is a

temporary protection measure for the removal of the child from the family and placement in alternative care; b) the protection measure for the placement of the child in alternative care; c) The measure of protection for the specialized supervision of the child in the family environment.

5. The draft-decision which defines the type and frequency of exchange and processing of information and statistical data required by the State Agency for Rights and Protection of Children (Agency) at the responsible state structures at central and local level. Indicators / statistics from different areas such as demography, health, nutrition, violence, migration, work, poverty, education, and justice for children are representing an overview of children's rights and protection areas.

6. Law 18/2017 "On the Rights and Protection of the Child" provides in Article 53 that the child protection is achieved through taking protective measures, carrying out interventions to respect the rights of the child and provision of services according to the needs, aimed at developing the child's well-being in his or her family or placing in alternative care when the child is temporarily or permanently deprived of the care of the parents or when, due to his highest interest, he or she can not be left to the care of the parents.

7. National Agenda for the Rights of the Children 2017-2020 in its third pillar, aims to promote friendly processes and systems to the children, such as education, health, social services and justice. In this regard, it is mainly aimed at identifying the main strategic measures for achieving the assessment of the progress of children's rights in these areas.

8. Law 18/2017 "On the Rights and Protection of the Child" provides in Article 67 the obligation to report when any natural or legal person has information or the child himself must notify any child suspected or occurring, abuse, neglect or exploitation of the child's central institutions and local child protection structures or the State Police.

9. National Agenda for the Rights of the Children 2017-2020 the aim is the elimination all forms of violence against children through the establishment of an integrated and effective child protection system through a significantly improved legal and institutional framework, and addressing various forms of violence against children such as bullying, violence in schools, positive displacement, domestic violence, sexual abuse, economic exploitation and street children, child safety in the digital environment, unaccompanied children or victims of trafficking etc. Prevention is also in focus, as a key strategy for protecting children from all forms of violence, with particular focus at programs aimed at promoting positive non-violent parenting." (pp. 1-3)

Source: Government of Albania, Ministry of Health and Social Protection, *Comments on the Report of the Council of Europe Commissioner for Human Rights*, 13 September 2018

According to an article on Koha Jone, the Minister of Health and Social Protection announced an Albanian social fund in March 2019, which the government intends to use to help various vulnerable groups:

“During a visit to social services which deals with women and victims of child trafficking, the Minister of Health and Social Protection announced the recent decision of the Government to set out the criteria and method of how to finance social protection services in the area.

‘The state budget will be funding the establishment and expansion of social services for women, children in difficulty, the elderly and all categories in need through the Social Fund, which is a new financial mechanism that guarantees social services in each Borough’. The statement was made by the Minister of Health and Social Protection, Ogerta Monastery, during a visit to social services supporting victims of trafficking and violence, announcing the recent decision of the Council of Ministers to the Social Fund.

‘The Social Fund is the financial mechanism that has already been approved by the Council Ministers to be placed and functional in all of the Boroughs. Once the initiative is put in place through social plans they will build and raise social services in the area, for all groups in need’ said Manastirliu.”

Source: Koha Jone, *Fondi Social, Manastirliu - Financim shërbimeve sociale në çdo Bashki* [Social Fund, Manastirliu - Financial social services in every Borough], March 25, 2019, official translation by CTIS Translations

7.2. Child Protection Units

The 2015 Child Notice Albania produced by UNICEF states:

“[...] 125. Child protection units (CPUs) in Albania are important contributors to the child protection system. CPUs are not managed centrally or regionally, but are the responsibility of the LGU in which they operate (including CPU funding and staff recruitment: see 2.4 Government child rights coordination.)

126. The CPUs identify children in need, undertake initial assessments, coordinate child protection meetings, manage casework, and monitor children. Whilst some CPUs have

multidisciplinary arrangements with other staff for cases of domestic violence involving children, such collaboration remains patchy and the national coverage overall of CPUs is not yet achieved. As of December 2014, 196 CPUs were established in LGUs, covering 51 per cent of the country. Just 16 per cent of CPUs are only concerned with child protection: others are also expected to offer general social care.” (p. 53)

Source: UN Children’s Fund (UNICEF), *Child Notice Albania*, January 2015

The USDOL report, ‘2017 Findings on the Worst Forms of Child Labor - Albania’, states:

“Child Protection Units (CPUs) are generally staffed by one individual, and a majority of CPU staff are not able to focus on child protection issues full-time. The State Social Services Agency was moved from the Ministry of Social Welfare and Youth, causing delays in funding and lack of senior-level guidance on social issues.” (p. 4)

Source: US Department of Labor (USDOL), *2017 Findings on the Worst Forms of Child Labor - Albania*, 20 September 2018

7.3. Limitations of Child Protection Measures

According to the 2016 UNICEF report which focused on Albania’s child protection system, Albanian children face ‘a series of risks and protection breaches that negatively affect their lives and those of their families’. The current child protection system is criticised for not being clearly structured with clearly defined roles of responsibility for those involved:

“The lack of infrastructures was reported from all the surveyed regions among the most significant challenges in delivering adequate services. Numerous parents shared the perception that it is impossible to be satisfied with services that (i) do not exist for too many issues affecting their children, (ii) are not available in too many areas, (iii) are too distant to be reached and accessed, (iv) are operating with insufficient means and through inadequate premises. (p. 26)

[...] In the larger municipalities, there are CPW with dedicated CP roles and responsibilities; however this is not true in more rural areas. In bigger municipalities, the Directorate of Social Services functions with a section for social services composed of specialists for each vulnerable group (domestic violence and gender, elderly, children, disability, and minority). The mapping and analysis did find that several CPUs were operational at municipal level;

however generally there were not enough human resources to cover all of the CP issues at the more local level.

[...] Most of the parents and children consulted could not explain what a CP Unit (CPU) is or should be. When a CPU exists in their area, the children do not know much about the office and its mandate and, when the children dispose of such knowledge, especially in more peripheral areas, they keep referring to friends and relatives as help-providers with the conviction that is better to solve problems with known people rather than with foreigners. In all surveyed regions emerged the difficulty of children to trust someone new to them in sharing aspects of their private lives, yet the helpline ALO 116 have been frequently mentioned by children from surveyed regions as an instrument for the protection of children with a significant level of reliance. (p. 27)

[...] Roles and responsibilities of the CP workforce and are not always clear in the legal framework, particularly for the allied workforce such as health workers, police and teachers. Identification of cases of abuse and neglect is hindered. There are also too few specialised police officers to deal with family and child issues. Reporting and identification of domestic and family violence is negatively impacted by the lack of gender balanced staff, particularly in police departments.” (p. 28)

Source: UN Children’s Fund (UNICEF), *Mapping and Analysis of the Albania CP System: A participatory documenting of practices and perceptions*, 11 March 2016

Lack of awareness of child protection systems or trust in those systems was also raised in interviews conducted for this report stakeholders.

“Efforts have been made to increase the proactivity of the protection system and increase contact and accessibility to it through child protection workers in municipalities. Still the new legislation on child protection needs to be disseminated in order for the families and children to know about it and exercise their rights, and allow child protection workers do their job...”

Source: Anonymous source 1, written response to questions, March 2019

I think the distrust issue comes back in and the fact that very frequently young boys end being trafficked even though it was a family strategy to send them in the first place, so they would not necessarily seek that support. They would be more likely to try to seek support abroad because they don’t trust the Albanian system.

Source: Dr Schwandner-Sievers, Bournemouth University, interview record, February 2019

“It is difficult to say because of the lack of information about the CPU's practical information, but also because of the low level of trust in state institutions. People prefer religious institutions and NGOs, in Albania is a lot of prejudice in government institutions.”

Source: Mr Alfred Matoshi, Mary Ward Loreto Foundation, interview record, January 2019

One stakeholder highlighted the engagement of CPU's with NGOs as helping CPUs to ensure new laws are implemented, as civil society is more trusted.

“The child protection unit is following, I would say the situation of children at a grassroots level—their daily routine, and their task is to identify specific cases or to refer specific cases, and also to empower the education system about children. Maybe the presence or the creation of this agency makes very effective the law but also all the initiatives about children.

So these are making the child protection system more effective?

And they are working always with the NGOs. We are organizing not only protection activities together but also with us. We had several meetings together, and the bylaws are prepared with the NGOs, and also, the presentation of the new law on child protection is done together with NGOs and local actors. For example, as Caritas organized some coordination meetings with a special focus on children, young children, crossing the country. Other NGOs cover children in these situations, which means we divide this small pieces of the law, and we work with that to present at the top level because it's not only the duty of the child protection unit. The civil society is more welcomed by the community, by the society, by the police, and by the villagers, ...”

Source: Caritas Albania, interview record, March 2019

According to James Simmonds-Read, some of the reasons for a distrust in the authorities are linked to concepts of masculinity, pride and cultural values about how individuals interact with society. However, the interviewee also notes that even when families have gone to the police, they have not been able to meaningfully prevent trafficking:

“Coming back to the concept of masculinity but also a sense of pride. There is a very deeply held belief you look after yourself. We have a therapist within our team who specialises in providing therapy to trafficked boys and men. In work she's carried out with Albanian males it's come up very strongly this idea of what is my identity outside the family? I think this affects how individuals interact with society and what support they seek from society. All of

the young men I've worked with have demonstrated this idea that you are expected to look after yourself, you don't disclose to others, even close friends or family members, let alone to authority figures. The young men I've supported believe you have to resolve problems within the family unit rather than seeking support externally and believe that to do so would be shaming of the family. Therefore I don't believe there is much trust. Definitely distrust with authority has come through in my work. The young men I've worked with almost talk about it as a lawless country where you have to do what you have to do to get by. It's one of the reasons that being groomed into exploitative networks is so normalised rather than believing that the police can adequately prevent crime or be able to support victims. So I would say that people wouldn't try to seek that support very often.

However, some people's families have gone to the police but in none of those situations have the police been able to meaningfully prevent trafficking."

Source: James Simmonds-Read, Service Manager at The Children's Society, interview record, February 2019

In contrast to this view, one interviewee did find there to be adequate trust by victims to approach the authorities, including CPUs and the police:

"The families mostly go to the police to ask for help- police is the first station where they go. And there are families that their children are in risk situation or they don't know what their children are doing during the day and they refer the cases themselves at CPU, they refer this kind of problems and situation to the child protection unit where they are living. For the management of the case and to better address their needs and problems, child protection units organize meetings with other actors in the community e.g. police inspector of the area, teacher, psychologist, child protection worker and even the parents - they meet together, discussing about the cases, evaluating the situation and then an individual protection plan is prepared of how to help and better support the child".

Source: Anonymous source 2, interview record, December 2018 and January 2019

The disparity between the capacity of CPUs or access child protection more generally in rural and urban areas was also noted:

"I can say that in the capital city it is a little bit better but in other areas both small towns and rural areas the situation is really weak - children cannot find any system to protect them"

Source: Professor Dr. Edlira Haxhiymeri, interview record, January 2019

“Big cities do have a higher number of children in need of protection coming from other areas and the child protection units do not have the means or resources to provide for them. Such cases end up being “referred to their unit” – where they are registered.

Except for human resources- the child protection workers – the municipalities do not have much to offer to their children and their case management is sometimes reduced “referring” to others, for basic help.”

Source: Anonymous source 1, written response to questions, March 2019

“If you are from a remote, rural background or a lower social and marginalised neighbourhood even in the cities, you would be more disadvantaged in obtaining formal protection. Unfortunately, it tends to be those with the least [economic and educational capital] which become easiest victimised, yet would feel least hopeful in obtaining protection or security through a state system where corruption and nepotism is such a problem still.”

Source: Dr Schwandner-Sievers, interview record, February 2019

One interviewee noted that staff are more likely to be new and lack experience in the smaller cities and are more likely to be juggling numerous other issues.

“The CPU functions within the administrative structure of each municipality all over Albania. The workers of Child Protection Units that are in Administrative Units in Tirana show commitment and they are engaged in doing their work.[T]here are other child protections units in other cities of Albania where the staff is new and they do not have experience in this field, or sometimes they do other duties e.g. work in economic aid sector. Systematic capacity building, multidisciplinary trainings and unifying the practice between professionals working directly with children in different sectors, needs to be improved....There have been trainings for the CPUs in different districts of Albania in the small cities where they don't have this kind of experience to increase their capacities in identification and referral of VOT.”

Source: Anonymous source 2, interview record, December 2018 and January 2019

A UNICEF document about child protection in Peshkopia mentions that despite laws in place for the protection of children, staffing within local child protection units is not necessarily sufficient to enforce these laws:

“Under the new law on child protection, municipalities have the responsibility to assign one child protection worker in the administrative units with more than 3,000 children. However, these administrative units have no child protection officers in their organigrams. The only employee for social services at this level is the social administrator, who has additional responsibilities, such as distributing the economic and disability allowance. Ejona has to travel to these administrative units when an issue of child protection arises, but no car or vehicle is placed at her disposal.

‘We do not have an emergency center for children, no set budget to provide support for the rent, or food/clothes packages,’ Ejona says. ‘We rely on help from organizations, such as World Vision or Arsis, but this is not enough’, she acknowledges. Nevertheless, she is hopeful that the new social plan, which the municipality is preparing, will take into account such needs.”

Source: UNICEF, *Addressing violence against children in rural Albania - Child protection unit in Peshkopia*, 13 March 2019

In interviews conducted by Asylos and ARC Foundation for this report, these gaps in the system were echoed by stakeholders, including in regard to key issues such as guardianship, laws and safe accommodation.

“In Albania we have Child Protection Units in all municipalities, the responsible person for the unit in rural areas (I mention rural areas because most of the victim are from rural areas) has not the right education or preparation to work with the issue, the same thing happens with the police who do not have the proper capacity to handle with care the most minor cases”.

Source: Mr Alfred Matoshi, Mary Ward Loreto Foundation, interview record, January 2019

“The system is still under construction, the bylaws are under development. Key issues such as guardianship are still neglected, alternative care is not developed”.

Source: Anonymous source 1, written response to questions, March 2019

“If I can get tonight a call from a child that is in a difficulty you know I can hardly find a place to put the child and protect him - there is no service available for the child. No accommodation, no families ready to take them - it will take some days to find an orphanage to find a safe place for this child to be accommodated – this is only one aspect that shows how weak the system is and how difficult it is to meet the child’s needs immediately.

[...] I mean if they cannot find a shelter if they cannot find a system to support, to continue with their education reintegration - I find it difficult to say they can have a protection system to help them.”

Source: Professor Dr. Edlira Haxhiymeri, interview record, January 2019

One interviewee had never seen any of the victims they had supported access child protection systems in Albania, or identified or supported in any way.

“None of the boys I have worked with have every access it whatsoever. None have been identified and no indication that they’ve been supported, so I would suspect that it’s not working very well at all.”

Source: James Simmonds-Read, Service Manager at The Children’s Society, interview record, February 2019

The absence of adequate safe accommodation for boys and young men was also highlighted by the Mary Ward Loreto Foundation:

“I did some research and I found only a day service and they can stay there and access a programme but still there are no shelters like for women and girl victims. Male victims only have day centres where they can have trainings, food, clothes and very low level of services but not a residential centre. In all the centres where they accept VOT they do not accept boys. Some of the centres like D&E have flats for rent but very few and very difficult to find the victims who accept to go in this flat. They have to move - they don’t have budget to support him during this process of rescuing him, to give him a flat or a place to live - education – so they always move.’

Source: Mr Alfred Matoshi, Mary Ward Loreto Foundation, interview record, January 2019

For further information on the adequacy of shelters for male trafficking victims, see [8.3. Effectiveness of Assistance](#).

7.4. Police Attitudes to Safeguarding of Children

When asked for their views on police attitudes to the safeguarding of children, particularly boys, the sources interviewed by ARC Foundation and Asylos responded:

“I think there is a disposition to assist amongst all authorities but they are not properly either equipped or financed. The right attitude of front line police toward children is not assessed, appraised or supported by their monitoring bodies, or their superiors.”

Source: Anonymous source 1, written response to questions, March 2019

“Well they have been supported by different training programmes by different international organisations to work with children, including trafficked children especially the border areas but there is a problem among the police force in Albania. The mobility of these forces from one position to another within short periods of time which doesn't help to see the effect of the investments that different actors have made in different police forces. [...] Once they take one training you do not know if the next time you go you will find the same people in the same position and I think this is one of the most problematic situations with the police forces.”

Source: Professor Dr. Edlira Haxhiymeri, interview record, January 2019

“The same as any other victim. My observation is that there is no bias based on gender or age.”

Source: Steve Harvey, Independent International Law Enforcement Specialist, written response to questions, March 2019

“They are at a low level - we have been part of a training programme in collaboration with the police officers here in Albania and they are really in they have a problem in Albania I don't know what happens in other countries but the police officers do not have their work position for a long time - you can work in one location for 1 year then you have to work in another city for 2 years, and still you come back to your city for another year and this creates a big problem because you have no opportunity to create your own contacts in your city where you have to work so changing the officers and this strategy of not leaving them in a particular community I think has created a gap between the institution the police and the victims and the NGOs who have to collaborate with the victims especially the children.”

Source: Mr Alfred Matoshi, Mary Ward Loreto Foundation, interview record, January 2019

“At Caritas, we have the possibility to invest in the capacity of the police at a local level. We

had to take a project, it's a Department of State project, and we work along with them to increase their capacities and understanding policy, how to get protection and give recognition of the victims of trafficking, etc. It's changed their attitude because also they are aware about child protection in Albania. Three years ago, you had the law... child protection law, and also, the situation is changing always and they need to be informed or trained about the situation of trafficking. For example, as Caritas, we have, in the past, invested a lot in child friendly rooms, child friendly spaces. We created five spaces for the victims of trafficking, decorating them with the police in the directorate of Obeyis, in the north of Albania, in Shkodra, in the border, in Tirana, in [Flora], in [Turos], safe places, for the victims of trafficking or for the children in order to have, let's say, a very... to have a very good interview because you know, in Albania, sometimes the interview is done in the big offices with a lot of police officers, and it's not very easy for the victims or for the children. And Caritas in the past, we create this safe place for children and provide some support, some logistical support on food, food items for the period that the children or the victims are staying in these places. Yes, they changed their attitude thanks to different or similar trainings and also the Albanian government taking a lot out of the budget. The Albanian government is talking a lot about child protection, safeguarding policy, and etc."

Source: Caritas Albania, interview record, March 2019

"If I were to answer this question, probably now, I would want to look into what training have they had because there has been some training for these customs officers, but has anybody actually picked up on training for police in general, thinking about improvement in safeguarding awareness, for example? More often than not, I have been surprised how limited awareness there is of child safeguarding issues and children's rights, but there is legislation in place, but the legislation is very much pushed through these international legislations and demands. There's just so little awareness, and generally, an understanding of formal procedures relating to child protection, children's rights and safeguarding is very different, I think, from the UK."

Source: Dr Schwandner-Sievers, Bournemouth University, interview record, February 2019

"I don't have a huge amount I can say other than the majority of those young Albanian men I work with have grown up in family situations which if they had been in the UK would have involved social service interventions-in relation to domestic violence, people who have experienced physical abuse from family members. In my experience none had any interactions with the equivalent of social services, other state support structure. I don't know if there is ostensibly social services in Albania. That term can be used very differently in different locations anyway- I don't know what that would mean in practice. I would be very doubtful about the state response to things like domestic violence within the family, particularly given how utterly endemic it appears to be. I understand that both from

individuals that I've spoken to and also from other professionals in Albania about how deeply held attitudes are around male control of women. Where you have such an ingrained sense of violence being acceptable in those structures across society, it's hard to believe that society would know how to act."

Source: James Simmonds-Read, Service Manager at The Children's Society, interview record, February 2019

For further information on police attitudes, see Protection chapter, [4.3. Reasons for an 'Implementation Gap'](#) and [4.6. Corruption as a Barrier to Implementing Legislation](#).

8. Details of Shelters and Reintegration Programmes for Trafficked Boys and Young Men

8.1. Assistance for Trafficked Boys and Young Men

In 2014 Thailand and Moldova indicated in the United Nations' Committee on Human Rights' Mid-term Universal Periodic Review, that it felt Albania should:

"Provide adequate medical, legal and social assistance, including shelter to victims of trafficking." (p. 39)

Source: UPR Info, *Mid-Term report of Albania on the implementation of the recommendations received during the second cycle of Universal Periodic Review (UPR)*, March 2017

Albania responded in 2017:

"Based on 2014 and 2015 amendments to the legislation in economic aid, from January 2015, victims of trafficking and potential victims of trafficking benefit a financial aid in cash during their stay in the shelter and economic aid after they leave the shelter until employment. In 2005, 25 victims of trafficking benefited from these package.

The NGO run shelters offer a package of reintegration services to victims of trafficking and potential victims of trafficking including immediate health assistance, negotiation/mediation with the family; legal aid, assessment and psychological counseling; assistance to continue education; vocational training, employment assistance, financial support on housing;

information about community services; assistance and support to children of victims of trafficking, etc.

Amendment to the Law on Legal Aid in 2014 provide for free legal aid to victims of trafficking.

Since 2014, victims of trafficking receive free health care from the state budget funds. The expenses are covered by the Health Insurance Fund and until March 2016 a total of 44 victims / potential victims of trafficking acquired health cards.

In 2015, a decision for granting free books to children, victims of trafficking, was approved.

In 2016, an Action Plan for Social and Economic Reintegration of women and girl victims/potential victims of trafficking 2015 - 2017, was adopted.” (p. 39)

Source: UPR Info, *Mid-Term report of Albania on the implementation of the recommendations received during the second cycle of Universal Periodic Review (UPR)*, March 2017

The UK Home Office Fact-Finding Mission (FFT) to Albania in 2017 found that:

“There are four NGO shelters that can handle VoT [Victims of Trafficking] [...] the NGO shelters for VoT are in Tirana, Vlore, and Elbasan plus the state-run shelter in Tirana.

The centre in Elbasan is just for children which can house 15-20 and when it is full they are referred to orphanages.” (p. 41)

[...] There are two state-run shelters, this is a high security place guarded by the ALB state police. Three NGO-run shelters in Vlora, Elbasan and Tirana. The Elbasan one deals mainly with children, and can house 15-20. Others deal with women, girls and men. But men and women are not put in the same shelter, they rent apartments for them.” (p. 71)

Source: UK Home Office, *Report of a Home Office Fact-Finding Mission to Albania, Conducted 31 October to 7 November 2017*, February 2018

The same report also discusses the purpose and capacity of the National Reception Centre for Victims of Human Trafficking (NRCVHT):

“4.6 National Reception Centre for Victims of Human Trafficking (NRCVHT)

4.6.1 For the NRCVHT, length of stay depends on age; and where a minor is involved custody transfers to the centre. Usually victims stay for 3 to 6 months; but there have been cases where people have stayed for two years. The Ministry of Interior stated there is no time limit.

4.6.2 The Director of the NRCVHT stated 'Another important factor when it comes to the NRCVHT is the proceedings that are going on with the trafficker. We evaluate the risk to the person. Depending on that, it affects the length of the stay. But when the person feels safe, or ready for reintegration, they leave. But the NRCVHT maintains contact with regional authorities, NGOs and others to ease integration and maintain support and contact.'

4.7 Capacity of the NRCVHT

4.7.1 The capacity of the NRCVHT is 80 people.

4.7.2 Since 2003, when the centre opened, it has treated 620 people. The average is about 20-30 people per year.

4.7.3 The Director of the NRCVHT said that it has never had a situation where it has had to refuse a person. They have more capacity than requests at the moment.

4.7.4 The Albanian Ombudsman said that the NRCVHT has only 9 residents as at November 2017 so there is capacity for supporting other regions that don't have a safe house – e.g. northern regions – or returnees." (p. 45)

Source: UK Home Office, Report of a Home Office Fact-Finding Mission to Albania, Conducted 31 October to 7 November 2017, February 2018

The Director of the NRCVHT, in the same report, explains how victims are selected for a shelter:

"When it comes to victims of human trafficking (VHT), the ALB SS [Albanian Social Services] has a special provision for interviewing victims. Once the interview has been completed, and the person has been found suitable, they are sent to a shelter which has measures to protect the victim." (p. 81)

Source: UK Home Office, Report of a Home Office Fact-Finding Mission to Albania, Conducted 31 October to 7 November 2017, February 2018

The report compiled by the Group of Experts on Action against Trafficking in Human Beings (GRETA) describes assistance measures which are available for victims of trafficking, including the a shelters for women in Tirana (run by the NGO Different and Equal) and Vlora (run by the NGO Vatra), a third for child victims in Elbasan (run by the NGO Another Vision) and the state run National Reception Centre for Victims of Trafficking also in Tirana. However the report also highlighted that at the time of publication there were no shelters for male victims of trafficking available, but that the NGO Different and Equal rents accomodation for such persons. In light of this they recommended that the Albanian authorities to ‘increase the number of places available in shelters to cater for the rise in identified victims, including male victims’.

“b. Assistance measures (Article 12)

100. In its first evaluation report, GRETA commended the co-operation of the Albanian authorities with NGOs in the area of assistance to victims. GRETA considered that the authorities should ensure that victims benefit from all assistance measures envisaged by law, in particular by providing adequate financing and ensuring the quality of the services delivered by NGOs acting as service providers.

101. The number and location of shelters for victims of THB in Albania remain the same as at the time of the first evaluation: two are for women, in Tirana (run by the NGO Different and Equal) and Vlora (run by the NGO Vatra), and a third one accommodates child victims in Elbasan (run by the NGO Another Vision) In addition, there is the National Reception Centre for Victims of Trafficking in Tirana, under the Ministry of Social Affairs and Youth. Each shelter has a multidisciplinary supervision team, which includes social workers, a psychologist, a doctor, a teacher and a legal specialist. The three shelters and the reception centre form the National Coalition of Shelters for Victims of THB, which meets each month to co-ordinate their activities and agrees on a number of priorities each year. The coalition is a participant in the Responsible Authority of the NRM.

102. The assistance provided to victims of THB comprises three phases: (i) emergency accommodation in a shelter (for three to six months, but if necessary longer, depending on the victim’s situation), medical care, counselling, a reintegration project, legal advice, therapeutic activities and vocational training; (ii) accommodation outside the shelter in rented flats under the supervision of NGO staff, usually after finding a job, with the shelter sometimes acting as a mediator with the family and community to which the victim may return; (iii) monitoring and support for reintegration, in conjunction with the social services.

[...] 106. There is no shelter for male victims of trafficking, but the NGO Different and Equal rents flats where such victims can be accommodated. They receive counselling, legal advice, medical services, vocational training and assistance with job-seeking. Eighteen male victims received such assistance in 2014. They were typically aged between 17 and 20, and had been trafficked for the purpose of forced begging, labour exploitation or sexual exploitation.

Further, the NGO Vatra in Vlora provided accommodated in rented flats to three male victims who had been forced into begging or committing offences. (pg.23)

[...] 109. The number of victims of THB who received assistance was 74 in 2012, 95 in 2013, and 125 in 2014. The authorities believe that this increase is a result of the SOPs being better applied as time goes on.

110. Under Law No. 2039 of 17 March 2011, every victim leaving a shelter must in principle receive ALL 3 000 (21.50 euros) a month until they are able to find work. In 2015, a total of ALL 1 008 080 (7 250 euros) was spent on welfare benefits paid to 28 victims of THB. However, the authorities acknowledge that this amount is not enough to enable victims to lead independent lives. Only victims who have been accommodated in the shelters receive such benefits and according to NGOs, victims are reluctant to collect the benefits from the relevant local authorities departments because of the stigma attached to victims of THB.

111. At the end of 2014, Law No. 141/2014 amended Law No. 10383/2001 on Compulsory Health Insurance, entitling victims of THB to free access to health care. Victims must be issued with a card entitling them to free access to medical care provided outside shelters. This will, inter alia, enable victims suffering from psychiatric problems who cannot be cared for by the shelters to receive care and, if necessary, be hospitalised. The Ministry of the Interior is to draw up lists of beneficiaries to be forwarded to the Directorate General of Social Security, which will then contact the competent regional authorities. This legislative development has yet to be fully put into practice. The need to train medical staff coming into contact with victims of THB is acknowledged by the authorities, which have already launched a number of initiatives (see paragraph 38). In this context, NGOs have stressed the importance of guaranteeing the confidentiality of personal data of victims accessing public health care. (p. 24)

[...] 114. Recalling the recommendations made in the first report, GRETA urges once again the Albanian authorities to provide adequate funding for the assistance to victims of trafficking in order to enable NGOs to comply with the standards of assistance.

115. Furthermore, GRETA considers that the Albanian authorities should:

- increase the number of places available in shelters to cater for the rise in identified victims, including male victims;
- 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.

116. While welcoming the progress made in providing victims of THB with access to public health care, GRETA considers that the Albanian authorities should ensure that this access is facilitated in practice, including by raising awareness amongst health care staff.” (p. 25)

Source: Council of Europe (CoE) - Group of Experts on Action against Trafficking in Human Beings (GRETA), *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Albania; Second Evaluation Round [GRETA(2016)6]*, 3 June 2016

The 2018 USDOS report on trafficking in persons briefly describes the assistance to trafficked persons provided by three NGO-run shelters and one state-run shelter. It states that the NGO-run shelters continue to ‘operate under financial constraints’ and that only one shelter provides services to child VoT and that there is still limited assistance for male victims with only one NGO providing services to male VoT. The report also highlights that ‘the government offered limited reintegration support and did not provide funding for reintegration services’.

“The government operated one specialized shelter and supported three specialized NGO-run shelters. The government provided 20.2 million lek (\$182,640) to NGO-run shelters to support 29 staff salaries, compared to 15.3 million lek (\$138,340) to support 24 staff salaries in 2016. The government used 4.7 million lek (\$42,500) in 2016 and 2017 from the special fund of seized criminal assets to support services. The government provided 5.5 million lek (\$49,730) for food support to NGO run shelters, compared to 1.8 million lek (\$16,280) in 2016. However, the government reorganized the Ministry of Social Welfare and Youth and State Social Services into the new Ministry of Health and Social Care, which contributed to delays in funding, including funding for staff salaries and food support. NGO-run shelters operated under financial constraints and relied on outside sources for operating costs; government financial mechanisms intended to partially fund these shelters remained complicated. The four shelters comprised the National Coalition of Anti-trafficking Shelters (NCATS) and victims who required services not available in one shelter were referred to another shelter within the coalition. The NCATS provided assistance to trafficking victims, including food, counseling, legal assistance, medical care, educational services, employment services, assistance to victims’ children, financial support, longterm accommodation, social activities, vocational training, and post-reintegration follow-up. The government provided free vocational training, textbooks for child victims, and health cards that provided free access to health care; however, the government offered limited reintegration support and did not provide funding for reintegration services. Experts reported first responders often referred individuals that were not trafficking victims to the government-run shelter, including individuals with mental health issues or victims of other crimes. NGO-run shelters supported 71 trafficking victims and potential victims (75 in 2016) and the state-run shelter supported 30 (30 in 2016). NGO-run shelters allowed adult victims to leave the shelter

voluntarily, but the state-run shelter required victims to seek approval from the director of the shelter. One NGO-run shelter provided specialized services for child victims under the age of 18 and male victims were provided with rented apartments, where they received assistance from NGOs. Foreign victims had access to the same services as domestic victims and the law provided foreign victims a three-month reflection period with temporary residency status and authorization to work for up to two years.” (p. 68)

Source: US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2018*, 28 June 2018

Professor Dr. Edlira Haxhiymeri expressed some doubts about the shelter provided to male victims of trafficking by D&E:

“In my knowledge I think they haven’t experienced this yet. I work very closely with them and because I work with victims of trafficking and they work with trafficked victims and we collaborate a lot. In my knowledge they don’t work with men and boys.

This is all I can say. I have no information that Different and Equal is offering any service to men and boys.”

Source: Professor Dr. Edlira Haxhiymeri, interview record, January 2019

Further, when asked if they have sufficient capacity she stated:

“Of course not, of course not - we do not have for girls and women, so I think this is not something that is happening right now. As far as I know from regular contacts with them, they do not have sufficient capacities for boys and men. “

Source: Professor Dr. Edlira Haxhiymeri, interview record, January 2019

Whereas another source disagreed:

“I do think they have the necessary expertise and capacity to assist them.”

Source: Anonymous source 1, written response to questions, March 2019

This information from an anonymous source expanded on the accommodation provided to male victims:

“There are shelters only for female victims - for males, there aren’t any shelters to accommodate them. Housing is an urgent need for many trafficked men and boys assisted in Albania. The services try to find rented apartments for them and they are accommodated in such rented apartments. They pay the rent of the apartment for a period of time and it depends case by case for the period of financial support. There have been cases that were supported for 1 year even more with the payment of the rent of apartment. This goes for men and the young boys who are 18 years old, but not for minors VoTs. In most of the cases the most basic need for them is housing. As most of the cases assisted are in street situations, with no stable residence, some of them came from child institutions or they have been in a street situation before they started the reintegration process, so they need housing. For the cases concerning minors and when they have a good relationship with their parents, they are sometimes supported in their family and receive services for the entire family to empower all the family of the male as VoT or potential VoT.

The services don’t have available apartments but they find them at the moment that a boy needs to be accommodated in an apartment. If the males decide to live in other cities not in Tirana they may receive support and receive payments for the rent of the apartment even there.

Actually I know of 13 cases of males who are VoTs or potential VoTs who are either in rented apartments or in their origin family. For the cases who are accommodated, assisted in rented apartments and supported financially , they would also be advised on how to benefit from the programmes that the municipality has.

There are three social housing programs: social housing for rent, low cost (rent) housing, and the program of equipping land with infrastructure.

So, 2 boys are included in this programme and the municipality supports them in paying a part of the rent of apartments. Actually 5 cases who are potential VoTs are supported in family and the others are in rented apartments. 8 boys are supported in apartments (2 of them have benefited lately by the Municipality program for payment of the rent of apartment and 6 others continue to be supported financially).”

Source: Anonymous source 2, interview record, December 2018 and January 2019

According to Different and Equal's 2017 annual report, the organisation assisted a total number of 17 male potential victims of trafficking/sexual abuse in Albania in the period of January to December 2017 through their reintegration program.

"2.3 Direct Assistance for Male Victims of Abuse, Trafficking and Violence:

During this period D&E has assisted 17 male potential victims of trafficking/victims of sexual abuse, 2 of them were new cases referred at D&E reintegration program.

During this year 3 cases have moved from the family to be assisted in the rented apartment; 1 case accommodated at Pope John XXIII has joined the family and 1 case has lived and supported by his relatives as he had problems with his family of origin. In cooperation with D&E Case Manager, a reintegration plan has been built for each case and supported to achieve the objectives set out in the plan.

Cases were supported with psycho-social counseling, legal aid, medical assistance, support for finding a job, financial support for paying the rented apartment; training to enhance life skills; providing information and intercession for receiving services provided by different community service providers, monitoring and follow up, etc. D&E psychologist has offered regular individual counseling sessions for all male beneficiaries in the program.

During this year:

- 4 men VoT / PVoT beneficiaries of the D&E program attended school, 3 high (sic) school and 1 secondary education
- 2 of the beneficiaries have attended professional cooking and car service courses.
- 7 cases are provided with ID cards." (pp. 37-8)

Source: Different and Equal, *Annual Report 2017*, 20 June 2018

Regarding the availability of reintegration programmes for trafficked boys and young men returned from abroad, or from other areas in Albania, the sources ARC Foundation and Asylös interviewed gave mixed responses:

"The trafficked boys and young men returned from abroad are provided with services by Different & Equal when they are identified and referred. Even for these cases they are referred by their programme, the state social services refer the cases of young men and boys who are returned from different countries to Albania, they are referred to their programme."

Source: Anonymous source 2, interview record, December 2018 and January 2019

“Different & Equal has such program. It shares information with organizations abroad when there are cases wanting to return. Each individual enrolled in the program receives tailored assistance around his needs. Different and Equal and other members of the NCATS do disseminate such information.

[...] D&E offers psychological support, helps financially with the rent, provides coaching for employment, legal support, support with documentation to access services all tailored around individual needs. A case manager is assigned for each case.”

Source: Anonymous source 1, written response to questions, March 2019

“No - reintegration programmes for boys and young men do not exist. We hardly have for girls and we have been working for two decades now to establish such programmes.”

Source: Professor Dr. Edlira Haxhiymeri, interview record, January 2019

“There are some programmes - always from the NGO - there is no effective programme from the government. The Swiss NGO Terre d’ hommes and World Vision have reintegration programs. In general, these kind of programs in Albania are directed to adults and have an economic focus. There are programs but the formal way of how we work doesn’t really keep with victims’ need for immediate help - we have to be more flexible - we have to be very flexible, but this is difficult to do because of the way funding works.”

Source: Mr Alfred Matoshi, Mary Ward Loreto Foundation, interview record, January 2019

Providing further details on the reintegration programmes available for male victims of trafficking, this source stated:

“The services are the same as the services for female VoTs who are accommodated in the shelter. Services are provided to male VoT across the country, where they decide to live and to be reintegrated. Psychological assistance is provided by psychologists. There are case managers, lawyers, teachers, psychologists and doctors involved. Each of them assess cases of male VoT. The psychologist does a psychological assessment; the lawyer does a legal assessment; and the teacher and doctors do the same on education and health assessment. After the needs assessments, the case manager together with the male beneficiary builds up a reintegration plan based on the assessment done by the multidisciplinary team. Beside the psychological assistance, there is also legal and medical assistance, as they need mostly and this is of great value in helping them during the rehabilitation. For the cases who are exploited for sexual purposes, they need to be attended by a specialist, mostly they face problems of sexual infection, so they need to be treated by a doctor and they do different

analysis and are accompanied by a doctor. The legal assistance is another service provided for the males. Since at the beginning they need to apply for identification document, because in most of the cases they do not have any basic documents, any ID or birth certificate and they are supported to acquire these documents. Other services are education, schooling, and vocational training. So, the teacher, after the assessment she makes for each case, tries to register them in order to attend school. Other services are vocational trainings, so to empower and reintegrate them in society; to attend courses and to take a profession. This is mostly for adult males. Most of the courses they attend are for kitchen, cooking courses, language courses for English, Italian, computer courses, hairdresser (barber) courses. They are supported on job counselling and job placements.”

Source: Anonymous source 2, interview record, December 2018 and January 2019

8.2. Access to Assistance for Male Victims

Regarding access to services for victims of trafficking who are repatriated to Albania, this report states that:

“Trafficking victims repatriated to, or identified in Albania as foreigners, are entitled to all of the services provided to Albanian victims identified domestically.” (p.21)

Source: World Vision International and ChildPact, *Child Protection Index: Albania 2016*, September 2016

However, Steve Harvey highlights that victims have to be successfully identified as trafficked persons in order to be eligible:

“There are reintegration programmes for all victims of trafficking returned from overseas. But they have to have been successfully identified as a trafficked persons. However, I am not aware of what is provided for boys and young men.

[...] If they are not identified. I don't believe a state actor will do anything for them under a re-integration programme.”

Source: Steve Harvey, Independent International Law Enforcement Specialist, written response to questions, March 2019

Different and Equal, in its 2015 report, notes that there are challenges to identifying male victims who are trafficked internationally and then returned to Albania:

“Another important challenge faced during the process of identification of male victims of trafficking is that in many cases of forced labor, the trafficking victims or the potential trafficking victims are considered as irregular migrants and are deported without taking into consideration the possibility that they might have been exploited.” (p.41)

Source: Different and Equal: Falling through the cracks! The trafficking of men and boys in Albania, January 2015

This source shared similar concerns when asked whether male victims who have been identified as VoT or PVoT in other countries, and are then returned to Albania, would be entitled to access support and reintegration packages.

“My understanding is that on theory they are supposed to. The bigger question is whether Albanian state is recognising them as trafficking victims. They would for some people- particularly women are being returned to Albania having been sexually exploited may be. My understanding is that there are shelters available and some limited involvement available from charities and those supporting such individuals. It’s my understanding that there are no specialist services for boys and men and given that the government doesn’t believe that boys and young men have been trafficked I would find it very unlikely that they would be entitled to access those support packages. Particularly if someone was returned without a positive decision from the UK NRM. I can’t give a very factual answer to it as I’m not in touch with people who’ve returned but I’m very doubtful based on my understanding of what is available in country. Alongside the further barrier of whether YP would disclose their trafficked status.”

Source: Anonymous source 3, interview record, 2019

In relation to this issue, the 2018 Trafficking in Persons report from the USDOS highlighted that of those repatriated to Albania in the most recent reporting period, only four were identified as potential victims, and none in 2017.

“The law provided repatriation assistance to Albanians citizens identified abroad; four potential victims were repatriated from Germany, Kosovo, the Netherlands, and Norway (none in 2017).” (p. 67)

Source: US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2018*, 28 June 2018

For information on barriers to identification experienced by males see [5.2. Effectiveness of the NRM in Identifying Victims](#).

8.3. Effectiveness of Assistance

When asked if there are there effective safeguards against male victims being detected whilst living in the apartments provided by D&E, sources interviewed by ARC Foundation and Asylus stated the following:

“I suppose yes. I know risk assessment and risk management is a strong component of D&E rehabilitation and reintegration program. I know it takes into consideration the sense of safety and security of the victim in finding places to live, and making immediate contact in cases of risk.”

Source: Anonymous source 1, written response to questions, March 2019

“A lawyer informs all the cases who have access to this service about their rights, provides support if they decide to denounce the trafficker, even though in most of the cases they do not want to denounce their traffickers. For the cases that have had security problems they may have access to other alternatives, for example shelters accommodation at religious institutions. For other security problems services collaborate with the police. Until now I haven't heard of any problems or any security problem with the males in rented apartments. If they have any kind of security problem, then they will address them to the police.”

“But the problems are not in the rented apartments but mostly in the daily activity that they do, if they go to school or their place of work, they face difficulties in the street, if they have seen the traffickers and they call the police. But the traffickers don't know the apartment where they stay.”

Source: Anonymous source 2, interview record, December 2018 and January 2019

“I mean this actually relates to the next question because this is about can you anonymously live in Albania, and the answer is no, you can't anonymously live in Albania— that is very different from London or from Bristol or any UK city—because it's such a small country and because also for cultural reasons, the ways in which people situate you socially. You

encounter somebody and you meet somebody, and any social contact you make you are defined as a person through where you are from and who your family is. It is almost a ritual; it is a ritual rhetoric. When you meet someone, you ask “How’s your father? How’s your mother?” And you ask that if you know the father and mother. There also is this very big trope of a good or a bad family. It’s very common in Middle Eastern societies, and prevalent in Albania as well, where it was reinforced during the Communist rule in particular. Albania is an incredibly small society. Also, you have very clear social organization with rules such as post-marital virilocal residence still very common. Society is organised patrilineally. This means that you can relate always somebody through their patrilineage. “Who’s your father?” Mother’s family now matters as well, but you are always judged in terms of whether you are from a good or bad family through your parents’ lineages.”

Source: Dr Schwandner-Sievers, Bournemouth University, interview record, February 2019

Dr Stephanie Schwandner-Sievers further expands upon this later in her interview:

“[...] There is no anonymous living such as in Europe’s large cities. What chance do you have to reintegrate into a society, without your family, where everything is reliant on family? Just being given a rented flat in a city without pre-existing social contacts would make you very conspicuous and attract attention and suspicion.”

Source: Dr Schwandner-Sievers, Bournemouth University, interview record, February 2019

James Simmonds-Read also suggests that the reintegration assistance that is available for boys and young men would not prevent the risk from criminal networks in Albania:

“I have heard that there is some limited degree of reintegration that is possible, mainly I’ve heard that talked about in terms of shelters, initial support provision on arrival rather than longer-term reintegration support. Certainly none of the young men I’ve work with have been aware of them so my knowledge has not come from young people directly. Those who have been made aware of what is there have no belief in those systems to adequately protect from further exploitation, or to provide ongoing support. There is a very firmly held belief that criminal networks are wide ranging across the country and whatever that support might look like it certainly wouldn’t prevent that risk. So overall, I would say a very low level of awareness of those support provisions at all and again I don’t believe male specialist support is available.”

Source: James Simmonds-Read, Service Manager at The Children’s Society, interview record, February 2019

Regarding the effectiveness of assistance and reintegration packages for victims of trafficking more generally, this 2017 report *'Understanding Trafficking of Girls and Women from Albania'* from Shpresa and Dr Enkeleida Tahiraj, provides an examination of state services for victims of trafficking highlighting several shortfalls in the support available. Whilst the report is focused on addressing the experiences of women and girls, this section refers to 'victims of trafficking' and 'trafficked persons' more generally.

"2.5. Return and reintegration:

Many factors limit the likelihood of successful reintegration into a country of origin: from low-levels of awareness of supports in Albania, to limitations in its capacity, availability and efficacy that are a major factor in continuing low rates of reintegration.

The 'majority of returnees (60.3 per cent) report that lack of adequate services and an inadequate health system (56.2 per cent) are two key problems faced by them upon return to Albania'. Below, an examination of the state services for victims of trafficking based on analysis of documentation and personal visit to state shelter offer a general view of the existing schemes and their effectiveness.

2.5.1 Resources & supports for reintegration of victims of trafficking:

The state provides very limited specific support for Victims of trafficking upon return. These take the form of the agencies such as internal and border police and local social services mentioned previously, which through the NRM direct beneficiaries into either a national state operated shelter based in Tirane or to NGO shelters that are part state funded.

[...] Financial assistance:

Cash benefits are available to "Victims of trafficking, upon exit from social care institutions until the moment of their employment; whereas for Victims of domestic violence, for the period of validity of the protection order or the immediate protection order." For victims of trafficking, access to financial aid is conditioned by their stay in social care institutions: victims/potential victims of trafficking, as well as victims of domestic violence, who have no incomes and are placed in public residential institutions (i.e. NRCVoT168). Once they leave the centre (as an adult), they can receive ALL 3,000 per month (Just under £18). To get an idea of how minimal this assistance is, the minimum wage in Albania (which is considered the lowest in Europe and not reflecting real needs in the country) is ALL 24,000 equivalent of £161/month and average rents even in outskirts of Tirana are £100 or more per month.

Medical assistance:

Assistance for health is offered in all residential centres and by law victims of trafficking should be provided free health care where they live. Women in shelters receive medical examinations and treatment' typically refers to simple dispensing of medicine and often funds allocated to pay for their medical expenses are not released, resulting in out of pocket expenses. Equally, widespread corruption within the state health system does mean that nominally free services and subsidized medications may not be accessible without out-of-pocket payments being necessary, as well as payments 'under the counter' to both medical specialists as well as to administration staff. (p. 36)

Health and Psychological services:

All centres offer 'psychosocial' counseling services, but these services offer very basic provision that may fall short of the individual mental health needs of a trafficker person in terms of both length of support, appropriateness and quality. Indeed, treatment is often limited to the prescription of anti-depressants and, where available, counseling is conducted by shelter staff who have no formal training in psychiatry or psychology.

Professional training:

According to the National Employment Service, victims of trafficking who register as unemployed job seekers are eligible to benefit from Vocational Training free of charge through the Regional Public Vocational Training Directorates. However, training outcomes do not translate into meaningful employment. There are no available data to distinguish outcomes of professional training for trafficked persons, as compared to other cohorts. We may only expect these outcomes at best to be at same level as the national average, which means they do not lead to employment.

Employment:

Support into employment is available for the registered unemployed. However, this support is geared towards advice rather than effectively finding a job for the applicant. In the current climate of increasing unemployment as elaborated earlier in the paper, chances of finding gainful employment are weak. Chances of a trafficked person finding employment cannot be expected to be better than for other unemployed people, which are very low." (p. 37)

Source: Dr Enkeleida Tahiraj and the Shpresa Programme, *Understanding Trafficking of Girls and Women from Albania*, July 2017

The Head of Mental Health and Addictology Department at the Ministry of Health, in a meeting with the UK Home Office, further elaborates on the issue of support for individuals with mental health issues in shelters:

"We do have a problem in shelters with VoT/PVoT who have mental health issues. We are

now discussing with the MoI whether it's possible to have supported accommodation for those who are resident in the institutions – the state-run or NGO-run ones. We are in the process of gathering data for this, and hope this will address the issues.”

Source: UK Home Office, *Report of a Home Office Fact-Finding Mission to Albania, Conducted 31 October to 7 November 2017*, February 2018

The UK Home Office in their Fact Finding Mission to Albania cites Anila Trimi from the Office of the National Coordinator for Combating Trafficking in Persons at the Albanian Ministry of Interior as acknowledging that support and reintegration assistance is not 100% successful and points to the need for a willingness of a person to cooperate:

“Support & Reintegration Assistance

AT acknowledged that they are not 100% successful, but then this is not unique to Albania. Small country and small communities. Also a contract between the person and the state, and therefore a bit of a willingness of the person to cooperate.” (p. 73)

Source: UK Home Office, *Report of a Home Office Fact-Finding Mission to Albania, Conducted 31 October to 7 November 2017*, February 2018

In another interview with the Human Rights Officer of the Embassy of the U.S. conducted for the same report, the interviewee explains the following limitations of shelters for victims of trafficking in general:

“[...] Then, you have the shelters, which are well-run, but not well-funded.

[...] Vatra's (Vlore) shelter is going to lose a lot of funding come January. The one in Elbasan is also a bit hurt, but the one here is generally ok.” (pp. 86-7)

Source: United Kingdom: Home Office, *Report of a Home Office Fact-Finding Mission Albania*, February 2018

8.4. Services for Child Victims of Trafficking

The GRETA report from the Council of Europe explains that child victims under the age of 16 can be accommodated and supported in the shelter run by Another Vision in Elbasan. However, the report goes on to say that ‘the preferred approach is to take the child back to their family and support the family’ and where that is not possible ‘the children are ultimately placed in orphanages as a more permanent solution’.

“[...] 120. With regard to the accommodation of child victims of trafficking, as explained above, the shelters run by the NGOs Different and Equal and Vatra and the National Reception Centre for Victims of Trafficking can accommodate child victims of trafficking over 16 years of age. Younger children are assisted by the NGO Another Vision, which runs the only shelter specialising in the reception of child victims of THB, in Elbasan. The shelter can accommodate 34 children, divided between two residences. Assistance is provided in the shelter by a multidisciplinary team and children are enrolled in the local school as quickly as possible, even for short periods of time, and receive tailored support from teachers. Vocational training is organised for older children in conjunction with the authorities. The municipal child protection units are also involved in the reintegration process.

121. Generally speaking, in cases where children are identified as victims of THB, the child protection units seek first and foremost to find their families. The SOPs provide for procedures to remove children from exploitative situations within the family context and provide them with assistance tailored to their needs. The appointment of legal guardians requires cumbersome court proceedings, and the preferred approach is to take the child back to their family and support the family. In cases where parents appear to be involved in exploiting their children, the children are ultimately placed in orphanages as a more permanent solution. As noted above (see paragraph 63), children placed in institutions constitute a vulnerable group. The Albanian authorities have referred to several recent texts (Council of Ministers Decision No. 573 of 24 June 2015, on "Standards for the work of the Child Protection Units"; Joint Guideline No. 10 of 25 February 2015 on "Methods, forms of cooperation and intervention procedures to help children at risk for institutions and structures responsible for child protection"; Guideline No. 6 of 21 May 2014 on “The resettlement of children in public and private residential social care institutions”), which aim at improving care services for children under the responsibility of child protection units, particularly those placed in institutions.” (p. 26)

Source: Council of Europe (CoE) - Group of Experts on Action against Trafficking in Human Beings (GRETA), *Report concerning the implementation of the Council of Europe Convention*

When asked whether the children's centre in Elbasan accommodates boys, sources interviewed by ARC Foundation and Asylos responded:

"Yes, as far as I know, the shelter in Elbasan run by " Tjeter Vizion" and the National Reception Centre for Victims of Trafficking should receive boys."

[...] Tjeter Vizion provides the services in collaboration with the Municipality CPU and other stakeholders of the Anti-Trafficking Technical Round Table in Elbasan. The shelter functions as a residential centre and should adhere to standards for residential care for children and residential care for victims of trafficking."

Source: Anonymous source 1, written response to questions, March 2019

"Yes, there are boys and females together, they both are eligible. The shelter in Elbasan is run by Another Vision association. The shelter provides services for children VoT or potential VoT".

Source: Anonymous source 2, interview record, December 2018 and January 2019

The latter source also said the following on the children's centre in Elbasan:

"They provide services and they have a long term programme. The duration of stay in the program depends on the case; the duration in the program is evaluated on a case by case basis. They have had also cases of males who after 18 years old have been referred to another organisation, providing them with further services based on their needs and supporting them in rented apartments in Tirana or in other cities where they decide to live.

[...]In Elbasan? Services such as psychological, legal and medical assistance. They also have collaboration with school in Elbasan and all the males attend this school as they are minors, so all of them attend school in different grades. The center in Elbasan provides all the services that they need."

Source: Anonymous source 2, interview record, December 2018 and January 2019

In a meeting with the UK Home Office, the NGO ARSIS explains the services they provide for child VoT and the challenges involved:

“We run 72-hour shelters for children, or parents with their children. We had a few of these based on a decision by the former minister. We work in police stations, and the problem is the origin of the children who have been trafficked. We have referred many cases like this to Municipality Officers, and in many cases they were not really provided the proper reintegration into society. We also had problems with the families accepting the children back. They don’t see the real problem.” (p. 153)

Source: UK Home Office, *Report of a Home Office Fact-Finding Mission to Albania, Conducted 31 October to 7 November 2017*, February 2018

This report from the University of Bedfordshire and IOM also mentions the services ARSIS provides to child VoT:

“The National Reception Centre for Victims of Trafficking plus three Non-Governmental Organisations (NGOs) across Albania (Different & Equal, Tirana; Psycho - Social Centre ‘Vatra’, Vlora; TjeterVizion, Elbasan) implement the SOPs for identification and referral of adults. This includes providing rehabilitation and reintegration services in cooperation with other service providers. An international NGO – World Vision, Tirana – offers support for identification across a range of areas. A further NGO in Tirana – Arsis – focuses on children who have experienced trafficking, providing them with shelter and emergency services (up to 72 hours).” (p. 21)

Source: University of Bedfordshire, IOM, and Institute of Applied Social Research, *‘Vulnerability’ to Human Trafficking: A Study of Vietnam, Albania, Nigeria and the UK, Report of Shared Learning Event held in Tirana, Albania: 24-26 October 2017*, July 2018

UNICEF’s 2015 report provides further information on social assistance and services for vulnerable children and child victims of trafficking:

“National standards are in place for social assistance and services, children in residential institutions, and social services in care centres for potential and actual victims of trafficking and violence. These cover areas such as food, clothing, education, psychological support, protection from abuse, complaints procedures [...], preparation for independence, entertainment, and staff qualifications. According to a 2013 report, not all social care service providers use these standards. (p. 52)

[...] Child protection services:

[...] 127. The SSS (State Social Service) finances 28 residential centres for children, elderly and trafficked persons. They include orphanages where children can be placed until returned to their biological families, placed in foster care, adopted or until the age of 18 years. Eleven centres report to the SSS with the remainder funded by SSS for now (until local government is able to fund them directly), but reporting to their LGUs. Nine of the SSS-financed centres are for children. Over 200 staff work for children in public institutions (107 care takers, 24 educators, 14 social workers, two psychologists and one medical doctor). The remaining staff provide other social services, but what their roles are is unclear.

128. There are also non-state actors that provide a range of child protection and social services, including health, education, legal and psychosocial assistance, running crisis centres, vocational training etc. These are through donor-funded projects of limited duration. (p. 53)

[...] Support for families in need:

135. Families, and others in need may receive economic aid from the state (equivalent to around USD 40 per month) and from local government. Those eligible are:

- Families with insufficient or no income.
- Orphans not living in institutions.
- Parents of triplets where families are in need.
- Trafficking victims after they leave the shelters and until they are employed.
- Domestic violence victims for as long as their protection orders are valid.

136. However, not all those in need may actually receive support. For instance, Roma families who lack documentation, or are not registered in their LGU, cannot receive benefits. NGOs often try to fill the gaps by providing support, such as through food, clothing, education or training. Family support is weak overall and doesn't meet family needs. (p. 55)

[...] Identification and referral of trafficked children:

[...] Referral of victims can be to the National Reception Centre for Trafficking Victims (the only state run centre) supervised by MSWY. It accommodates trafficked women and girls, those at risk of trafficking, unaccompanied at-risk children, other sexually exploited young women who have returned to Albania and witnesses. However it is mainly an emergency reception centre and does not offer specialist integration services for children. Victims may also receive NGO support (eg. from Tjeter Vision, Psycho Social Center Vatra, Different and Equal) including accommodation, legal, health, education, counselling and vocational training services. Only Tjeter Vision in Elbasan offers targeted services (accommodation, legal aid, education, health, psycho-social support, family mediation and counselling, long term monitoring of case and follow up). The NGO receives financial support from the MSWY,

and is subject to monitoring and inspection of services based on the approved state regulations. (p. 68)

Further support from the state for trafficking victims and to prevent trafficking also exists:

- The Ministry of Health ensures free health services for all trafficking victims.
- The Ministry of Social Welfare and Youth ensures the physical, psychological and social rehabilitation of victims, the promotion and facilitation of their vocational training and involvement in the labour market, supports them in finding accommodation, and that all standards of care are followed.
- The Ministry of Foreign Affairs has the duty to facilitate the registration procedures for trafficking victims in cases where this is missing, registration of individuals, and to equip them with all necessary identification documents.
- The Ministry of Education ensures that children are enrolled in school, and offers anti-trafficking awareness and education through the compulsory curriculum. (p. 69)

[...] Settling after return:

Children and their families may settle wherever they wish and children returning alone can settle wherever their legal guardian lives. Challenges related to access and quality of services are similar to those faced by other children and families (see 5. Basic rights and 6. Family environment and alternative care). This includes access to education, social protection and health care services, all subject to conformity with the approved regulations and providing appropriate documentation.” (p. 83)

Source: UN Children’s Fund (UNICEF), *Child Notice Albania*, January 2015

When asked about Regarding the provision of state run residential centers for trafficked children sources, interviewed by Asylos said the following:

“I don’t think the state social service supports trafficked children. I think the state social services finances residential centres for orphanages for orphans and they have strict criteria about groups of orphans who are biological or social - and they do not take trafficked children in this group - I do not know any criteria related to trafficked children in this group.”

Source: Professor Dr. Edlira Haxhiymeri, interview record, January 2019

“There are no special orphanages for trafficked children. The residential centers opened in 2015 for children in street situation including trafficked children. These children were considered “at high risk” and accepting them in orphanages without delay or documentation was an ad hoc solution to compensate for the lack of special accommodation in cases of emergencies. Criteria and documentation requirements for such emergent accommodation

were developed recently in child protection and social care bylaws. Council of Ministers Decision No.578, date 3 October 2018 defines the procedure for assessment and protection , including steps when child should be placed in alternative care, Council of Ministers Decision No. 518 date 4 September 2018 defines the criteria and documentation for placement.

[...] I think they are developing such capacities. There is a deinstitutionalization plan though that works against this solution. It is expected that the child care institutions should be closed down and other alternatives such as foster care should be developed.

[...] Residential centers should be the last alternative and for the shortest time possible. This is true for every child. ”

Source: Anonymous source 1, written response to questions, March 2019

“The National Reception Center for victims of trafficking is the only shelter run by the state which provides services for VoT/ potential VoT. Referring to the orphanages that you mentioned, the admission of persons to residential social care institutions, public or private one is done by the State Social Services. A child, who temporarily or permanently is deprived of his or her family environment, because the parents have died or on the basis of a court decision or when it is not in his / her best interest to stay in this environment due to a protection measure, is placed in alternative care.”

Source: Anonymous source 2, interview record, December 2018 and January 2019

The NGO Different and Equal are reported to having made the following comments services for children when interviewed by the Home Office:

“However, foster care for minors is scarce and it can be difficult to find age-appropriate foster care and accommodation for them upon leaving the shelters.

[...] D&E explained that it was more difficult for minors. The shelter in Elbasan is just for children. They used to have a women’s shelter there, but a lack of funding caused it to close. It’s only the children’s one now.

Until now, capacity across all of the shelters combined has not been a problem. The capacity issues are more for children. Once capacity is hit for children, they are referred to places like orphanages, which aren’t really appropriate.” (p. 91)

The Commissioner for Human Rights of the Council of Europe, in her report following a visit to Albania in May 2018, reports that while the number of institutionalised children in Albania ‘does not appear to be high’, there are some ‘serious human rights concerns’ related to institutionalisation.

“1.3 CHILDREN LIVING IN RESIDENTIAL CARE INSTITUTIONS

25. The Commissioner stresses that institutional care is not good for children, as it cannot provide the one-to-one care, love and attention a child needs to develop. Empirical evidence shows that children in institutions are at a higher risk of being subject to violence and discrimination. Young adults leaving institutional care are more likely to fall victim to trafficking, exploitation, unemployment, homelessness and depression.

26. According to the authorities, in 2017 there were 703 children in institutional care in Albania: 525 of them in public and non-public residential care institutions, including 62 children with disabilities; 41 children in the centre for victims of trafficking; and 75 in the centres for victims of domestic violence.

27. While the number of institutionalised children in Albania does not appear to be high, the Commissioner noted some serious human rights concerns related to institutionalisation. In 2016 the Albanian Ombudsman published a special report “on the situation of respect for the rights of children living in residential institutions, and children and baby homes”, following an inspection by the Ombudsman’s office of nine institutions for residential and daily care of children in Tirana, Durrës, Vlora, Shkodra and Korça. The Ombudsman expressed a number of concerns with regard to the living conditions and treatment of children in those institutions, the most worrying of which were related to serious allegations of physical and psychological violence against children, including a case of sexual abuse of a child. The Ombudsman recommended, inter alia, that the authorities establish an effective monitoring of complaints related to violence, negligence, forced labour and exploitation of children in state care institutions.

28. One of the major reasons for continued institutionalisation, identified by many interlocutors, is the lack of adequate support provided to poor families with children, in particular Roma, which contributes to the abandonment of children by their parents. The Commissioner visited the residential care institution “Shtëpia e Fëmijës” in Shkodra, which, at the time of her visit, hosted 33 children, 70% of whom are Roma. This institution was opened in 1944 and has 24 staff members. In his discussion with the Commissioner, the director of the institution expressed his concern that some children spend years in the

institution, due in particular to the difficulties encountered in integrating them in their families or finding a foster family. All the children living in this institution attend mainstream schools.

29. The Commissioner would like to stress that, while the de-institutionalisation process needs to be stepped up, the authorities need to urgently improve the monitoring of the existing residential institutions and strengthen the work of social protection services in this regard. The National Preventive Mechanism under OPCAT, within the Ombudsman's office, should continue to play an important role in this context. The Commissioner was also pleased to note that after years of delay a Commissioner for Children's Rights was appointed last March in the Ombudsman's Office.

30. One of the arguments put forward by the Commissioner's interlocutors in discussions about the deinstitutionalisation of children from state care related to the estimation that the authorities currently spend €700 per institutionalised child per month, while foster families receive social benefits in the amount of about €80.

31. Concerning family-type alternatives to institutionalisation, the Commissioner has noted concerns that non-kinship foster care has not been gaining ground in Albania, despite the measures taken by the authorities in this regard. In 2008 a Foster Care Strategy was adopted, and in 2010 the Foster Care Implementation Standards Framework came into force. A foster care project was piloted and evaluated in 2013, with the involvement of UNICEF and its implementing partners. Training, procedures and support systems for 80 families were provided. However, the reported lack of sustainable follow-up and of adequate financial support provided to foster families appear to be among the reasons for the lack of interest among persons, other than close family members, to become foster carers.

32. The Commissioner stresses that in parallel with the development of community-based services and family-like settings for deinstitutionalised children, the authorities need to provide adequate support to biological families who are willing to take care of their children and integrate them in the family. The Ombudsman has therefore called for improving the economic aid scheme to target poor families and children in need, through better social assessment of the living conditions of families." (pp. 8-10)

Source: Commissioner for Human Rights of the Council of Europe (Dunja Mijatovic), *Report Following her Visit to Albania from 21 to 25 May 2018*, 13 September 2018

The USDOS Country Report covering 2018 claims that children in shelters are subject to physical abuse and that alternatives to shelters are rarely used:

“The State Agency for the Protection of Children’s Rights reported that, as of June, authorities had assisted 109 street children. Some 67 children were referred to shelters. CPUs reported 422 cases of economic exploitation of children through June (p. 21)

[...] Some NGOs raised concerns about the transparency of the treatment of children who were under state residential care. Media outlets reported several instances of teachers physically abusing children in state residential institutions, and several incidents were filmed and broadcast. In one case, a news broadcast aired a video of staff of the Vlora residential center abusing children. The Ministry of Health and Social Protection fired the staff members involved and referred the case for prosecution.

The law allows for moving children out of residential centers and into the care of foster families, but the government and the municipalities have not used this option frequently.” (p. 22)

Source: US Department of State (USDOS), *Country Report on Human Rights Practices 2018 - Albania*, 13 March 2019

9. Information Regarding Difficulties a Male Victim of Trafficking May Face on Return to Albania and/or Relocating to a Different Area

9.1. Barriers to Reintegration and ‘Vulnerability as a Result of Being Trafficked’

In the 2017 research paper from Dr Enkeleida Tahiraj, a section is dedicated to challenges encountered by female VoT who opt for repatriation or return in their community, addressing the risks they may face as well as the social stigma attached to victims, thereby jeopardising their reintegration. Whilst the report addresses the experiences of women and girls, some of the issues may also apply to boys and young men.

“2.1 Is repatriation an option?:

[...] 2.1.1 Risks of Repatriation:

In considering disincentives to repatriation, factors necessary for sustainable return leading to successful re-integration need examining. Factors that drive trafficking such as situation of women and human rights issues elaborated earlier in this paper, are relevant here, along with others that pertain across many dimensions including,

1. Risks to person, including

- a. personal/physical security
- b. risks of trafficking and re-trafficking,
- c. risks of discrimination.
- 2. Risks of hardship including
 - a. social exclusion
 - b. health and welfare
 - c. income & living standards

Potential hardship is no doubt an unwelcome prospect. The position of many asylum seekers is already one of hardship, which can seriously diminish the probability of successful reintegration into society. Risks and challenges are typically mitigated by the availability of necessary support, including family and kinship networks as well as public benefits and services.

Typically a Victim of Trafficking returning from abroad will not have extensive family support, mainly because of the shame brought on the family, and is likely to face hardship and isolation without adequate long-term state or charitable support. Family members play a crucial role in the successful reintegration of trafficking victims.

[...] Risks of Social Exclusion:

Returnees are challenged on multiple levels in trying to re-establish themselves in the country. Family, kinship and social networks are a vital component of the “informal safety net” in Albania, assisting a person in addressing hardship, finding employment and providing inclusion in community. In a largely informal economy (which offers the surest route into employment with over 30% of GDP in 2013) and poor public service provision, family is the fundamental source of personal, financial and social security in Albania. Barriers to access essential public services, even for what would appear to be straightforward matters such as transport can derive from lack of family support, the latter typically assured when being part of an extended family.

[...] Lack of family support therefore puts returnees at risk of severe poverty, which exacerbates the risks of again falling victim to trafficking.’ Re-trafficking is a reality.

Re-trafficking and Risks of Harm

Personal risks in Albania arise not from state institutions *per se*, but from individuals and organised crime - information on the exact activities of which is obviously scarce, qualitative, rather than quantitative, and largely anecdotal. However, it should be plain that women and returnee VoT’s are among those with an elevated risk from these, especially given reported increased levels of re-trafficking.” (pp. 28-31)

Source: Dr Enkeleida Tahiraj and the Shpresa Programme, *Understanding Trafficking of Girls and Women from Albania*, July 2017

This 2015 report from D&E, *Falling through the cracks! The trafficking of men and boys in Albania*, provides information on the specific needs of trafficked boys and young men and some challenges regarding reintegration:

“Housing was an urgent need for many of the trafficked men and boys assisted in Albania. In some cases, like those of the Philippines, this was a need due to the fact of being exploited in a destination country and the men required emergency temporary accommodation. While they were being assisted in Albania, their documents were processed and arrangements for their return were made.

In other cases though, there was a need to identify and provide long-term accommodation to trafficked men and boys, some of whom were homeless prior to being trafficked.

In most of the cases, the most basic need for boys, victims of trafficking assisted by D&E, is housing. For at least 18 out of the 20 young boys assisted, housing was their most basic need at the beginning of the process. This is understandable when considering that most of the cases assisted have been in a street situation, without a stable residence, or came from institutions, before they started the re-integration process. Also, their families in most of the cases did not own a property, lived in rent houses or in inadequate places. (p. 49)

[...] Despite this, there is a big gap in the social services system for minors in Albania. Besides some efforts by NGO-s, the foster care system that can help in the case of runaway minors or children being in neglected and abusive families is not yet consolidated. (p. 50)

Trafficked men and boys are often traumatized as a consequence of their trafficking experience.

Moreover, many trafficked boys are traumatized as a consequence of their life before trafficking, including family abuse and violence, alcoholism within the home, poverty, neglect, abandonment, death of a parent, etc.

[...] As a consequence one of the most important parts of the reintegration process for trafficked boys in Albania is the provision of psychological assistance.

Psychotherapy is not yet a profession regulated by law and is too costly, because it is offered only within the private sector of services. The community centers of mental health show low standard and offer mostly psychiatric services only for severe psychological problems, like

schizophrenia or high developmental disabilities. Still, the heaviest burden of services related to victims of trafficking is held by NGOs that work with victims of trafficking. (p.53)

[...] Medical assistance is also of great value in helping especially during the rehabilitation phase. The interviews with the professionals show that many of the cases have medical needs in the beginning of the re-integration process. This is as a consequence of the trafficking process; also many of the victims of trafficking come from poor families and had no or minimal access in the health services before as a result of many reasons. In Albania, the public health sector is not easy accessible, especially when you are originally from one region and live in another region.

[...] Another reason that impedes medical care is the high level of prejudice and discrimination suffered by certain communities such as the Roma and Egyptian community. One of the case managers informs that once when he accompanied one of the boys of the Roma and Egyptian community because of some injuries suffered after an incident with the bicycle, the doctor resisted to visit him, saying that he was dirty.

A part of those who have been sexually exploited, face problems of sexual infections that should be treated quickly in order to prevent long-term complications. It is very difficult for the boys to ask for help regarding the abuse. (p. 54)

There are a lot of issues related to legal assistance. First of all, they need a legal assessment regarding possible legal issues that should be followed. The major part of the boys need to be helped immediately once in the assistance program regarding ID and other basic documents that they lack.

Some boys face issues related to their traffickers and the exploitation process. In some cases, they need legal help for non-punishment for the crimes that they were forced by the exploiters to commit (p.55)

Many of the boys assisted through the process of re-integration have left school at an early age. On the other hand, the situation is different for the adults trafficked for forced labor; they usually have a higher education level, and the last years of their education has concentrated on vocational education.

Boys that have been in a street situation, in most of the cases see school as something that belongs to the past, or as something definitely lost. There are many barriers that contribute to their difficulties to return to school. In some cases, illiteracy keeps them from returning to the schooling system. In other cases, the actual programs of academic recovery seem inappropriate for them, because they require a merge between persons with high

discrepancy of ages, for example an eleven year old kid with a nineteen years old young person sitting in the same classroom.

[...] Lack of literacy and numeracy skills narrow their possibilities to find suitable and adequately paid jobs. For some of them, it is difficult to follow vocational trainings. They may start a professional course that at the beginning is of interest to them but after a while they quit. Some of the usual reasons for quitting are difficulties to get along with the peers in the course because of the high stigma, especially when the boys come from the Roma and Egyptian community. Difficulties in literacy or complete lack of literacy are other important factors that make the continuation of the course difficult. They usually feel ashamed when the instructor or the course mates discover this.

The interviewed professionals express that one of the most challenging, at the same time one of the most important parts in the reintegration process is mediation and assistance for employment. Stable employment can help the process of reintegration and is essential to prevent re-victimization.

The service providers say that the difficulties noted during this process can be grouped in external factors and internal factors. Regarding the external factors, we can say that the Albanian job market does not offer much possibility. Many young people are unable to find a job; even when they find it, in most cases it is not suitable to their expectations. (p.56)

[...] Despite some efforts, there are no clear and practical governmental policies to encourage the involvement in the job market of the vulnerable target groups, for example, human trafficking victims.

Besides this, the cases themselves have personal internal difficulties regarding employment. According to one of the case managers, it is noted that, especially at the beginning of the process, they have large plans, unclear ideas or unrealistic expectations about which may be their future profession.

[...] Even when they start a job, it is not easy for some cases to maintain their jobs for a long time. This is due to many factors. Some of them have difficulties to maintain stable relationship with their colleagues or their superiors. Others that have lived in a street situation for a long time find difficulties to get used to work routines, schedules, etc. This is understandable having into consideration the fact that they have lived for 15-16 years without a clear structure in their lives.

In the case of trafficked boys that have been in a street situation for a long time, there are many issues related to life skills. In some of the cases that have been in a homeless situation for a long time, some difficulties are noticed related to self-care issues. Being in extreme

disadvantageous situations and environments has rendered survival skills very important, and the self-care skills like personal hygiene, and appearance, less relevant. Loving themselves, caring for themselves and finding meaning in what they do is a topic of primary importance through the re-integration process. (p. 57)

[...] in many cases, families of male victims of trafficking are dysfunctional and often dealing with issues of violence and abuse. Still, from the experience of the interviewed case managers, working with the family (when this is possible) can be of great help for the re-integration process of the survivor. According to their experience, the re-integration process for those who were able to reconcile with their families was easier and more effective, comparing to those who were assisted without the collaboration of the family. The family support seemed to contribute to, a faster and stable process and helped the males to recuperate in different aspects of life.” (p. 58)

Source: Different and Equal: *Falling through the cracks! The trafficking of men and boys in Albania*, January 2015

Research conducted jointly by the University of Bedfordshire, IOM and the Institute of Applied Social Research, summarises information gathered at a shared learning event (SLE) with various stakeholders working with trafficking victims in Albania and highlights ‘vulnerability as a result of trafficking’ as a significant issue.

“Although this session was entitled vulnerability to human trafficking, discussion at the SLE focused more on vulnerability as a result of trafficking. The issue of social stigma and discrimination were outlined as being key issues faced by those who had experienced human trafficking. Adults who had experienced sexual exploitation are often referred to as ‘prostitutes’ and other discriminatory labels. Support workers were also considered to carry the stigma of the population they worked with. Support workers advised people who have experienced trafficking not to share personal information with others so they, and their children, could avoid being stigmatised. Rejection by family members was reported as being a common response to people who had experienced exploitation and/or human trafficking, as was the loss of employment and livelihood upon exposure of this experience. Children who live in shelters were reportedly being asked to keep their addresses confidential but teachers would sometimes identify these children as living in centres. This stigma permeates other aspects of society such as accommodation and health services. This stigma could be a significant risk factor at both the community and household and family levels.” (p. 29)

Source: University of Bedfordshire, IOM and Institute of Applied Social Research, ‘*Vulnerability to Human Trafficking: A Study of Vietnam, Albania, Nigeria and the UK*, July 2018

When asked to comment on any difficulties an Albanian boy or young male victim of trafficking may face when attempting to reintegrate on return to their home areas, sources interviewed by ARC Foundation and Asyllos stated the following:

“The context where the reintegration takes place is not much different from the context the recruitment took place. Employment is difficult.”

Source: Anonymous source 1, written response to questions, March 2019

“Finding a permanent job is one of the main difficulties. Having enough financial resources to cover their needs - getting a decent salary - to be able to cover their needs are their main difficulties - if that does not exist there is always a risk of being re-trafficked.”

Source: Professor Dr. Edlira Haxhiymeri, interview record, January 2019

“Only if they have dishonoured themselves or another then this may result in conflict between families.”

Source: Steve Harvey, Independent International Law Enforcement Specialist, written response to questions, March 2019

When asked to comment on difficulties an Albanian boy or young male victim of trafficking may face if attempting to relocate and settle into a different area, interviewees stated the following:

“The main problem is accommodation as the programs offer short term support. Big cities are good in terms of occupation but bad in terms of costs of living and accommodation.”

Source: Anonymous source 1, written response to questions, March 2019

“Of course - finding a job is their main challenge because if they have a permanent job it means they can make enough money every month to find accommodation and also be able to cover their immediate needs but once they decide to move from their home town to main urban areas where they can feel hidden from the community and the history of trafficking then the cost of living is very high and securing accommodation and accessing health care becomes a big challenge to them.”

Source: Professor Dr. Edlira Haxhiymeri, interview record, January 2019

“We live in a small country where everyone knows everyone, and you rely on your friends and your network to offer you all the services but when we have the problems like health always you have this problem especially with health problems but finding work is very difficult. Accommodation is not difficult. The main challenges are finding work and access to healthcare.”

Source: Mr Alfred Matoshi, Mary Ward Loreto Foundation, interview record, January 2019

“In many cases service providers find themselves alone or not fully supported in their effort to give reintegration assistance to male VoT. So, it is difficult for VoT to find jobs through the employment offices, therefore the services accompany each of the cases to the employment office in order to provide them with job opportunities. But for the males VoT is more difficult to find jobs and to be sustainable in this job placement or to benefit from the system of social housing. It’s not easy for some cases to maintain their jobs for a long period of time. This is due to many factors. Some of them have difficulties in maintaining stable relationships with their colleagues or their superiors. Some others that have lived in a street situation for a long period of time and find difficulties getting used to work routines, schedules, etc. This is understandable having into consideration the fact that they have lived for many years without a clear structure in their life. In some cases they have low level of education and they do not have any profession.

As I mentioned to you, the municipality of Tirana has some programmes for housing, for paying part of the rent of apartments for them. But for the males is more difficult to profit from this programmes. Providing rented apartments is a good temporary service but does not fulfill the need for long term accommodation. They need long term solutions.

[...] The major part of the boys need to be helped immediately once in the assistance program regarding ID and other basic documents that they lack. There are cases that have moved from one area to another and they were supported to be transferred and to be registered in the Civil State.”

Source: Anonymous source 2, interview record, December 2018 and January 2019

However, in regards to transferring civil registration to a new area, Dr Stephanie Schwandner-Sievers, stated:

“Civil registration links to the question of corruption as well, and the way data protection works or doesn’t work. If you’re in a local area, go to the municipality and people might have really outdated ideas, and you can’t be sure that this is not publicized or talked about somewhere even though they are supposedly... have a duty of confidentiality. You cannot

trust civil servants with confidentiality, just because of a lack of awareness or training. I'm saying that off the top of my head, there has been a huge amount of training in recent years, so that might be suddenly wrong, but it definitely was absolutely underdeveloped when I looked into that."

Source: Dr Schwandner-Sievers, Bournemouth University, interview record, February 2019

Some sources suggested that relocation difficulties may vary depending on the area of relocation:

"Tirana, the capital, offers better opportunities in terms of work opportunities and access to services."

Source: Anonymous source 1, written response to questions, March 2019

"Always in the rural areas it is harder."

Source: Mr Alfred Matoshi, Mary Ward Loreto Foundation, interview record, January 2019

"Yes, because some programmes are provided on the local level and the Municipality of Tirana has more programs than the other municipalities in other cities. Sometimes the programs provided by the Municipality of Tirana, for housing for example are not available at the other cities. In Tirana there are more programmes. Even the job market is very limited in the other cities or areas. The medical care system ensures medical health for free for people in this category, so they can be attended or visited by the doctor, but all the medicines need to be bought. Sometimes they need to buy the medicines on a monthly basis.

The majority of trafficked persons decide to be reintegrated and to live in Tirana. One of the reasons is that Tirana has more opportunities and there are more programs by the local level structures. There are special programs that are on municipality level. Even the job market is very limited in small cities of Albania."

Source: Anonymous source 2, interview record, December 2018 and January 2019

However, other sources disagreed:

"I don't think so - I think the whole country is in the same situation "

Source: Professor Dr. Edlira Haxhiymeri, interview record, January 2019

“People with migrants abroad who sent remittances can make ends meet, but those without such connections, or where these have disappeared with the years passing and migrants creating their own families and integrating better abroad. There can be utter destitution anywhere, perhaps more in rural areas, but in marginalised urban areas everywhere across the country, too. This applies to all areas of Albania, although there was more migration to Greece from the south of Albania because of the vicinity.”

Source: Dr Schwandner-Sievers, Bournemouth University, interview record, February 2019

9.2. Risk of re-trafficking

Limited COI exists on the prevalence of re-trafficking, and that which was located only relates to the situation for women and girls. Sources interviewed for the 2017 UK Home Office Fact Finding Mission to Albania reported with regards to the re-trafficking of women:

“D and E commented that they had had a few cases, maybe 4-5% of women who had ended up being re-trafficked. These were women who willingly left their programme. BIRN said that sometimes people are willingly re-trafficked because they know nothing else and see no other way of getting out of the country.”

Source: UK Home Office, *Report of a Home Office Fact-Finding Mission to Albania, Conducted 31 October to 7 November 2017*, February 2018

The 2017 research paper from Dr Enkeleida Tahira and Shpresa states the following on re-trafficking in relation to women and girls:

“Lack of family support therefore puts returnees at risk of severe poverty, which exacerbates the risks of again falling victim to trafficking. Re-trafficking is a reality.

Re-trafficking and Risks of Harm

Personal risks in Albania arise not from state institutions *per se*, but from individuals and organised crime - information on the exact activities of which is obviously scarce, qualitative, rather than quantitative, and largely anecdotal. However, it should be plain that women and returnee VoT's are among those with an elevated risk from these, especially given reported increased levels of re-trafficking.” (pp. 28-31)

Many of the sources Asylos and ARC Foundation interviewed raised concerns about the risks of re-trafficking for trafficked boys and young men. James Simmonds-Read states that victims returning to their families can be either a protective or risk factor, and that the existence of extensive criminal networks across the country which have direct police links increase the chances of re-trafficking when asked what the risks of re-trafficking on return to Albania for young males are.

“I think that they are very high. I think that obviously it depends on the circumstance of the person’s return, how long they’ve been in UK for, whether they are returning back to a family support network or not. If any of the young males I’ve worked with were returned I’m not sufficiently assured they could access family support networks on return as for whatever reason, communication lines have broken down or been lost. The Home Office and the Red Cross have had real difficulties tracing families for some of the Albanian young people I’ve worked with; that haven’t resulted in anything even when an address is provided. There are often real concerns that that may well mean that the family has been targeted by the traffickers. I’ve had numerous examples where families have been directly targeted by the traffickers prior to the young people leaving and so themselves have been at significant danger; have either been moving around the country regularly, or themselves considered leaving, or have left the country with those young people, but haven’t been able to pay for the journey to accompany them to the UK. Unclear whether they have remained in Albania or ended up in a third country. I have also had some examples, maybe not many, where the family themselves were involved or colluded in the trafficking of their children.

Many of the young men I’ve worked with have described criminal networks that are extensive- that involve many members of criminal gangs and they have overheard phone conversations where they are linking up with gangs in other locations in Albania, whether nearby or further away locations, where they have direct links with the police. Therefore that would strongly suggest to me that those individuals could potentially have access to information that could mean they could find those young people who have returned. Further if those particular criminal networks weren’t targeting them then males being returned on their own without guaranteed large safety nets, particularly family would be at huge risk of re-trafficking from other exploitative networks given that they seem to be very prevalent and endemic across lots of parts of the country and are quite visible. Lots of young people talk about visibly seeing criminal gangs around a lot from young ages. For some it’s almost becoming quite a normalized part of day to day life in Albania to witness groups of young men who show indicators of being part of criminal networks. So I think that would make them quite vulnerable to re-trafficking. ”

Source: James Simmonds-Read, Service Manager at The Children's Society, interview record, February 2019

Dr Stephanie Schwandner-Sievers raises several issues which she says make the risk re-trafficking and/or exploitation very high. She caveats her response by stating that her research on this issue was focused on female victims but that states that 'by extension, I would be surprised if that was any different for boys because of the whole logic of why it started first of all.'

"There is no anonymous living such as in Europe's large cities. What chance do you have to reintegrate into a society, without your family, where everything is reliant on family? Just being given a rented flat in a city without pre-existing social contacts would make you very conspicuous and attract attention and suspicion.

At the same time, young men have a lot of pressure on their shoulders because they have to be the providers for their families and extended families. This is also why this whole set of questions before is a little off what is relevant to people themselves because, in a way, families would want them to go back abroad, and often they would want to keep eyes shut about how income is actually really generated as long as the money comes back and people can live. Deducing this from the situation for women as observed in 2008, and given the wider situation in Albanian society as I know it, if you are really victimized, remigration (in situations of social vulnerability typically ending up in re-trafficking) is your best option for safety, so yes, the risk of being re-trafficked would be extremely high.

Asylos: Can you clarify that?

I think re-trafficking risks are very high. Now, I have to—again, a caveat—I haven't done that—those questions—in relation to young boys, but for young women, the percentage was mind boggling. It was like the majority ended up being re-trafficked. This is because they don't want to be either facing massive stigma, or being locked up in a shelter in Albania with no hope and being married to an old widower or sent back to their family and kept locked up in their family's house. You know, any of that. They want to have a life and some control over their own fate, so the next opportunity to go abroad, they took, so of course, many ended up in servitude again. I think that, by extension, I would be surprised if that was any different for boys because of the whole logic of why it started first of all. With young women, we also had this escape from patriarchal structures and getting a bit more modern life was very big. With young boys, that is perhaps... it could also be that they are fed up with tradition. At the same time, we also find that young boys reinvent the tradition because they empower them as men."

Source: Dr Schwandner-Sievers, Bournemouth University, interview record, February 2019

This source states that some of the factors which make female victims vulnerable to trafficking apply to 'boys' also:

"I know there is a high risk of re trafficking for females, that is connected to factors (such as lack of employment opportunities, low wages, high cost of living) that apply to boys also. People who lack family support on return are more vulnerable to trafficking than the others."

Source: Anonymous source 1, written response to questions, March 2019

These sources also cite loss of support networks as a factor which relates to re-trafficking, however Steve Harvey believes that this issue may be more applicable to victims of sexual exploitation.

"The risk of re-trafficking for victims of sexual exploitation on return is real because of the loss of the family and friends support network and possible threats from family and traffickers. This is not unique to Albania but it poses the greatest threat. Other forms of exploitation may be viewed more constructively – see 1.2 There are no patterns other than the vulnerability of a victim without family or social support."

Source: Steve Harvey, Independent International Law Enforcement Specialist, written response to questions, March 2019

"The risk is high because when you leave Albania you are disconnected from all that you've done before - from work possibilities to your network organization or institution because you left the country and you are trying to find another possibility somewhere else. We had some cases where they sell their assets or properties. Starting from the beginning in a country in Albania for someone who has nothing and has abandoned the environment some time ago is very hard this makes a real risk of re-trafficking.

[...] Yes, so with this mentality they still feel they have no choice but to reenter into this world of trafficking, according to what difficulties they experienced in Albania and also what society and the environment in Albania offers (lack of job, future, vision, care, food, home, education). This is for all sectors. We have cases - we work in the prisons - a lot of girls there have been in jail for prostitution and are VOT and still they think that when they leave the prison, they still will do this work. Because they have a better life than when they were living in a village in their community. It happens even with young boys."

Source: Mr Alfred Matoshi, Mary Ward Loreto Foundation, interview record, January 2019

This source believes that the risk of re-trafficking is low for victims in receipt of services, but recognises that often male victims do not benefit from this support as a result of challenges around identification.

“Even the males who return back to Albania need to be referred and to be supported. Those who are identified are referred but the problem is for those who are not yet identified. If they do not have access to the services the possibilities to be in risk of re-trafficking exist. So the cases of males of VOT who return to Albania and have joined their families should be referred and they have the right to be supported with the services based on their needs. The support should be provided for the entire family.

Yes, because even if the males who are returned to their families need to be supported even in families, so they need to be provided with different services based on their needs. But sometimes they have joined their families without any service being provided, even to the male or to the entire family. These are the boys who are not identified as VoT. Another challenge faced during the process of identification of males victims of trafficking is the fact that in many cases of forced labor, the trafficking victims or the potential trafficking victims are considered as irregular migrants and are deported without taking into the consideration the possibility that they might have been exploited. Or even for the cases who came back from different countries, if they go to their families, they plan again to go outside of Albania. So, they need to be supported somehow. Even to inform them about the consequences and the risks of unsafe migration or being unaccompanied by their parents.

No, but just for the cases who are referred in the programmes and services the risk to be re-trafficked is low, because they are supported by the organization or the institution, being provided with the services they need, based on their needs. All the trafficked persons have the right to access the services they need. For the cases who return back to their families without having access to the services, there’s a risk of being in street situation again, because most of the male cases potential VoT come from families who are dysfunctional or disorganized, so they need to be assisted and provided with services.”

Source: Anonymous source 2, interview record, December 2018 and January 2019

These two sources also link lack of reintegration support to the risk of re-trafficking:

“If they do not find any support if they are not supported for a reintegration process. I think if the same reasons continue to exist, I think the risk of being re-trafficked is very strong.”

Source: Professor Dr. Edlira Haxhiymeri, interview record, January 2019

“[A]t a final analysis, it’s the state who is trafficking – giving no work opportunities in the country, not caring for it’s migrants abroad. I would go further and say that it’s the state who is re-trafficking, because we are more and more witnessing cases of re-trafficking due to lack of reintegration support.”

Source: Anonymous source 1, written response to questions, March 2019

For further information on access to reintegration packages for male victims see, [8.2. Access to Assistance for Male Victims](#) and for barriers to identification experienced by males see [5.2. Effectiveness of the NRM in Identifying Victims](#).

In regards to whether some individuals are more vulnerable to re-trafficking than others, interviewees made the following comments:

“A number of the young men I’ve supported have had mental health issues, if not learning disabilities caused by the level of trauma that they’ve experienced so have additional vulnerabilities on that basis. Also those who through their experience of trafficking have become quite compliant, find it very difficult to speak up for themselves, even after lots of work to help them develop confidence. Those without family networks, or whose families themselves were involved in their exploitation. Those where their whole family has been targeted by the criminal networks. So not just those who were targeted by individuals but where it is quite clear that targeting may well have gone on beyond the person leaving the country. I’ve seen an example of reprisals where other members of family have escaped from traffickers and moved to another country e.g. the UK, then seeing those networks target the remaining family in Albania. That would create a risk. I would also say anyone who has been exploited by a network who have witnessed them having direct connections with the authorities creates a risk. ”

Source: James Simmonds-Read, Service Manager at The Children’s Society, interview record, February 2019

“Those who have a dysfunctional family, who live in remote areas and face the prejudice and bullying from small communities, and all of them youth who find difficulties to find a job or a future in Albania and have no financial support from family.”

Source: Mr Alfred Matoshi, Mary Ward Loreto Foundation, interview record, January 2019

“I think it’s all cultural and social capital, it comes down to, of your own family. If you’re from a family with a good standing in the country with good connections, you will have all the support in the world and will be pretty safe but you’re also least likely to end up in that situation first of all. I think it’s an economic thing, it’s a class thing, and of course, it is a very hierarchical society. They wouldn’t tell you it’s hierarchical. They tell you it’s very egalitarian, but it’s hyper capitalist, hyper individualist now, hyper hedonistic, yet infused with all these things like that, you still... families are so important. These people are entrepreneurs in the informal realm. [...]. Of course, I think, if you look at the poverty scale and the scale of social exclusion and inclusion, and social exclusion and discrimination as a Roma boy, you would be on the bottom edge in terms of accepted society, so you are particularly vulnerable. Class, ethnicity, social capital are all important in assessing risks.”

Source: Dr Schwandner-Sievers, Bournemouth University, interview record, February 2019

9.3. Risk of Further Exploitation

When asked about the risks of further exploitation for trafficked boys and young men on return to Albania, these sources stated the following:

“Lack of long term and comprehensive assistance creates risks for further exploitation in Albania or pushes them to migrate again.”

Source: Anonymous source 1, written response to questions, March 2019

“High if returned to families and if they are placed in a shelter or similar they will only escape to get back to their families , so high.”

Source: Steve Harvey, Independent International Law Enforcement Specialist, written response to questions, March 2019

Other sources talked about exploitation by criminal networks, with young men being groomed into, and in some cases ‘going up the ranks’ in trafficking gangs:

“Exploitation outside of re-trafficking? I suppose it depends on how you define it; people have different definitions of what trafficking is. What I would say is that the biggest risk is of internal exploitation by criminal networks as in within Albania rather than from Albania to another country though being trafficked internationally is also a risk. I would still define that as

trafficking as a person is still being moved around or held in a location even if not across international borders. The only area that I can really comment on is that some young men would be at risk of being groomed into criminal networks, it might not initially present as exploitative but it becomes exploitative through the grooming model I have described previously, they are at risk of this internal form of exploitation.”

Source: James Simmonds-Read, Service Manager at The Children’s Society, interview record, February 2019

“When they have been trafficked, they learn a lot of other ways of being trafficked or trafficking, so they become experts because they are part of an environment abroad where people are victims in different ways. They share with each other these stories and somehow without knowing they accept their reality which doesn’t have to be accepted, in the sense they think again about reentering this work. So there is a have a large possibility that they can be trafficked or where they can be exploited again.”

Source: Mr Alfred Matoshi, Mary Ward Loreto Foundation, interview record, January 2019

“Re-trafficking for sure and further exploitation, but there is something very interesting that I forgot to mention. Just as a social anthropologist, if you look at these groups and the blurred boundaries between victim and actually taking agency, you have people going up the ranks, right, whether these are women or boys and then, if you become complicit, you could progress—have a career from a trafficking victim to becoming a trafficker, so this is not further exploitation but sort of career progression, but of course, this is not something that happens for everybody.”

Source: Dr Schwandner-Sievers, Bournemouth University, interview record, February 2019

Appendices

A. Methodology



Strategic COI Report Methodology

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Introduction

Country of Origin Information (COI) is any information that pertains to an applicant's country of origin (or transit) and is crucial in deciding whether an asylum applicant is in need of international protection. However, information categorised as COI, such as UN or NGO reports or media articles outlining human rights violations, is rarely published with the asylum protection context in mind and might not be specific enough for an individual claim. This, together with the numerous barriers to conducting primary human rights research (security, access, language issues, funding, etc.), leads to serious information gaps in asylum and human rights claims. At the same time, even where COI is available on an issue relevant to the asylum claim, it can be of poor quality.

While accepted guidance³ sets out that a lack of information on a human rights issue is not indicative that it does not exist, in reality the burden to prove their case rests with the asylum seeker and a lack of evidence can lead to their being refused protection and returned to their country of origin.

There is therefore a real need and opportunity to address COI gaps in order to promote equal access to justice in the UK asylum system. Asylos and ARC Foundation intend to fill these gaps by using creative COI research techniques to generate new and high quality COI.

In August 2017, Asylos published its first 'strategic' research report on the [situation of young male 'Westernised' returnees in Kabul](#), peer reviewed and endorsed by ARC Foundation and the Dutch Council for Refugees. The report was prepared in response to an increasing demand by legal representatives for high quality country information covering the issues arising in these types of asylum claims. It was prepared with the intention to fill this gap and so contribute to a more informed debate about the situation on the ground and more informed asylum decision-making.

The report has since been [widely cited](#) by stakeholders including in asylum decision-making by the UK Home Office and Upper Tribunal, as well as the European Asylum Support Office (EASO), the European Council on Refugees and Exiles (ECRE), Amnesty International, the Netherlands Ministry of Foreign Affairs, the Austrian Federal Office for Immigration and Asylum, the Finnish Immigration Service, and legal representatives.

In July 2018, Asylos, in partnership with ARC Foundation, was awarded a three-year grant from the Paul Hamlyn Foundation to produce a further five reports of this format and this document lays out the research methodology which will be followed.

³ See for example: European Union, Common EU Guidelines for Processing Country of Origin Information, April 2008, 3.2.2 If no information can be found p.13; European Asylum Support Office, Country of Origin Information report methodology, July 2012, 2.2 If no information can be found p.11; Austrian Red Cross/ACCORD, Researching COI Training Manual 2013 Edition, 1.5.2 Limits of COI p.28

Step 1: Scoping for research topics

The scoping phase will identify what the most pressing COI gaps are for UK asylum applicants and therefore which topics of Strategic COI reports have the potential to benefit both a large number of applicants and those most vulnerable to poor decision making.

To identify the most pressing topics for our research reports, ARC Foundation and Asylos will both:

- regularly consult their networks of legal representatives and refugee community organisations that support asylum seekers in the RSD procedure (asking partners to specify why exactly the topic is so important, asking them to point to Home Office country specific asylum policy known as Country Policy and Information Notes (CPINs) and Reasons for Refusal Letters (RFRLs) where appropriate)
- launch an open call for topic suggestions and disseminate it to its respective lists of subscribers.

In addition, Asylos will:

- monitor such forums as the Refugee Legal Group and the Refugee and Migrant Children's Consortium on an ongoing basis
- monitor the requests it receives for research assistance on individual cases
- record the statistics for common themes in the reports it produces for individual cases
- invite suggestions from partners who have requested our services as part of the ongoing feedback collection.

ARC Foundation and Asylos will assess which topics to select on the basis of greatest potential impact, with reference to analysis of:

- the number of asylum seekers generated by nationality (UK asylum statistics are not published on convention ground/profile)
- Appeal success rates by nationality
- any existing upcoming Country Guidance (CG) cases that the Tribunal is to hear [to avoid duplication]
- A need for an evidence base to challenge existing CPINs [e.g. where it relies on outdated or uncorroborated COI].

Throughout the scoping exercise, we will approach actors that represent groups, particularly vulnerable, to information gaps and thus poor quality decision-making, such as women, children and young people.

In addition, ARC Foundation and Asylos will set up a project review committee who will assist in the

selection and prioritisation of strategic research report topics, as well as manage any risks arising from the project. Members of the committee will be approached at least once during the early project phase in order to review and comment on the planned methods and execution. The review committee consists of the following members: Colin Yeo, immigration barrister (and Asylos Trustee) and Christel Querton, PhD candidate and barrister (and ARC Foundation trustee).

Step 2: Identifying preliminary Terms of Reference (ToR)

Once a research topic has been chosen, the following steps will be taken in order to identify the preliminary research headings (i.e. draft ToR):

- Read relevant Country Guidance (CG) cases from tribunal (identifying which evidence is outdated)
- Read relevant Home Office Country Policy and Information Notes (CPINs)
- Reference other COI guidance/policy publications from international organisations such as EASO, UNHCR as well as sources from media, human rights organisations and academic research
- Include input from other stakeholders (project partners).

The draft ToR will be drawn up jointly by ARC Foundation and Asylos, each providing input from their topic scoping activities.

Step 3: Training session for Asylos volunteers

Asylos will source from its volunteer network a group of volunteer researchers for each report to conduct the COI desk research and to assist with interviewing stakeholders.

Volunteer researchers will be fully briefed on the project purpose, design and research methodology. They will then be required to attend a skype training session facilitated by ARC Foundation which will cover the following:

- Advanced COI research techniques
- Conducting stakeholder interviews
- The nature and scope of the research gap that the report aims to address
- Any Home Office guidance and policy related to the topic
- How experts are instructed in the UK, including how to ensure experts are aware of guidelines for expert testimony in a UK court

Step 4: COI Desk Research

For each report, we will undertake a review of the publicly available COI. This desk research will be coordinated by Asylos's UK Project Coordinator(s), working with a team of volunteers.

Before the research begins, Asylos and ARC Foundation will devise and commit to consulting an agreed list of sources from an agreed period of time. This list will be divided among the volunteers to consult and to submit any relevant findings which will be included in the final report. When any additional sources are identified in the desk research volunteers will record them alongside the initial list, and submit any relevant information.

Once this list has been exhausted, each volunteer will also be designated several of the ToR and asked to do some final research on those topics to ensure that any further sources are identified and included.

Research will be conducted in line with Asylos's internal COI research [training](#) and [handbook](#) and adhering to accepted COI research standards, including elements of the [EASO country of origin information report methodology \(EASO, 2012\)](#), the [ACCORD COI training manual \(ACCORD, 2013\)](#) and the [Common EU Guidelines for Processing COI \(European Union, 2008\)](#). Researchers should consult these documents throughout the research process and training sessions with volunteers will reflect these standards.

To support the collection of research data, researchers will submit their sources using Ultradox (an online template engine).

Step 5: Finalising ToR and drafting interview questions

Once the researchers have submitted all of their sources, Asylos's UK Project Coordinator(s) will generate a report using ultradox. Whilst editing the report, the coordinator will finalise the ToR and arrange the findings according to the headings that were identified. Whilst doing so, the coordinator should assess which topics do not seem to be adequately covered in existing COI and consider where expert evidence would be particularly helpful in order to fill these gaps, for example where there is a total absence of COI, a lack of corroborative COI or where there is contradictory COI.

Once the gaps have been identified, Asylos's UK Project Coordinator(s) will draft a list of interview questions for stakeholders to send to ARC Foundation alongside the ToR for review. The interview questions will address the gaps identified and will be carefully phrased to generate the most accurate and useful answers. These will be approved by the project review committee.

Step 6: Identifying interviewees / stakeholders

The aim is to identify stakeholders that have extensive professional experience or recently published credible research on the topic and those that have recently been in the country of research.

The [EU Common Guidelines on \(Joint\) Fact Finding missions](#) suggest that:

- Possible sources may include academics, research institutes and think tanks, NGOs, INGOs, UN agencies, experienced news reporters and journalists, community leaders or other representatives, religious authorities, or political parties, government representatives⁴
- It is important that a variety of sources are identified and interviewed so that information can be cross checked⁵
- The guidelines state “try to avoid sources with too similar agendas, standpoints, backgrounds and interests, which can be a challenge – especially when using the ‘Snowballing’. It is generally useful to consult at least three different sources that are independent of each other on each main topic of the ToR”⁶
- It also suggests that interviewing mid-level staff, rather than those in more senior roles, may be more helpful as they are likely to have more experience working on the ground / in the field⁷.

Asylos and ARC Foundation will source relevant stakeholders by reference to those cited in UK case law, those having published academic material on the issue in question (e.g. JSTOR search), those recommended on the Refugee Legal Group, Electronic Immigration Network (EIN), and the Refugee Rights in Exile Programme.

Relevant organisations will be sourced and relevant representatives from these identified by reference to human rights material or media sources, for example published on COI databases such as the Austrian Centre for Country of Origin and Asylum Research and Documentation’s (ACCORD) ecoi.net, UNHCR’s [Refworld](http://Refworld.org) or [Reliefweb](http://Reliefweb.org).

Asylos and ARC Foundation will also seek recommendations from their respective boards of trustees and networks of legal representatives.

To broaden the radar as much as possible, Asylos’ project coordinators will in addition seek the input of the Dutch Council of Refugees (DCR) and ACCORD, who have agreed to participate in the project pro bono to help identify stakeholders. Other project partners with relevant specialist knowledge

⁴ P. 10 “Identifying potential sources”

⁵ P. 11 “Deciding between potential sources”

⁶ *ibid*

⁷ *ibid.*

may also be consulted.

All individuals and organisations contacted will be asked to recommend other potential stakeholders for interview.

We will include in the final report a list of all places in which we looked for stakeholders. All researchers will be required to keep a record of any websites, organisations or other sources consulted when identifying stakeholders.

In order to assess the validity of individuals and organisations as a potential source, the following questions will be considered:

- Who is the source and do they have specific knowledge / experience which makes them have expertise on the topic?
- What context do they work in and to what extent might this context influence them or create any bias?
- How does the source formulate any information they present? Is it presented in an objective, neutral and transparent way?

It is anticipated that all stakeholders with the relevant knowledge/experience in question may be contacted for interview unless there are compelling reasons not to do so. It is our aim to conduct at least 5 interviews per report, from a range of different disciplines. Given that not all stakeholders will respond, a maximum of 15 will be initially contacted by email requesting interview. ARC Foundation and Asylos will aim at ensuring that represented in this 15 is a balance between those who are academics, professionals on the ground and government representatives.

Step 7: Instructing interviewees

Once a list of potential interviewees to contact has been agreed, Asylos's UK Project Coordinator(s) will send an initial email introducing the project and asking if they would consider contributing their expertise. They may ask project partners for support in making first contact with potential interviewees where their connections may increase the chance of a positive response. Where the coordinator does not receive a response from potential interviewees, she will follow up with them by email and/or phone.

If a stakeholder provisionally agrees to take part, the coordinator sends a follow-up email attaching the following documents:

- an edited version of the ['Asylos and ARC Foundation information sheet for interviewees'](#) [which explains how responses will be used and how the preferred level of anonymity and confidentiality will be guaranteed]

- a copy of the ToR and the interview questions.

The coordinator will also ensure that they are aware that the following can be made available to them on request:

- the COI desk research report
- The Strategic COI Report Methodology.

Once a stakeholder has had sight of this further information and confirms their willingness to take part, arrangements will be made for how they will submit their answers. The information sheet asks the stakeholder to indicate if they would prefer to submit their contribution in written form or through an oral interview. If possible, the coordinator will encourage each participant to agree to an interview (unless interviewees are very experienced in providing written expert testimony for RSD procedures) as we have found that interviews are more likely to yield useable information. Once these arrangements have been made, each participant is asked to provide a short bio, or link to their CV, which will be published alongside the final report.

Step 8: Interviewing stakeholders

Interviews will primarily be conducted by Asylos's UK Project Coordinator(s) with assistance from ARC Foundation and Asylos volunteers where appropriate. Each interview should be recorded, unless interviewees have indicated that they do not wish for this to happen. In this case interviewers should take notes while conducting the interview. Volunteers conducting the interviews are asked to stick to the following guidelines:

At the beginning of each interview, the interviewer should start by introducing themselves, thanking the interviewee for taking part, and asking for permission to record the interview. Once this has been agreed they should check that the interviewees have received, and have reference to, the report containing our findings from the desk research and have read and understood '[Asylos and ARC Foundation information sheet for interviewees](#)' (contained in appendix 2) which sets out our recommendations for supplying their evidence. All interviewees have received these guidelines but should be reminded of following key points during the introduction:

- Interviewees should not attempt to answer any questions which fall outside of their expertise or about which they have insufficient information
- Interviewees should make clear if the information they are providing is based on direct experience or other evidence throughout the interview
- If interviewees have obtained the information from other sources they should make sure they confirm where they obtained that information

- Interviewees should not withhold any information on the basis it may detract from their view, rather if interviewees are aware of information conflicting with their views, they should be asked to acknowledge it and explain why their opinion departs from this information.

Before launching into the questions, the interviewer should double check how the source wants to be referenced in the final report and whether or not they would prefer to be anonymous. The interviewee will have already indicated this in their Confidentiality and Anonymity agreement, so this serves to ensure that interviewees are still in agreement with what they initially indicated.

Once the introduction is over the interviewer may commence asking questions, working through the questions in a structured and methodical way. Whilst doing so, volunteers are asked to pay attention to the following points on interview techniques:

- Ensure that your manner remains impartial at all times. Do not use 'leading questions'
- Be mindful that certain topics might be sensitive to ask
- Do not be afraid to interrupt! This may mean asking for clarification or politely suggesting to move on to the next question if the interviewee goes off topic or it becomes apparent they do not have the appropriate expertise or sufficient information to speak authoritatively on the topic
- If it is unclear what information the interviewee is basing their statements on, seek clarification

The EU common guidelines states -

"Additionally, it may also be useful to ask a respondent to clarify or give more factual background to support a statement. This will often be the case where a declaratory statement or Policy position has been given on a particular topic. Requesting additional factual information to back up a statement or position will help give a clearer perspective or a rationale to what has been said, and may also remind the respondent why they have a particular viewpoint. In some instances it may challenge their own assumptions or bring out any potential bias or advocacy on the part of the respondent in a neutral, non-confrontational way." (Pg 20-21)

In the interest of source validation, ask the interviewees to identify where any information they rely on can be found by our researchers after the interview.

Step 9: Citing the interviews and writing up the full report

After each interview, the interviewer will transcribe the recording in full and verbatim, with only very minor adaptations being made to enhance comprehensibility. Interview transcripts will be saved under a unique reference number, rather than using interviewees' names if requested. The document which links interviewees' names to each unique reference number will be password

protected and only accessible to project staff. This transcript will then be returned to the interlocutor, giving them 14 days to sign it off. This transcript should then be sent to the project coordinator which will be appended in full in the report. If the interviewee wishes certain excerpts to be made anonymous, they will be cited as such in the body of the report and not included in the appended full transcripts.

The report drafters will select relevant excerpts from the interviews and present these under the corresponding research headings in the report alongside the findings from the desk review. The coordinator should use this opportunity to add any additional COI that was mentioned in interviews and then make any further edits to the report, ensuring that the following points have been addressed:

- General formatting should be in line with Asylos's 'research handbook'
- Each source should be introduced separately with a concise summary identifying any patterns in convergence or disagreement in the sources consulted, rather than summarising the content of the sources
- Ensure the list of sources consulted is complete, with access links and information about when the sources were accessed (this is crucial for the user of the report to trace back the original source)
- To further aid transparency it is crucial to provide page numbers for each excerpts to facilitate access to the original source
- The final report should include a note on who instructed the interviewees and when (month and year), and a list of the documents the interviewees were provided with
- A full transcript of each interview should be included as an appendix at the end of the report, excluding any excerpts that the interviewee wished to keep anonymous
- Fully anonymous interviews are included as an appendix without any further identifying information

Following final edits, the report will be sent to ARC Foundation for review. ARC Foundation will use this opportunity to revise and update the findings from the desk based research. Once ARC Foundation have made their edits, the full report will be sent to each stakeholder detailing how they have been cited, with a copy of their interview transcript / written submissions, to sign off. Stakeholders should be given a 14 day deadline for this, after which we will assume that they are satisfied.

Once the report is published, interviewees can no longer withdraw but we will be able to make additions by issuing addendums, should they wish to provide more up to date sources or information which was not previously available to them.

Step 10: Dissemination

Once the report has been signed off, the UK Project Coordinator will be responsible for publishing it on Asylos's and ARC Foundation's website, ecoi.net, Refworld and EIN (Electronic Immigration Network). Efforts should also be made to promote the report through sharing the report via the RLG mailing list and other platforms such as the RMCC (Refugee and Migrant Children's Consortium). The coordinator may also consider promoting it through written blogs on websites such as Free Movement and EIN.

Step 11: Evaluation of impact

This information will be made publicly available to all, so that it can be reviewed and used by asylum seekers, Home Office case workers, legal representatives and appeal court immigration judges alike. The reports will be accessible internationally, meaning they will also be used by and influence institutions like the UNHCR and European Asylum Support Office, as well as decision makers in other countries' asylum determination systems.

Asylos will track progress and impact throughout the project cycle by:

- Recording the number of downloads from its website and asking ACCORD for data from ecoi.net
- Collecting feedback from Asylos' networks of legal representatives to review how well the report met the information need we identified, as well as how the report has been used.

ARC Foundation will be responsible for measuring impact by:

- Recording the number of downloads from its own website
- Consulting members of the international [COI Forum](#) which it moderates and its [COI Update](#) subscribers to review how well the report met the information need we identified, as well as how the report has been used
- Tracking how the reports have been used by decision makers (e.g. in Home Office policy documents, UK case law, EASO reports).

Learning will be fed back into the project on an ongoing basis and an evaluation of its overall impact will be shared with interested stakeholders on its completion.

Further reading:

- [Tribunal's Practice Directions on instructing experts from the outset](#) (Section 10)
- [Best Practice Guide on expert country evidence in asylum procedures](#)
- [EU Common Guidelines on Joint Fact Finding Missions](#)
- [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#)
- [European Asylum Support Office's research guidelines, Country of Origin Information report methodology](#) (note that a revised methodology is due to be published soon)

- [ACCORD COI Training Manual](#)

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5. Interviews

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[Interviewee Biographies and Transcripts](#) are presented below.

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C. Interviewee Biographies and Transcripts

Disclaimer: Please note that all interviewees have provided their own biography details. These have not been authored by Asylos / ARC Foundation and, as a result, they do not follow a standard format and we are unable to take responsibility for any errors or inaccuracies.

[Anonymous source 1](#)

A consultant who has been working on anti-trafficking projects, with local and international partners in Albania for more than 10 years.

[Anonymous source 2](#)

Expert on anti-trafficking, with an academic background in social and juridical work. More than 16 years of service and experience in this field. Initially engaged in working directly with victims of trafficking (in the first years of work) and then from many years holding a managerial position in a non profit organization. Qualified and committed professional, with a wealth of experience in providing trainings, workshops, seminars in anti-trafficking for a variety of audiences inside and outside of the country.

[Anne-Marie Barry](#)

Anne-Marie Barry is Research Associate at the Centre for the Study of Modern Slavery at St Mary's University, Twickenham. She has worked for five years on the subject of modern slavery and human trafficking on aspects as diverse as supply chain transparency, victim support and organised crime. Between 2017-2019 she managed a project funded under the Home Office's Modern Slavery Innovation Fund, which analysed the role of organised crime in human trafficking from Albania, Nigeria and Vietnam. The research involved interviews with key informants across these three countries and along key transit hubs to the UK, examining how human trafficking was organised and providing recommendations for law enforcement and policy makers.

[Caritas Albania](#)

[Interviewee 1](#)

Ariela Mitri has been the Head of Anti-Trafficking and Migration Sector, Caritas Albania, Tirana, since 2007. Her main activities and responsibilities include managing national and international anti-trafficking and migration projects funded by donors such as Caritas France, Caritas Spain, UNDP, OHCHR, PORTICUS, UNICEF, UNHCR, JTIP US Government and others. She also organises awareness raising and advocacy initiatives at the national and international level and collaborates with government ministries on anti-trafficking and migration measures and to coordinate and manage activities in the emergency centre for children at risk in Tirana. From 2000 - 2007, she worked as a social worker and trainer at Caritas Albania.

[Interviewee 2](#)

During last 20 years I have worked on behalf of the caritas network, other civil society organizations and local authorities working in the field of international cooperation. Senior Expert for South Eastern Europe, Caucasus and Central Africa countries where I managed different Regional Programs focused on Migration & Asylum, Social Economy and in the field of the Disability and Mental Health. Expert in the field of Migration and Development and in organizational development of civil society organizations During last decade I took part in different international and national conferences and publications on the themes of social inclusion, migration & asylum, and the capacity building process of civil society organizations.

Steve Harvey

Steve Harvey served as a UK Police Officer for 25 years, including 5 years with the National Criminal Intelligence Service, supporting the UK's first investigations into trafficking human beings and the smuggling of migrants.

Between 2003 and 2013 Steve worked at EUROPOL in The Hague, coordinating EU cross border investigations and was Head of Unit for Organised Crime in South East Europe.

He was the Europol lead in the first EU Joint Investigation Team (JIT) on THB and between 2007 and 2011, was one of the European Commission's Group of Experts on THB. He is the only British Police officer to have been appointed to this role.

Since 2013 Steve has worked independently for;

ICMPD in Albania, Azerbaijan, Bosnia Herzegovina, Moldova, Pakistan and Turkey developing counter human trafficking strategy and delivering training. With IOM in Vanuatu, the Solomon Islands, Papua New Guinea and Micronesia, and the US State Department in Ghana, Djibouti, Cyprus and Mongolia

Steve is currently the ICMPD Lead Expert in the initiative to implement regional law enforcement cooperation (RELEC) in Afghanistan, Bangladesh, Iran, Iraq, Pakistan and Turkey, the key expert responsible for the irregular migration component of a Comprehensive Migration Policy for Afghanistan and he trains Pakistan's Federal Investigation Agency."

Professor Edlira Haxhiymeri

Full time lecturer at Tirana University, Faculty of Social Sciences has almost a-35-year experience in lecturing and researching. Prof. Dr. Edlira Haxhiymeri's expertise includes social work with vulnerable groups- mainly victims of domestic violence and trafficking; gender issues; advanced practice of work with children and youth groups; human behaviour and social environment; training of professionals; monitoring and evaluating social services; and research on social issues. She worked on a-one-year contract as a visiting professor at GVSU, Michigan, USA. She was an adjunct

professor at Clemson University, S.C., USA (2001-2017). She contributed to establish Social Work and Social Policy Bachelor Program at SEEU, Macedonia and she continues to contribute in teaching as well. During the last 20 years she occupied important positions in higher education leadership as Head of Social Work Department, member of University Senate, Vice Rector of Tirana University and Deputy Minister of Education (in charge of higher education). She has a rich experience in civil society activism, mainly on human rights, children's rights and women's rights. She is the Executive Director of Shelter for Battered Women and Girls. She is the author and co-author of many articles in national and international journals as well as the author of textbooks for students and research projects in national, regional and international level.

Mr Alfred Matoshi

Mary Ward Loreto Foundation

Alfred Matoshi was born in Iballe Puke, northern Albania, he has completed law studies at the University of Tirana in 2009. After graduation, has been engaged in various USAID human rights and human rights campaigns in Albania. He has worked for 4 years in the banking sector, specifically in the legal affairs department, in the largest Albanian bank (BKT). Since 2016 he has been fully involved in civil society, working for the Mary Ward Loreto Foundation as project manager. The project that has run has been with the focus on men of this patriarchal society, this project has been an innovation for the Albanian society, because for the first time this target group has been invited to be a partner in gender equality issues. The main objectives of the work in the last four years have been the prevention of trafficking in human beings, exploitation and illegal migration. During this period he has conducted a series of trainings on leadership, gender-based violence, extremism and human rights. In the last three years he worked regularly in prisons with prisoners convicted mostly for crimes related to trafficking and exploitation, offering social support and a new perspective for the future. During the last 4 years he has been engaged in four academic researches with different topics; Challenges and perspectives of men in Albanian society 2016 as the coordinator of the research. Ethics in the Education System in Albanian 2017, as a board member. Divjaka, a place to be known in 2018 as the coordinator, and recently in April 2019 in the research entitled Beyond Borders, with the focus on Migration of Albanians in the last 3 decades, in this research he had the role of coordinator and co-author.

Dr Stephanie Schwandner-Sievers

Principal Academic, Social Anthropologist at Bournemouth University

Stephanie Schwandner-Sievers (PhD London 2012, MA Berlin 1994), Bournemouth University (BU), is a social anthropologist and Southeast-European studies area specialist. She has conducted ethnographic research in post-socialist Albania from 1992, post-conflict Kosovo from 2000, and on questions of Albanian migration. Her research and academic publications focus on the revival and criminalisation of blood feuds; local knowledge of mediation and reconciliation; local and national identity and power politics through evocations of local pasts; the return situation of trafficking

survivors and wider patterns of social exclusion in post-war/ post-socialist contexts; the cultural production of militancy at post-war memorial sites; local sources of resistance to international efforts of peace- and state-building; and, more generally, the anthropologies of nationalism and populism; conflict, violence and reconciliation; and Human Rights. She served as the first Nash Fellow in Albanian Studies at University College London (1997 – 2003); taught at Bologna University (2003 – 2013); and directed an academic consultancy company, Anthropology Applied Limited (2003 - 2013), which produced background reports for the International Crimes Tribunal, the World Bank, criminal and immigration courts in the UK, Germany and elsewhere. In 2013 she accepted an academic appointment a social anthropologist at BU. She leads the BA (hons) programme in Sociology and Anthropology and teaches the 'Anthropology of International Policy and Interventions; 'Controversial Cultures'; 'Growing Up and Growing Old' and 'Troubling Gender'. She also leads the Kosovo-strand of the (2017-2021) AHRC project 'Changing the Story' and co-directs the 'Seldom-Heard Voices' research centre, both of which include a focus on innovative, arts-based methods of working with young people and civil society, locally, towards social justice aims.'

[James Simmonds-Read](#)

Service Manager - Multiple Vulnerabilities at The Children's Society in London.

James manages a specialist service for boys and young men who are internationally trafficked alongside a service supporting high risk and often internally trafficked children going missing from care.

He has extensive direct experience of providing one to one support and group work to trafficked children and adults in a range of settings including within Local Authority care, custody and immigration detention. Alongside service management and direct work he provides regular training and consultation on a wide range Modern Slavery issues including best practice in working with trafficking survivors and the connection between exploitation and missing episodes.

Interview transcripts

Anonymous source 1, written response to questions, March 2019

1. Profile

1.1. What do you perceive are the profiles of trafficked boys and young men?

Problems with identification in general and identification and referral of trafficked boys and young men specifically, have made it difficult to delineate a profile. Personally I have come to know boys who lack family support, a stable family support. The ones I have met had to take care of themselves, their mothers and sisters at a very young age, or have been in and out residential care institutions for “biological” or “social “ orphans.

1.2. Some sources suggest that more general risk factors for victims of trafficking in Albania (without specifying gender) may include; poverty⁸, low education⁹, suffering from physical or mental disabilities¹⁰, there being domestic violence and/or sexual abuse within the family¹¹ or a pre-existing blood feud¹², being LGBT¹³ and for children, being Roma or Egyptian¹⁴ or homeless¹⁵. Would you say these apply to Albanian boys and young men? Are there any other risk factors which may make some boys and young men vulnerable to trafficking?

I do think that there is a tendency: one finds it very often when listening to the discourse of the officials that such a crime is related to the individual characteristics of the victim, the mentality of a marginalized ethnic group etc... The structural factors are discussed in general terms such as poverty. The discourse of factors in Albania should include lack of work opportunities for boys and men. Albania is an economy mostly made of services and remittances – work for women in the country, push to migrate for men. It should also include

⁸ See Asylos literature review, pg 13-14, Dr Enkeleida Tahiraj and the Shpresa Programme 2017

⁹ See Asylos literature review, pg 13-14, Dr Enkeleida Tahiraj and the Shpresa Programme 2017

¹⁰ See Asylos literature review, pg 18, Save the Children 2016

¹¹ See Asylos literature review, pg 12, UNICEF 2015

¹² See Asylos literature review, pg 20, Dr Enkeleida Tahiraj and the Shpresa Programme 2017

¹³ See Asylos literature review, pg 19, Dutch National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children 2016

¹⁴ See Asylos literature review, pg 11, UNICEF 2015

¹⁵ See Asylos literature review, pg 10, US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2018*

corruption of officials and immorality at high levels- lack of models of integrity.

2. Actors and patterns

2.1. Who are trafficking boys and young men?

I think more that at a final analysis, it's the state who is trafficking – giving no work opportunities in the country, not caring for it's migrants abroad. I would go further and say that it's the state who is re-trafficking, because we are more and more witnessing cases of re-trafficking due to lack of reintegration support.

2.2. Are you aware of the different methods traffickers are using to recruit boys and young men?

The situation in Albania has made it very easy for traffickers to recruit. Young boys and men do expose themselves to traffickers through their promptness to leave the country at any condition and do whatever they will be asked to survive.

2.3. Where are boys and young men trafficked to and for what purpose?

Internally for seasonal work in touristic places, and abroad in the UK. Internally they are more in begging, pick pocketing and theft, selling small things, working in bars and restaurants, working night hours in parking lots, and in cultivating and distributing drugs.

2.3.1. Do you have experience of how this might occur in the UK context?

No

2.4. Are you aware of any cases of Albanian boys and young men fleeing Albania after being trafficked internally?

Yes, but in the cases I am aware of, it is not fleeing, it's just arrangements made by traffickers for a new trafficking environment.

2.4.1. Do you have experience of how this might occur in the UK context?

No

3. Legislation

3.1. Sources have reported that internal sex trafficking is often viewed as synonymous with prostitution and that victims of trafficking have been punished on this basis¹⁶. Are you

¹⁶ See Asylus literature review, pg 50, US Department of State (USDOS), *US Department of State: Trafficking*

aware of trafficked boys and young men being punished for any other unlawful acts committed as a result of their being trafficked?

Yes. Through my work as a trainer I have information that boys who have been exploited for dealing drugs or pick pocketing have ended up in jail as result of misidentification. I have also heard of a recent initiative in Tirana to outlaw begging – if so, begging would count a great deal here.

3.2. One source states that ‘gaps exist in Albania’s legal framework to adequately protect children from child labor, including using children in illicit activities’¹⁷. In this your experience, what impact does this have for boys and young men who are victims of trafficking?

I think the problem is identification. There are good legislative grounds to exempt victims but the individuals working in structures responsible for identification either do not know about them or deliberately do not do their job, and boys and young men end in up jail. I know of organizations identifying and assisting young men while or after they leave the institutions.

4. Prosecution

4.1. Sources report that convictions for trafficking in general are ‘low’¹⁸ and describe ‘an implementation gap between a strong legislative and policy framework in Albania with practice in reality’.¹⁹ In your experience, why is this and what impact does this have for boys and young men?

The legislative framework has recently regressed rather than progressed. Trafficking cases tried before by Serious Crimes Court now are tried by district courts. The crime of trafficking is not considered as organized crime and consequently the victims are not eligible for witness protection.

There have been and remain other legislative gaps – child trafficking within the borders is not foreseen and cases of internal trafficking are in practice treated as “child maltreatment”;

in Persons Report 2018

¹⁷ See Asyls literature review, pg 34, US Department of Labor (USDOL), *2017 Findings on the Worst Forms of Child Labor - Albania*, 20 September 2018

¹⁸ See Asyls literature review, pg 41, CoE-GRETA July 2016 and p.38 European Commission

¹⁹ See Asyls literature review, pg 35, Patricia Hynes et al, July 2018

forced labor is not sufficiently provided for by the penal code.

- 4.2. It is also reported that most of the cases of trafficking in human beings that the Prosecutor's Office registered are for adults.²⁰ Why do you think this is?

Child trafficking is mostly internal – within the borders, but the law/article on child trafficking does not recognize internal movement as trafficking the same way it does for adult trafficking/ trafficking in persons.

5. Protection

- 5.1. The US Department of State 'Trafficking in Persons Report 2018' states that in 2017 only 25 (out of 105) male potential victims of trafficking were identified through the Albanian National Referral Mechanism (NRM) in 2017²¹. Whilst in 2016 the numbers were 11 out of 95. In your experience, why do you think this is?

I consider it an effect of better understanding of trafficking of males/ identification, but also an effect of improvement of services for male victims.

- 5.2. What barriers to accessing the NRM and its related protections do child and young male victims of trafficking face?

I think that identification and access is restricted based on the wrong assumption that the higher the number of the victims the worse the reputation of State. There is always a debate on the numbers of victims identified. The other barrier is the kind of protection that can be afforded- assistance to male victims is much less developed than assistance to female victims.

- 5.3. How effective are protection measures for young male victims of trafficking in cases where the trafficker is being prosecuted?

One could come to a conclusion if the number of cases involving prosecution of traffickers were higher. The US Department of State 'Trafficking in Persons Report 2018' states that the government decreased law enforcement efforts... The Serious Crimes Prosecutor's Office (SCPO) prosecuted five defendants (18 in 2016); two of these suspects were prosecuted for

²⁰ See Asylos literature review, pg 36, European Commission, COMMISSION STAFF WORKING DOCUMENT Albania 2018 Report, April 2018

²¹ See Asylos literature review, pg 49, US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2017*

child trafficking (nine in 2016) and three for adult trafficking (nine in 2016).

5.4. Do you have any evidence that the police or judiciary are complicit in trafficking and/or are corrupt?

No, I do not have such specific evidence, but one can expect corruption in this field as well: In 2018, European Commission did find that corruption remains prevalent in many areas and continues to be a problem.

It does still puzzles me why there have been only very few cases investigated ex officio. I have heard of cases in which the police do not consider a person a victim if she or he does not file a report with them while according to SOPs filing a report is unnecessary for giving someone the status of victim

6. Prevention

6.1 What is your view on the efforts the Albanian authorities have made to prevent the trafficking of boys and young men?

I think that prevention is more perceived as awareness raising. Many efforts are invested in awareness raising campaigns. But the awareness raising efforts are not based on the acknowledgement of the phenomenon and the effects of trafficking on victims and responsibilities for protection.

The efforts to discourage migration of boys and young men have targeted families and parents blaming them for being irresponsible, cruel, or even prosecuting them for sending their children abroad and exposing them to trafficking.

7. How effective are more general child protection measures?

7.1. What is the Albanian authority's attitude (and in particular the police's) towards the rights and safeguarding of children, particularly boys?

I think there is a disposition to assist amongst all authorities but they are not properly either equipped or financed. The right attitude of front line police toward children is not assessed, appraised or supported by their monitoring bodies, or their superiors.

7.2. How effective do you think the child protection system is, particularly for boys?

The system is still under construction, the bylaws are under development. Key issues such

as guardianship are still neglected, alternative care is not developed.

7.3. Are male child victims of trafficking and their families likely to use the child protection system to get help?

Efforts have been made to increase the proactivity of the protection system and increase contact and accessibility to it through child protection workers in municipalities. Still the new legislation on child protection needs to be disseminated in order for the families and children to know about it and exercise their rights, and allow child protection workers do their job.

7.4. Does this differ between areas across the country?

It does. Big cities do have a higher number of children in need of protection coming from other areas and the child protection units do not have the means or resources to provide for them. Such cases end up being “referred to their unit” – where they are registered. Except for human resources- the child protection workers – the municipalities do not have much to offer to their children and their case management is sometimes reduced “referring” to others, for basic help.

8. Details of shelters and reintegration programs for trafficked boys and young men

8.1. The available country information (COI) indicates that there ‘is no shelter for male victims of trafficking, but the NGO Different and Equal rents flats where such victims can be accommodated’.²²

8.1.1. How many rented apartments are available for young men and are they available throughout the country?

I do know that D&E has extended such assistance to PVoT and VoT male cases all over the country.

8.1.2. Do you think they have sufficient capacity?

I do think they have the necessary expertise and capacity to assist them.

8.1.3. What are their criteria for taking young men in, and for how long are they allowed to stay?

I do not know such details. D&E is a member of the NRM and is committed to apply the SOP’s

²² See Asyls literature review, pg 72, CoE-GRETA July 2016

and reintegration standards.

8.1.4. What services are available to victims whilst living in these apartments? And who provides these services?

D&E offers psychological support, helps financially with the rent, provides coaching for employment, legal support, support with documentation to access services all tailored around individual needs. A case manager is assigned for each case.

8.1.5. Are there effective safeguards against victims being detected whilst living in these apartments?

I suppose yes. I know risk assessment and risk management is a strong component of D&E rehabilitation and reintegration program. I know it takes into consideration the sense of safety and security of the victim in finding places to live, and making immediate contact in cases of risk.

8.2. COI also states that there is a shelter for children in Elbasan.²³

8.2.1. Are boys eligible for this shelter?

Yes, as far as I know, the shelter in Elbasan run by “Tjeter Vizion” and the National Reception Centre for Victims of Trafficking should receive boys.

8.2.2. If so, what are their criteria for taking boys in, and for how long are they allowed to stay?

I am not aware of other specific criteria rather than being identified as a victim of trafficking or a potential victim of trafficking. Boys can stay until they are 18.

8.2.3. What services are available to boys whilst living in this shelter? And who provides these services?

Tjeter Vizion provides the services in collaboration with the Municipality CPU and other stakeholders of the Anti-Trafficking Technical Round Table in Elbasan. The shelter functions as a residential centre and should adhere to standards for residential care for children and

²³ See Asyls literature review, pg 71, UK Home Office, Fact-Finding Mission to Albania, November 2017

residential care for victims of trafficking.

8.2.4. Are there effective safeguards against boys being detected whilst living in this shelter?

Yes, there are safeguards.

8.3. COI indicates that State Social Service finances residential centers including orphanages for trafficked children.²⁴

8.3.1. What are their criteria for taking boys in and for how long are they allowed to stay?

There are no special orphanages for trafficked children. The residential centers opened in 2015 for children in street situation including trafficked children. These children were considered “at high risk” and accepting them in orphanages without delay or documentation was an ad hoc solution to compensate for the lack of special accommodation in cases of emergencies. Criteria and documentation requirements for such emergent accommodation were developed recently in child protection and social care bylaws. Council of Ministers Decision No.578, date 3 October 2018 defines the procedure for assessment and protection , including steps when child should be placed in alternative care, Council of Ministers Decision No. 518 date 4 September 2018 defines the criteria and documentation for placement.

8.3.2. Do they have sufficient capacity?

I think they are developing such capacities. There is a deinstitutionalization plan though that works against this solution. It is expected that the child care institutions should be closed down and other alternatives such as foster care should be developed.

8.3.3. What services are available to boys whilst living in these centres? And who provides these services?

I do not know. I know World Vision is working in developing a model for emergency centers that can apply in the residential care institutions in a unified standardized manner. I hope

²⁴ See Asyls literature review, pg 78, UNICEF, July 2015

that it includes specifications for children who are victims of trafficking.

Are there effective safeguards against boys being detected whilst living in these centres?

I do not know.

8.4. Is the above provision adequate for male victims of trafficking?

Residential centers should be the last alternative and for the shortest time possible. This is true for every child.

9. Information regarding difficulties a young man may face settling in a part of the country where they don't have family or a support network

9.1. Are there reintegration programmes for trafficked boys and young men returned from abroad, or other areas in Albania, to establish themselves into the community and are they aware of the services available to them and how to access them?

Different & Equal has such program. It shares information with organizations abroad when there are cases wanting to return. Each individual enrolled in the program receives tailored assistance around his needs. Different and Equal and other members of the NCATS do disseminate such information.

9.2 What are the risks of re-trafficking on return to Albania and are you aware of any patterns in this occurring, both inside and outside of Albania e.g. in on return to home area or in relation to a new area. Are some individuals more vulnerable to re-trafficking than others?

I know there is a high risk of re trafficking for females, that is connected to factors (such as lack of employment opportunities, low wages, high cost of living) that apply to boys also. People who lack family support on return are more vulnerable to trafficking than the others.

9.2. What is the risk of further exploitation of trafficked boys and young men on return to Albania?

Lack of long term and comprehensive assistance creates risks for further exploitation in

Albania or pushes them to migrate again.

9.3. Are there any other difficulties that Albanian boys or young male VoT may face when attempting to reintegrate on return to their home areas?

The context where the reintegration takes place is not much different from the context the recruitment took place. Employment is difficult.

9.4. Are there any difficulties an Albanian boy or young male VoT may face if attempting to relocate and settle into a different area? Especially in relation to

9.4.1. Transferring civil registration to a new area;

9.4.2. securing accommodation;

9.4.3. finding work;

9.4.4. accessing health care?

The main problem is accommodation as the programs offer short term support. Big cities are good in terms of occupation but bad in terms of costs of living and accommodation.

9.5. Do these factors vary depending on the area of relocation?

Tirana, the capital, offers better opportunities in terms of work opportunities and access to services.

Anonymous source 2, interview record, Dec 2018 and Jan 2019

1. Profile

1.1. What do you perceive are the profiles of trafficked boys and young men?

The ages of the boys who are victims of trafficking that I am aware of are young. The ages of the cases are from 14 years old up to 31 years old but 50% of the cases are minors. But even for the cases at the age of 18, 19 or 20 or more have been exploited when they were minors. And the abuses that they suffered have happened at a younger age - before 14 years old. So 90% of cases that I am aware of were exploited when they were minors starting from the age of 13/14 years old, sometimes even earlier.

Most of the cases that I know of were Albanian boys and men; some of them come from the Roma and Egyptian communities. There were cases even from the LGBT community and few cases of non Albanian victims.

1.2. Some sources suggest that more general risk factors for victims of trafficking in Albania (without specifying gender) may include; poverty²⁵, low education²⁶, suffering from physical or mental disabilities²⁷, there being domestic violence and/or sexual abuse within the family²⁸ or a pre-existing blood feud²⁹, being LGBT³⁰ and for children, being Roma or Egyptian³¹ or homeless³². Would you say these apply to Albanian boys and young men? Are there any other risk factors which may make some boys and young men vulnerable to trafficking?

Most of the cases come from families in which they are violated physically psychologically, and even have been in some cases sexually abused. Negligence is one of the factors that we see with the boys.

²⁵ See Asylos literature review, pg 13-14, Dr Enkeleida Tahiraj and the Shpresa Programme 2017

²⁶ See Asylos literature review, pg 13-14, Dr Enkeleida Tahiraj and the Shpresa Programme 2017

²⁷ See Asylos literature review, pg 18, Save the Children 2016

²⁸ See Asylos literature review, pg 12, UNICEF 2015

²⁹ See Asylos literature review, pg 20, Dr Enkeleida Tahiraj and the Shpresa Programme 2017

³⁰ See Asylos literature review, pg 19, Dutch National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children 2016

³¹ See Asylos literature review, pg 11, UNICEF 2015

³² See Asylos literature review, pg 10, US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2018*

Asylos: Is that negligence from family members or... who is negligent?

Negligence from family members is a big factor, for example there are parents who leave the home and go to another city for work, or emigrate to another country for seasonal work, and the children are at home and they are alone. Some of the cases have been accommodated in child institutions because of their parent's negligence and from the moment they go out from the institutions they are alone and in street situations and so they have fallen into dangerous situations where the other guys have recruited them. The other guys are unknown guys who have profited from the vulnerable situation where they are, promising accommodation, food and money and they are obligated to do everything that the exploiters ask them to do. They are exploited mostly for committing criminal acts like drug distribution, stealing but even for begging and sexual exploitation.

Asylos: So, would you agree with the factors that are listed - that those apply to Albanian boys and men - that this does make them more vulnerable to trafficking?
Yes.

2. Actors and patterns

2.1. Who are trafficking boys and young men?

2.2. And who is doing the trafficking - who is trafficking the boys and young men?

The traffickers may be the relatives of the boys, family members, or even friends or neighbours. But even people who are unknown have recruited them for exploitation. And they have ensured accommodation for food or for things like that but at the same time they were exploited for doing different things like distributing drugs, or for stealing.

And the people not known to the boys - who are those type of people - who are not known to the boys?

In the environment where they live, there are some unknown people who come and profit from the situation that the boys are in and they recruit and exploit them (I have mentioned this above).

2.3. Are you aware of the different methods traffickers are using to recruit boys and young men?

The traffickers and exploiters promise them money, a lot of money, and they promise them a job or when the boys are minors, they promise them accommodation, or clothes, so things that they need to have. In some cases family members were directly responsible for the recruitment and exploitation of male trafficking victims. The parents, mostly the fathers forced their sons to leave school and to work or use them for begging.

Asylos: What about methods...are there any other methods they use apart from making promises?

Sometimes they even abuse them physically and put them under pressure to do everything they ask them to do. And mostly this has happened with boys who have been released from children's institutions and they don't have anywhere or any place to go to live so they use these kinds of methods with them. Sometimes the boys are threatened by them.

Asylos: They threaten them?

Yes - they are threatened by the traffickers to do the things they ask them to do.

2.4. Where are boys and young men trafficked to and for what purpose?

Most of the boys have been exploited for committing criminal acts, for distributing drugs, for stealing... selling things they have stolen and for begging they have been exploited for begging. They have been exploited as well for forced labour and for sexual purposes. Some of the cases have had more than one form of exploitation. So there are cases who are exploited for begging or committing criminal acts, or sexual exploitation and begging at the same time, etc.

Asylos And where are they trafficked to?

Most of the cases have been exploited internally, inside of Albania, and a few cases have been exploited even in other countries - in Kosovo, Germany - and they are cases that are exploited mostly for forced begging and forced labour.

2.4.1. Do you have experience of how this might occur in the UK context?

I am not aware of cases of boys who are exploited in or trafficked to the UK. But yesterday it was in the media about guys who were exploited in hashish plantations.

Asylos: Yep, do you know the name of the media source?

Top Channel is one of the television channels TV channels that we have here in Albania. Top Channel. So maybe you have to search in google for this information but my colleague said he heard this information from there.

2.5. Are you aware of any cases of Albanian boys and young men who have left - have fled Albania

after they were trafficked internally?

We don't have any kind of statistics and we don't have statistics how many young males leave the country. When we talk to institutions or organizations who work in other countries, they express that there are a lot of young boys who are in UK and in other countries such as Germany and that they are alone and unaccompanied by their parents (but there are no references for that)

2.5.1. Do you have experience of how this might occur in the UK context?

We don't have statistics about the persons that leave Albania and go to UK. As I mentioned before, there are representatives from organizations who work in UK that express that it is a considerable number of persons who go there from Albania - males and even females but there are no cases of those who want to return to Albania - they mostly ask for asylum there. During this year it was only one case who is female that was turned back from the UK to Albania and she is supported by an organization.

Asylos: But are you aware of any boys trafficked internally in Albania who then fled to the UK?

No. We have other cases of males who have been in Germany for 2 years and they have asked for asylum there and then as they have been refused they were turned back to Albania. They have been exploited before in Albania for begging and then they have moved to Germany. When they were turned back to Albania they were assisted.

3. Legislation

3.1. According to sources internal sex trafficking is often viewed as synonymous with prostitution and that victims of trafficking have been punished on this basis³³. Are you aware of trafficked boys and young men being punished for any other unlawful acts committed as a result of their being trafficked?

For the cases of males that I am aware of there were no cases that have been punished in the last years (for examples of punishments see the study on trafficking of men and males in Albania "Falling through the cracks").

The law here in Albania, 'Law no. 7895, date 27.01.1995 "Criminal Code" foresee the Exclusion or Reduction of Punishment for Justice Associates and Victims. A person harmed by criminal offenses related to the person's trafficking may benefit from the exemption

³³ See Asylos literature review, pg 50, US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2018*

from punishment, for the commission of criminal offenses during the period of trafficking and to the extent that he or she was obliged to carry out those acts or unlawful acts of omission. (Amended 2013)'. For example if a victim of trafficking is exploited for sexual purposes and at the same time was exploited even for committing criminal acts - based on the Albanian law the victim of trafficking will not be punished for committing these criminal acts as he is a victim of trafficking exploited and used by the other persons (trafficker, exploiter) ... so the guys are not punished for this.

- 3.2. One source states that 'gaps exist in Albania's legal framework to adequately protect children from child labour, including using children in illicit activities'³⁴. Is this your experience, what impact does this have for boys and young men who are victims of trafficking?

The legislation protects the children from the forced labour, yes. In Albania there is even the National Agency for the protection of children's rights. Besides that at the Ministry of Interior there is the Office of National Anti-Trafficking Coordinator and Responsible Authority. The establishment of the Responsible Authority is aimed to guarantee protection and assistance to victims, potential victims and persons at risk of trafficking, and to define the duties of the institutions involved in this process. The purpose of the establishment of the Responsible Authority is the coordination and monitoring of the process of referral for assistance, protection and reintegration of victims and potential victims of trafficking.

4. Prosecution

- 4.1. Sources report that convictions for trafficking in general are 'low'³⁵ and describe 'an implementation gap between a strong legislative and policy framework in Albania with practice in reality'.³⁶ In your experience, why is this and what impact does this have for boys and young men?

No, the laws are good here in Albania, and we have recently had changes in the penal code. This law increases punishment for human traffickers and provides higher legal protection for VoTs as outlined in the following articles:

- Article 110 / a Trafficking in adult persons is punished by imprisonment of eight to fifteen years.
- Article 128 / b Trafficking in minors is punished by imprisonment from ten to twenty years.

³⁴ See Asylos literature review, pg 34, US Department of Labor (USDOL), *2017 Findings on the Worst Forms of Child Labor - Albania*, 20 September 2018

³⁵ See Asylos literature review, pg 41, CoE-GRETA July 2016 and p.38 European Commission

³⁶ See Asylos literature review, pg 35, Patricia Hynes et al, July 2018

The challenge is the changes to article 75/a of Criminal Procedural Code approved by the new law no 36/30.03.2017. Until now competent authority for the trial of trafficking and organized crime was the court and prosecution office for serious crimes. Although under the new law there is still no court against corruption and organized crime. The changes to the law mean that the competent authorities for trafficking are now the district courts, that do not have the proper legal expertise to prosecute these cases. The cases of crimes with 1 author will be prosecuted by the district courts while those with more than 1 author (is qualified as organized crime) will be prosecuted by the courts against corruption and organized crime. This situation has created confusion because of difficulties of legal qualification of trafficking in human beings.

There is also a gap from the state institutions in providing free legal assistance. The sub laws for the implementation of the Law no.111/2017 “For the Legal Aid Guaranteed by the State” have not yet been approved.

Another problem is the transferring and changing of trained police officers in the anti-trafficking department. Different local and international organizations provide training to increase the capacities of police officers on different aspects of anti-trafficking: on identification of victims of trafficking, on standard operating procedures, or even for changes that are made to the penal code. But time after time the specialists who work in anti-trafficking units change, they change the place of work going to other departments. So, there is a need to continually provide training for the police all over Albania in different districts not only in Tirana. Some training has been provided to police officers, prosecutors, court representatives and lawyers to increase their knowledge and skills of law enforcement agencies regarding anti-trafficking legislation, especially new laws adopted during the implementation of the justice reform.

Asylos: Before I move on did you have anything else you wanted to add or are you happy for me to move on.

This is information in general about the changes in legislation. For the males most of the time they decide not to denounce the traffickers.

Asylos: Do you know why that is?

They don't want to go to the police and do the denunciation. They want to go ahead and be supported and leave behind this situation of exploitation. They show a kind of resistance not to do this kind of denunciation. The reasons for this include; Stigma; Fear from exploiter especially in cases where exploiters are family members; Albanian mentality that males can't be in the situation of exploitation or trafficking; Lack of information; Lack of elements for the

verification of these crimes; Resistance of law enforcement structures to consider exploitation of cases where victims are males.

With the penal changes in the legislation the number of condemned traffickers is higher now than it was before. More strong let's say. The traffickers are condemned.

Asylos: Condemned did you say?

Yes - the traffickers are condemned - the legislative changes have increased the number of years that traffickers spend in prison. For the traffickers that exploit minors.

It is also reported that most of the cases of trafficking in human beings that the Prosecutor's Office registered are for adults.³⁷ Why do you think this is?

Referring to the cases that I know of, there were cases of adults and minors too who have denounced the traffickers and the cases were attended by the Prosecutor's Office.

5. Protection

- 5.1. The US Department of State 'Trafficking in Persons Report 2018' states that in 2017 only 25 (out of 105) male potential victims of trafficking were identified through the Albanian National Referral Mechanism (NRM) in 2017³⁸, whilst in 2016 the numbers were 11 out of 95. In your experience, why do you think this is?

Ok, I think it is a problem of identification because while there are some services and assistance for victims who are identified, there are other cases of males who are not yet identified as potential or victims of trafficking. In 2013 for example the 3 centers (in Tirana, Vatra in Vlora and Another Vision in Elbasan) created Mobile Units in each of these districts doing outreach work and identifying potential VoTs. Later on because of a lack of funds to continue to do this outreach work, the number of cases identified, including males, decreased. During the last year the Mobile Unit was reactivated.

Asylos: If I may - is it harder... are male victims less likely to identify themselves? Women will identify themselves but male victims you have to go out and find them and tell them that there is aid. Could you tell us a little more about that?

³⁷ See Asylos literature review, pg 36, European Commission, COMMISSION STAFF WORKING DOCUMENT Albania 2018 Report, April 2018

³⁸ See Asylos literature review, pg 49, US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2017*

Yes even for this - because the men don't accept that they have been exploited so it is because of the hard work that we do to make them aware that this is exploitation and trafficking. So, they don't accept. Even here in Albania we are a patriarchal system and for the males it is hard for them to say that they were exploited for any kind of exploitation, so they are more resistant they don't want to express or to identify themselves as VOT.

In some areas they have a lack of information to accept or know that they are in a situation of exploitation - in the suburbs of Tirana - in the informal areas of Tirana there is a lack of information about trafficking issues - where the level of unemployment is higher and the level of education is very low - and they are people who have moved from the north or south of Albania and they are placed in the suburb areas informal areas - and living in this difficult situation they are more at risk of being trafficked.

5.2. What barriers to accessing the NRM and its related protections do child and young male victims of trafficking face?

Sometimes the persons, the families don't have access to the services that they need because they don't have information how to reach these services. There are families (as I mentioned above) who have moved from the north or the south of Albania and they are placed in the suburb areas and they are not registered yet in the civil state so they don't have access to the health centres and lack ID docs or other things like that.

During the direct contacts that the Mobile Unit has had with individuals and families, they have oriented them about how to receive and how to access the services they need.

5.3. How effective are protection measures for young male victims of trafficking in cases where the trafficker is being prosecuted?

The core legislative and policy framework about child protection was significantly reinforced in 2017, with the adoption of the new Law on the Rights and Protection of the Child and the Criminal Justice for Children Code. This law defines the rights and protection that any child is entitled to, the mechanisms and responsible authorities that shall guarantee effective exercise of, respect for, promotion of these rights, and also the special protection of the child.

As I explained we have the State Agency for the protection of children rights, and in each administrative unit is a child protection unit with a worker who works with the children of the community in the territory. Mostly with those who have problems. They have a key role

in prevention, identification, case management, protection of victims or potential VoT. Their role is expressed clearly even in standard operating procedure for identifying PVoT or VoT children who are at risk.

5.4. Do you have any evidence (speaking from your own experience) that the police or judiciary are complicit in trafficking and/or are corrupt?

No, we don't have information about this. There is a study on males and it is called Falling through the cracks. The study is on male victims of trafficking.

Prevention

6. What is your view on the efforts the Albanian authorities have made to prevent the trafficking of boys and young men?

Based on the SOP too many actors are involved in prevention and identification of VoT and as well as in referral of VoT.

A lot of awareness raising activities are organized in continuation by different organizations and institutions. A National anti-trafficking awareness campaign was organized all over Albania during the month of October – the month against trafficking in persons.

There have been awareness activities in collaboration with Ministry of Interior (Office of National Anti-trafficking Coordinator), Ministry of Education (Regional Education Directorate) providing information sessions in different high schools or providing trainings with different state and non-state actors (teachers, psychologists and other actors) on trafficking issues.

There are information sessions in schools to provide the pupils with the information about trafficking; about the profile of VoT; the profile of traffickers and the services the organisation provides and how they can reach the organizations and the services, (telephone numbers etc.).

The information provided in schools for the pupils or students is about trafficking issues. There have also been trainings for different professionals who work in state or non state institutions and organizations informing them about the NRM, SOPs and their role in identification and referral of VOT. School psychologists have referred the cases of females as well as males who have interrupted the school. They (the psychologist and the teacher) didn't have information about them and what was happening to them. Besides the school psychologist there is also the Child Protection Unit (CPU). The CPU functions within the administrative structure of the municipality, as a separate unit, or as a unit of the structures charged with social issues, and their task is to identify and manage cases of children at risk, which are located within the area of the unit's authority. Child Protection Workers know the

children and the families who are living in their territory.

7. How effective are more general child protection measures?

7.1. What is the Albanian authority's attitude (and in particular the police's) towards the rights and safeguarding of children, particularly boys?

There are child protection units that work mostly with minors, children and even for those who are PVOT and there are child protection workers that accompany the cases to the police or notify the police to address any security issues and risk situations. Their duties are to identify proactively the cases of children at risk; to assess the level of risk of children in need of protection; to request and organize the multidisciplinary team meeting; monitor the progress of the implementation of the Protection Measure, the progress of the development of the child for whom the Measure of Defense has been set; propose the amendment or removal of the Protection Measure and / or the amendment or termination of the Protection Individual Plan; facilitate and support the child and / or family of the child in fulfilling the Protection Individual Plan.

The Police is a source of referral for victims / potential VoT. They refer the cases to the D&E organization providing for them support and assistance based on their needs. However, the males VoT are referred mostly by CPU, Child institutions and mobile units.

What is your opinion on how effective these referral sources are for boys?

For boys as I said there are the child protection units and child institutions that refer mostly the cases of males VOT for services and assistance.

These institutions make a referral if there are cases of males who need to be supported as based on the indicators in the SOPs they are identified as potential victims of trafficking.

7.2. How effective do you think the child protection system is, particularly for boys?

Not so effective- because the measures that they undertake are only when they are in a high risk situations and then they refer the boy to institutions or in some cases they mediate and refer the boys to foster care families, but even these programmes are not functioning in Albania.

The child protection system requires significant support, especially at the service delivery level. It needs a Child Protection Worker to be dedicated at working with the children and to have the capacity to work on case management, to refer the children to the proper services, etc. It needs also financial support and facilities to be provided.

7.3. Are male child victims of trafficking and their families likely to use the child protection system to get help?

(Asylos rephrases) Are boys and their families likely to use the child protection system to find help?

The families mostly go to the police to ask for help- police is the first station where they go. And there are families that their children are in risk situation or they don't know what their children are doing during the day and they refer the cases themselves at CPU, they refer this kind of problems and situation to the child protection unit where they are living. For the management of the case and to better address their needs and problems, child protection units organize meetings with other actors in the community e.g. police inspector of the area, teacher, psychologist, child protection worker and even the parents - they meet together, discussing about the cases, evaluating the situation and then an individual protection plan is prepared of how to help and better support the child.

7.4. Does this differ between areas across the country?

The CPU functions within the administrative structure of each municipality all over Albania. The workers of Child Protection Units that are in Administrative Units in Tirana show commitment and they are engaged in doing their work.

There are other child protections units in other cities of Albania where the staff is new and they do not have experience in this field, or sometimes they do other duties e.g. work in economic aid sector. Systematic capacity building, multidisciplinary trainings and unifying the practice between professionals working directly with children in different sectors, needs to be improved.

There have been trainings for the CPUs in different districts of Albania in the small cities where they don't have this kind of experience to increase their capacities in identification and referral of VOT.

8. Details of shelters and reintegration programs for trafficked boys and young men

8.1. The available country information (COI) indicates that there 'is no shelter for male victims of trafficking, but the NGO Different and Equal rents flats where such victims can be accommodated'.

There are shelters only for female victims - for males, there aren't any shelters to accommodate them. Housing is an urgent need for many trafficked men and boys assisted in Albania. The services try to find rented apartments for them and they are accommodated

in such rented apartments. They pay the rent of the apartment for a period of time and it depends case by case for the period of financial support. There have been cases that were supported for 1 year even more with the payment of the rent of apartment. This goes for men and the young boys who are 18 years old, but not for minors victims of trafficking. In most of the cases the most basic need for them is housing. As most of the cases assisted are in street situations, with no stable residence, some of them came from child institutions or they have been in a street situation before they started the reintegration process, so they need housing. For the cases concerning minors and when they have a good relationship with their parents, they are sometimes supported and provided services for the entire family to empower all the family of the male as victims or potential victims of trafficking.

8.2. How many rented apartments are available for young men and are they available throughout the country?

The services don't have available apartments but find them at the moment that a boy need to be accommodated in an apartment. If the males decide to live in other cities not in Tirana they may receive support and receive payments for the rent of the apartment even there.

There are three social housing programs: social housing for rent, low cost (rent) housing, and the program of equipping land with infrastructure.

8.3. Do you think they have sufficient capacity?

Housing is one of the needs that males have and this service is provided for each of the cases based on their needs. Sometimes it is difficult to find apartments immediately.

8.4. What are their criteria for taking young men in, and for how long are they allowed to stay?

i understand that it is VoTs, potential VoTs, cases of sexual abuse and domestic violence and the criteria are that they should be more than 18 years old, not for minors. There have been minor cases that for whom the rent of apartment for the entire family has been provided. The minors who have supportive family are assisted in their family, providing services for the entire family. For the others who do not have family or the family is involved in exploitation, they were referred in the shelter of "Another Vision" association.

Based on Law No. 22/2018 "On social housing"

- Article 16 on Criteria for the selection of beneficiaries states social conditions, on the basis

of which are prioritized, victims of trafficking / potential victims of trafficking;
- Article 34 on General Rules on Rent Subsidy states that rent subsidy as a rule is performed by the revenues of the local government unit and that advantages of rent subsidies under the tipping system have, but are not limited to, the following categories which includes victims of trafficking / potential victims of trafficking.

8.5. How long are they allowed to stay for?

It depends on the case. The challenge is the long term accommodation for the victims or potential victims of trafficking. The males and their families in most of the cases didn't own a property, they live in rent houses. The local and governmental policies regarding housing for vulnerable groups in Albania are still not so relevant. Providing rented apartments is a good temporary service, but does not fulfill the need for long term accommodation.

8.6. What services are available to victims whilst living in these apartments? And who provides these services?

The services are the same as the services for female VoTs who are accommodated in the shelter. Services are provided to male VoT across the country, where they decide to live and to be reintegrated. Psychological assistance is provided by psychologists. There are case managers, lawyers, teachers, psychologists and doctors involved. Each of them assess cases of male VoT. The psychologist does a psychological assessment; the lawyer does a legal assessment; and the teacher and doctors do the same on education and health assessment. After the needs assessments, the case manager together with the male beneficiary builds up a reintegration plan based on the assessment done by the multidisciplinary team. Beside the psychological assistance, there is also legal and medical assistance, as they need mostly and this is of great value in helping them during the rehabilitation. For the cases who are exploited for sexual purposes, they need to be attended by a specialist, mostly they face problems of sexual infection, so they need to be treated by a doctor and they do different analysis and are accompanied by a doctor. The legal assistance is another service provided for the males. Since at the beginning they need to apply for identification document, because in most of the cases they do not have any basic documents, any ID or birth certificate and they are supported to acquire these documents. Other services are education, schooling, and vocational training. So, the teacher, after the assessment she makes for each case, tries to register them in order to attend school. Other services are vocational trainings, so to empower and reintegrate them in society; to attend courses and to take a profession. This is mostly for adult males. Most of the courses they attend are for kitchen, cooking courses, language courses for English, Italian, computer courses, hairdresser (barber) courses. They are supported on job counselling and job placements..

8.7. Are there effective safeguards against victims being detected whilst living in these

apartments?

A lawyer informs all the cases who have access to this service about their rights, provides support if they decide to denounce the trafficker, even though in most of the cases they do not want to denounce their traffickers. For the cases that have had security problems they may have access to other alternatives, for example shelters accommodation at religious institutions. For other security problems services collaborate with the police. Until now I haven't heard of any problems or any security problem with the males in rented apartments. If they have any kind of security problem, then they will address them to the police.

But the problems are not in the rented apartments but mostly in the daily activity that they do, if they go to school or their place of work, they face difficulties in the street, if they have seen the traffickers and they call the police. But the traffickers don't know the apartment where they stay.

8.2. COI also states that there is a shelter for children in Elbasan. Are boys eligible for this shelter?

Yes, there are boys and females together, they both are eligible. The shelter in Elbasan is run by Another Vision association. The shelter provides services for children VoT or potential VoT.

8.3. If so what are their criteria for taking boys in, and for how long are they allowed to stay?

In Elbasan, you mean for the shelter in Elbasan? The criteria is that they are minors. VoT and potential VoT. Most of the cases are referred by state social services, Police, CPU, etc.

Based on SOPs, the social worker of state social service and the police specialist of anti-trafficking unit are responsible for making the formal interview and based on this formal interview, they decided the status of the case as VoT. According to new SOPs approved on 2018, the structures involved for doing the formal interview for the minors is child protection unit.

Asylos: So, for how long are they allowed to stay in the Elbasan shelter?

They provide services and they have a long term programme. The duration of stay in the program depends on the case; the duration in the program is evaluated on case by case basis. They have had also cases of males who after 18 years old have been referred to another organisation, providing them with further services based on their needs and supporting them in rented apartments in Tirana or in other cities where they decide to live.

8.2.3. What services are available to boys whilst living in this shelter? And who provides these services?

In Elbasan? Services such as psychological, legal and medical assistance. They also have collaboration with school in Elbasan and all the males attend this school as they are minors, so all of them attend school in different grades. The center in Elbasan provides all the services that they need.

For the males who are 18 years old, they can't stay anymore in the shelter in Elbasan and for continuous support they are referred to another organization.

Asylos: So who provides services there (in Elbasan)?

It's 'Another vision' in Elbasan city. As I said, there are 4 shelters which provide services to victims of trafficking. It is Different & Equal in Tirana, it is in Tirana National Reception Centre for VoT, which is the only shelter run by the state. It is 'Another Vision' in Elbasan providing services to minor victims of trafficking; another centre is in Vlora, south of Albania, called Vatra – social centre Vatra. So, 4 of these shelters have created a national coalition of anti-trafficking shelters.

8.2.4. Are there effective safeguards against boys being detected whilst living in this shelter?

About the security issues? Oh... I don't know what to say with... then I don't know the things in detail, if they've had security problems or things like that.

8.3. COI indicates that State Social Service finances residential centers including orphanages for trafficked children.

8.3.1. What are their criteria for taking boys in and for how long are they allowed to stay?

Children institutions, you mean? So, residential services that are funded by Albanian social services. The National Reception Center for victims of trafficking is the only shelter run by the state which provides services for VoT/ potential VoT.

Asylos: Referring to the orphanages that you mentioned, the admission of persons to residential.

social care institutions, public or private one is done by the State Social Services?

A child, who temporarily or permanently is deprived of his or her family environment, because the parents have died or on the basis of a court decision or when it is not in his /

her best interest to stay in this environment due to a protection measure, is placed in alternative care.

Asylos: Ok, so the criteria for taking boys into the residential centres is more vulnerability, such as being orphan or being found on the street rather than being trafficking victim?

Placing them and accommodate in alternative care when a child is temporarily or permanently deprived from the care and protection of parents or where, because of its high interest, the child cannot be left in the care of parents.

Asylos: And how long are they allowed to stay for in the residential centre?

The emergency protection measure removing a child from the family and placing the child in alternative care is a temporary protection measure taken against the child who is in the following situations: a) the child is assessed to be in a situation of high and imminent risk because of abuse, exploitation, neglect or any form of violence and the child protection worker and state police or prosecution structures have allegations or possess facts that the family or environment where the child stays is not safe for the child; b) the child has been abandoned at birth by the parent or is under 16 years of age and is found abandoned in any environment; c) the child is left without parental care because the parents have been arrested, hospitalised or are in such situations that make it impossible to exercise their parental responsibility.

8.3.2. Do you think the centres have sufficient capacity?

Here in Albania, the state institutions are working to decentralize the services, so they are working mostly to – not to close these centres – but for all of the children to send them back, to join their families having in focus the empowerment of the families in order not to leave children in these institutions.

8.3.3. Do you think the safeguards against boys being detected whilst living in these centres are effective?

I don't know what to say about these institutions, because I don't know how to explain in detail.

Asylos: No, that's ok

Just to say that for the males, even in this orphanage or children institutions, for the males

who are 18 years old and they don't have any parent or family, they are referred to service providers. Because sometimes they see that if they go out from these institutions, the males are in street situation, they are at risk of being trafficked, so most of the time these institutions refer the cases for further services and accommodation.

8.3.4. Taking all the centres together, do you think there is adequate provision for male victims of trafficking in Albania, adequate accommodation provision?

It is hard and there are even challenges, yes.

In your opinion, is there a need for more accommodation to support male VoT, for example?

Yes, we see barriers. As I said the first thing that they need is housing. As they are in street situations, the first need is accommodation and housing. Even here in Albania, the reintegration programmes are structured and designed for female VoT and children of VoT, but there are no programmes for males VoT. Sometimes the need for shelter is a continuous need for male victim of trafficking.

Another difficulty of male VoT is that they do not ask for help due to their personal issues, so it is sometimes difficult even this thing that they don't ask for help as they do not want to identify themselves as being exploited. It is difficult for males to find accommodation in an emergency need, because sometimes there are cases referred by other organisations or institutions and the immediate need they have is finding apartments, sometimes it's difficult to find an appropriate environment for them immediately.

9. Information regarding difficulties a young man may face settling to a part of the country where they don't have family or a support network

9.1. Are there reintegration programmes for trafficked boys and young men returned from abroad, or other areas in Albania, to establish themselves into the community and are they aware of the services available to them and how to access them?

The first thing is that the reintegration programme here in Albania are mostly designed for the female VoT and there are not so many programmes for male VoT or potential VoT.

The trafficked boys and young men returned from abroad are provided with services by Different & Equal when they are identified and referred. Even for these cases they are referred to their programme, the state social services refer the cases of young men and boys who are returned from different countries to Albania, they are referred to their programme.

Asylos: So just to Different and Equal programme?

Yes. If they are 11 to 14 they are referred to this shelter in Elbasan.

- 9.2. What are the risks of re-trafficking on return to Albania and are you aware of any patterns in this occurring, both inside and outside of Albania e.g. in on return to home area or in relation to a new area? Are some individuals more vulnerable to re-trafficking than others?

Even the males who return back to Albania need to be referred and to be supported. Those who are identified are referred but the problem is for those who are not yet identified. If they do not have access to the services the possibilities to be in risk of re-trafficking exist. So the cases of males of VOT who return to Albania and have joined their families should be referred and they have the right to be supported with the services based on their needs. The support should be provided for the entire family.

Asylos: So, do you mean that those who are returned back to their families are more at risk of being re-trafficked?

Yes, because even if the males who are returned to their families need to be supported even in families, so they need to be provided with different services based on their needs. But sometimes they have joined their families without any service being provided, even to the male or to the entire family. These are the boys who are not identified as VoT. Another challenge faced during the process of identification of males victims of trafficking is the fact that in many cases of forced labor, the trafficking victims or the potential trafficking victims are considered as irregular migrants and are deported without taking into the consideration the possibility that they might have been exploited. Or even for the cases who came back from different countries, if they go to their families, they plan again to go outside of Albania. So, they need to be supported somehow. Even to inform them about the consequences and the risks of unsafe migration or being unaccompanied by their parents.

Asylos: Does that (the risk of re-trafficking) apply to internal as well as external trafficking?

Yes, even for the cases that enter a programme, when they decide to leave the programme (as the program is on voluntary basis) and are not being assisted, they are in risk situations.

Asylos: You spoke about the risk of migrating again, if they are returned to their families in Albania, but what are the risks of being trafficked again if they are returned to Albania?

No, but just for the cases who are referred in the programmes and services the risk to be re-trafficked is low, because they are supported by the organization or the institution, being provided with the services they need, based on their needs. All the trafficked persons have the right to access the services they need. For the cases who return back to their families

without having access to the services, there's a risk of being in street situation again, because most of the male cases potential VoT come from families who are dysfunctional or disorganized, so they need to be assisted and provided with services.

9.3. What is the risk of further exploitation of trafficked boys and young men on return to Albania? Are you aware of any other difficulties Albanian boys or young men VoT face when reintegrating to their home, any other example of exploitation they may face?

[Not answered as answered above]

9.4. Are there any difficulties an Albanian boy or young male VoT may face if attempting to reintegrate on return to either their home area or a new different area of Albania especially in relation to:

- 9.4.1. Transferring civil registration to a new area;
- 9.4.2. securing accommodation;
- 9.4.3. finding work;
- 9.4.4. accessing health care?

In many cases service providers find themselves alone or not fully supported in their effort to give reintegration assistance to male victims of trafficking. So, it is difficult for victims to find jobs through the employment offices, therefore services accompany each of the cases to the employment office in order to provide them with job opportunities. But for the males victims is more difficult to find jobs and to be sustainable in this job placement or to benefit from the system of social housing. It's not easy for some cases to maintain their jobs for a long period of time. This is due to many factors. Some of them have difficulties in maintaining stable relationships with their colleagues or their superiors. Some others that have lived in a street situation for a long period of time and find difficulties getting used to work routines, schedules, etc. This is understandable having into consideration the fact that they have lived for many years without a clear structure in their life. In some cases they have low level of education and they do not have any profession.

As I mentioned to you, the municipality of Tirana has some programmes for housing, for paying part of the rent of apartments for them. But for the males is more difficult to profit from this programmes. Providing rented apartments is a good temporary service but does not fulfill the need for long term accommodation. They need long term solutions.

Based on the Decision on the treatment of victims of trafficking and benefit of the health services from this category – Dec. No. 395, date 20.06.2012, victims of trafficking are included in the category of economically inactive persons and the contribution to the health

insurance fund for victims of trafficking is paid by the state. Based on this the victims /potential victims of trafficking, female and males have been equipped with Health Card providing in that way free health service.

The major part of the boys need to be helped immediately once in the assistance program regarding ID and other basic documents that they lack. There are cases that have moved from one area to another and they were supported to be transferred and to be registered in the Civil State.

9.5. Do these factors vary depending on the area of relocation?

Yes, because some programmes are provided on the local level and the Municipality of Tirana has more programs than the other municipalities in other cities. Sometimes the programs provided by the Municipality of Tirana, for housing for example are not available at the other cities. In Tirana there are more programmes. Even the job market is very limited in the other cities or areas. The medical care system ensures medical health for free for people in this category, so they can be attended or visited by the doctor, but all the medicines need to be bought. Sometimes they need to buy the medicines on a monthly basis.

The majority of trafficked persons decide to be reintegrated and to live in Tirana. One of the reasons is that Tirana has more opportunities and there are more programs by the local level structures. There are special programs that are on municipality level. Even the job market is very limited in small cities of Albania.

1. Profile

1.1. What do you perceive are the profiles of trafficked boys and young men?

1.2. Some sources suggest that more general risk factors for victims of trafficking in Albania (without specifying gender) may include; poverty³⁹, low education⁴⁰, suffering from physical or mental disabilities⁴¹, there being domestic violence and/or sexual abuse within the family⁴² or a pre-existing blood feud⁴³, being LGBT⁴⁴ and for children, being Roma or Egyptian⁴⁵ or homeless⁴⁶. Would you say these apply to Albanian boys and young men? Are there any other risk factors which may make some boys and young men vulnerable to trafficking?

All of these can apply to Albanian boys and young men but our research interviews indicate that the biggest risk factor for Albanian youth is poverty and/or a lack of decent job opportunities in Albania. Many actively seek to move away from Albania and many young people have a strong desire to migrate, which can sometimes make them easy targets for traffickers or more likely to make the journey into Europe where, if they develop an irregular status, can be subsequently vulnerable to exploitation, especially if they lack personal connections in host countries.

2. Actors and patterns

2.1. Who are trafficking boys and young men?

Our research with law enforcement agencies in Albania and Europe indicates that there are many well established Albanian networks and individuals (and some in collaboration with networks of other nationalities) involved in the smuggling of Albanians from Albania to the

³⁹ See Asylos literature review, pg 13-14, Dr Enkeleida Tahiraj and the Shpresa Programme 2017

⁴⁰ See Asylos literature review, pg 13-14, Dr Enkeleida Tahiraj and the Shpresa Programme 2017

⁴¹ See Asylos literature review, pg 18, Save the Children 2016

⁴² See Asylos literature review, pg 12, UNICEF 2015

⁴³ See Asylos literature review, pg 20, Dr Enkeleida Tahiraj and the Shpresa Programme 2017

⁴⁴ See Asylos literature review, pg 19, Dutch National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children 2016

⁴⁵ See Asylos literature review, pg 11, UNICEF 2015

⁴⁶ See Asylos literature review, pg 10, US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2018*

UK, US and Canada. Many 'agents' are based in Albania and are connected to groups and individuals outside of Albania and based within various transit and destination countries. These will facilitate the movement of young people and connect them up to other relevant individuals.

Many of our interviewees asserted that the smugglers are not always connected to those that exploit the young men. Some young men will fall into an exploitative situation after the smuggling process and as a result of being unable to work in legitimate employment with rights and security. Law enforcement agencies and NGOs in the UK that we interviewed reported that some Albanian boys remain indebted to those that have facilitated their travel, but there remains a lack of intelligence around the connection between the smugglers and the boys and whether they are exploiting them. Some interviewees attributed the lack of intelligence to the inability of those exploited to disclose information, for fear of reprisal.

Several interviewees highlighted that many boys have been brought into EU countries by family members, after which they will connect to destination countries and/or seek asylum in Europe. There is a concerted effort by Albanian authorities to increase the penalties on parents/family members 'dropping off' young Albanians in Europe.

There are Albanian criminal networks are operating throughout Europe and the UK and many are associated by law enforcement agencies with drug trafficking. In our interviews in Italy, Germany, the Netherlands and Belgium, the trafficking of boys was not generally recognised as something that these gangs were engaged in. However in the UK, some members of law enforcement told us that gang members (predominantly males) are recruiting boys and young men into these gangs who are sometimes criminally exploited, such as for 'County Lines' or cannabis cultivation.

2.2. Are you aware of the different methods traffickers are using to recruit boys and young men?

I am aware of recruitment methods of Albanian women but not of boys and young men.

2.3. Where are boys and young men trafficked to and for what purpose?

Boys and young men are certainly smuggled at a high rate to the UK, US and Canada (the cost of the latter trips was reported to us as being up to 35,000 EUR) and many remain as Unaccompanied Asylum Seeking Children in EU countries. However, it is important to note that authorities and anti-trafficking agencies within countries in Europe that we interviewed (Italy, Germany, the Netherlands, Belgium and France) are for the most part not identifying/investigating Albanian boys/ Albanian UASCs as potential trafficking cases. It is therefore extremely difficult to understand the level of exploitation taking place and if there is then it is currently unlikely to be brought to light.

2.3.1. Do you have experience of how this might occur in the UK context?

According to the NCA and law enforcement, Albanian organised crime groups play a significant role in the cocaine trafficking market within the UK. Some interviewees who supported Albanian boys claimed that Albanian boys are recruited into these groups and engage in criminality for these groups. It is not clear from our interviews at what point they are recruited/enter into these groups. There are also reports of young men being used as gardeners in cannabis farms. Albanian boys account for a number of those entered into the NRM for labour exploitation but there is little detail on these cases. Sources in our own research asserted that boys are being exploited doing 'odd jobs'.

2.4. Are you aware of any cases of Albanian boys and young men fleeing Albania after being trafficked internally?

2.4.1. Do you have experience of how this might occur in the UK context?

3. Legislation

3.1. Sources have reported that internal sex trafficking is often viewed as synonymous with prostitution and that victims of trafficking have been punished on this basis⁴⁷. Are you aware of trafficked boys and young men being punished for any other unlawful acts committed as a result of their being trafficked?

There are a number of young Albanian men being identified in UK prisons as potential victims of trafficking who are being entered into the NRM. It is believed that many enter the UK with the debt burden from smuggling, and due to their irregular status and inability to seek legitimate employment enter into criminal activity, e.g. drug dealing or cannabis cultivation. Some interviewees told us that boys have reported feeling threatened as a result of the debt they acquired on coming to the UK, and have a strong fear of returning home, which these interviewees believe indicate a situation of trafficking and exploitation.

3.2. One source states that 'gaps exist in Albania's legal framework to adequately protect children from child labor, including using children in illicit activities'⁴⁸. In this your

⁴⁷ See Asylos literature review, pg 50, US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2018*

⁴⁸ See Asylos literature review, pg 34, US Department of Labor (USDOL), *2017 Findings on the Worst Forms of Child Labor - Albania*, 20 September 2018

experience, what impact does this have for boys and young men who are victims of trafficking?

4. Prosecution

4.1. Sources report that convictions for trafficking in general are 'low'⁴⁹ and describe 'an implementation gap between a strong legislative and policy framework in Albania with practice in reality'.⁵⁰ In your experience, why is this and what impact does this have for boys and young men?

4.2. It is also reported that most of the cases of trafficking in human beings that the Prosecutor's Office registered are for adults.⁵¹ Why do you think this is?

5. Protection

5.1. The US Department of State 'Trafficking in Persons Report 2018' states that in 2017 only 25 (out of 105) male potential victims of trafficking were identified through the Albanian National Referral Mechanism (NRM) in 2017⁵². Whilst in 2016 the numbers were 11 out of 95. In your experience, why do you think this is?

Our interviews showed that human trafficking in Albania is still mainly associated and identified with females in sexual exploitation. Males are unlikely to be seen by authorities as potential victims of human trafficking. There is also a strong sense of shame and stigma associated with these issues, and from my experience of speaking with NGOs and support agencies, it seems that it would be rare for a male to disclose exploitation, due to the associated shame surrounding that.

5.2. What barriers to accessing the NRM and its related protections do child and young male victims of trafficking face?

5.3. How effective are protection measures for young male victims of trafficking in cases where the trafficker is being prosecuted?

5.4. Do you have any evidence that the police or judiciary are complicit in trafficking and/or are corrupt?

⁴⁹ See Asylos literature review, pg 41, CoE-GRETA July 2016 and p.38 European Commission

⁵⁰ See Asylos literature review, pg 35, Patricia Hynes et al, July 2018

⁵¹ See Asylos literature review, pg 36, European Commission, COMMISSION STAFF WORKING DOCUMENT Albania 2018 Report, April 2018

⁵² See Asylos literature review, pg 49, US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2017*

Information from a reliable source informed me of cases of corruption on the part of police and judiciary in regards to sex trafficking cases involving women. There was no mention of specific cases involving the trafficking of young men.

6. Prevention

6.1. What is your view on the efforts the Albanian authorities have made to prevent the trafficking of boys and young men?

Authorities in Albania do not generally view the issue of trafficking of Albanian boys as UK authorities do. Authorities that we interviewed rather view it as cases of smuggling and young men either being sent by their families into the EU, or young men choosing to leave Albania and connect with acquaintances and family members in the UK and elsewhere. In the main, experts in EU countries we researched are also not viewing the issue of UASC from Albania in light of potential issues of human trafficking. There are increased efforts on the part of Albanian authorities to prevent parents moving young men and boys into the EU and returning without them. But since there is a lack of focus on the possibility of Albanian boys being trafficked, cases that do amount to trafficking may go unrecognised and boys and young men will not receive the support they need under anti-trafficking legislation.

7. How effective are more general child protection measures?

7.1. What is the Albanian authority's attitude (and in particular the police's) towards the rights and safeguarding of children, particularly boys?

7.2. How effective do you think the child protection system is, particularly for boys?

7.3. Are male child victims of trafficking and their families likely to use the child protection system to get help?

7.4. Does this differ between areas across the country?

8. Details of shelters and reintegration programs for trafficked boys and young men

8.1. The available country information (COI) indicates that there 'is no shelter for male victims of trafficking, but the NGO Different and Equal rents flats where such victims can be accommodated'.⁵³

8.1.1. How many rented apartments are available for young men and are they available throughout the country?

8.1.2. Do you think they have sufficient capacity?

8.1.3. What are their criteria for taking young men in, and for how long are they allowed to stay?

⁵³ See Asylos literature review, pg 72, CoE-GRETA July 2016

- 8.1.4. What services are available to victims whilst living in these apartments? And who provides these services?
- 8.1.5. Are there effective safeguards against victims being detected whilst living in these apartments?
- 8.2. COI also states that there is a shelter for children in Elbasan.⁵⁴
 - 8.2.1. Are boys eligible for this shelter?
 - 8.2.2. If so what are their criteria for taking boys in, and for how long are they allowed to stay?
 - 8.2.3. What services are available to boys whilst living in this shelter? And who provides these services?
 - 8.2.4. Are there effective safeguards against boys being detected whilst living in this shelter?
- 8.3. COI indicates that State Social Service finances residential centers including orphanages for trafficked children.⁵⁵
 - 8.3.1. What are their criteria for taking boys in and for how long are they allowed to stay?
 - 8.3.2. Do they have sufficient capacity?
 - 8.3.3. What services are available to boys whilst living in these centres? And who provides these services?
 - 8.3.4. Are there effective safeguards against boys being detected whilst living in these centres?
- 8.4. Is the above provision adequate for male victims of trafficking?

9. Information regarding difficulties a young man may face settling in a part of the country where they don't have family or a support network

- 9.1. Are there reintegration programmes for trafficked boys and young men returned from abroad, or other areas in Albania, to establish themselves into the community and are they aware of the services available to them and how to access them?
- 9.2. What are the risks of re-trafficking on return to Albania and are you aware of any patterns in this occurring, both inside and outside of Albania e.g. in on return to home area or in relation to a new area.
- 9.3. What is the risk of further exploitation of trafficked boys and young men on return to Albania?
- 9.4. Are there any other difficulties an Albanian boys or young male VoT may face when attempting to reintegrate on return to their home areas?
- 9.5. Are there any difficulties an Albanian boy or young male VoT may face if attempting to relocate and settle into a different area? Especially in relation to

⁵⁴ See Asylos literature review, pg 71, UK Home Office, Fact-Finding Mission to Albania, November 2017

⁵⁵ See Asylos literature review, pg 78, UNICEF, July 2015

- 9.5.1. Transferring civil registration to a new area;
 - 9.5.2. securing accommodation;
 - 9.5.3. finding work;
 - 9.5.4. accessing health care?
- 9.6. Do these factors vary depending on the area of relocation?

1. Profile

1.1. In your opinion what are the profiles of trafficked boys and young men?

Ariela Mitri [AM]: Ok, regarding the profiles, let's say there are children and young boys— young men. Children are mostly from a Roma community, and they are, let's say, trafficked for exploitation inside and outside Albania. Young men...the profile of young men, it's more the people exploited in agriculture and in the construction business.

Asylos: Is that both within and outside Albania, in your experience, as well?

AM: Outside Albania, let's say, in neighbouring countries like Montenegro and Kosovo. Based on our research, last year, the traffickers are renting children from Roma communities to be used in the streets of Kosovo and Montenegro. They are not directly with their families but with some other relatives, etc.

Asylos: So not directly with their family but with...

AM: Not directly with the families. Last year, we did a field visit in Kosovo, and we met a lot of children in street—Albanian children—and based on our discussion, they are with some people that they don't know very well. They are with a grandmother, so an old lady who is not really their grandmother. They rent these children from small communities—Roma communities—in small cities because it's a good possibility for them to earn a lot of money, and when the children, or the kids, are more, they can earn more money... young.

1.2. According to some sources general risk factors for victims of trafficking regardless of gender in Albania include; poverty⁵⁶, low education⁵⁷, suffering from physical or mental disabilities⁵⁸, domestic violence and/or sexual abuse within the family⁵⁹ or a pre-existing

⁵⁶ See Asylos literature review, pg 13-14, Dr Enkeleida Tahiraj and the Shpresa Programme 2017

⁵⁷ See Asylos literature review, pg 13-14, Dr Enkeleida Tahiraj and the Shpresa Programme 2017

⁵⁸ See Asylos literature review, pg 18, Save the Children 2016

⁵⁹ See Asylos literature review, pg 12, UNICEF 2015

blood feud⁶⁰, being LGBT⁶¹ and for children, being Roma or Egyptian⁶² or homeless⁶³. Would you say these apply to Albanian boys and young men? Are there any other risk factors that apply to them I haven't mentioned?

EF: Yes, yes, these are all criteria that we can apply to Albanian boys. If I had to add something, maybe also there is one, because there is one factor that traffickers use to attract people, and that is the digital devices, so the use of social media to do that.

Asylos: Boys and young men who are using social media, I suppose?

EF: Yes, yes, it's one way to contact and to involve people in these activities.

2. Actors and patterns

2.1. Who are trafficking boys and young men?

AM: There are some groups that are very well organized, which means these groups know the process of trafficking and the vulnerability of their families, and they are preparing a trip from Albania to Kosovo or Montenegro. Sometimes they are from the same family of these kids, relatives or, I don't know, Most of them, it's not organized crime, but we can say organized groups that are managing this kind of trafficking. We have also sometimes groups crossing the border without being noticed by the police, without having documents. Because, as you know, by the law, kids alone cannot cross the border without one person—one family member or documents—that can help him to cross the border.

EF: The situation of trafficked boys and young men from Albania is different from other Balkan countries and, for example Italy. Their trip in Italy (and in other EU countries) are organized often by criminal groups – well structured criminal groups. In Italy, Albanian children (they are the first common nationality of unaccompanied minors in Italy – 1600 cases in 2018) are found in labour exploitation networks and illegal labour markets, and forced to provide sexual services, deal drugs or commit crimes. The stories of these boys and girls show that demand for people who are forced into practices comparable to slavery remains high in Italy. This growing trend is explained by the abolition of visas for Albanian citizens entering the Schengen countries. Italy has thus become a more attractive

⁶⁰ See Asylos literature review, pg 20, Dr Enkeleida Tahiraj and the Shpresa Programme 2017

⁶¹ See Asylos literature review, pg 19, Dutch National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children 2016

⁶² See Asylos literature review, pg 11, UNICEF 2015

⁶³ See Asylos literature review, pg 10, US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2018*

destination for Albanian families (most of the Albanian children intercepted were predominantly aged 15 to 17 years), who encourage their children to emigrate. If the 3 months of stay - release by Schengen visa - are not enough they are going to apply for asylum to continue their permanence legally (the welcoming and reception system and legislation of unaccompanied minors in Italy is now under the umbrella of SPRAR (Sistema di Protezione Richiedenti Asilo e Rifugiati – Asylum seeker protection system))

AM: Can I just add something, which is that this kind of situation is more vulnerable now for Albania, which has also a specific situation inside the country. We have small boys, young boys, sorry, selling some items in the street. When you come to Albania, you can notice this. Very young children, meaning 10 years old, selling small items in the street, and not all of them are from Roma community, so also from the Albanian community. It is very important that they're young. Some of them don't have very easy access to schools, or they are coming from poor or rural area which means they have to walk for one hour to reach the school, and in some cases the parents or the relatives decide to keep children at home, not to bring at school in order to take care of the animals or to work the land, let's say, some work or some small things at home. It's not a pure situation of trafficking, but it's something that happens in Albania.

EF: This is also a consequence of the phenomenon of internal migration where the Montenegrin children of Armenia are more and more, I mean, people are trying to move internally to find more opportunities within the barracks areas (suburb areas of the main cities in Albania). There is a huge barracks area around the main cities, so it's quite popular...

Asylos: So are you saying that boys and young men living in this area...is that an additional kind of risk factor?

EF: Yes, of course, of course, of course.

AM: If you notice, there are three categories of trafficking, exploited in neighbouring countries for seasonal work, and they are mostly from the Roma community, and they are exploited from the parents and relatives, and they are exploited from traffickers who earn money from that. The second is inside the country, inside Albania, young boys, let's say, 10 years old, selling small items in the street and doing some small works, washing cars, etc. And the third is children that are, let's say, entering the asylum system in Europe—France, Italy, etc.—and are recruited from the traffickers for small crimes.

EF: So for example in Italy, unaccompanied minors from Albania are the biggest group in numbers. Most of them are 16 or 17. They are asking for asylum. They are entering in the asylum system and a lot of them are used for robberies and so on, and they are entering in this criminal system. There is a problem that, of course, the families doesn't know about

that. Even though most of the families have agreed to or organised this illegal arrival. When they open the possibility to the family and to the Albanian peoples to enter in the Schengen area without any visa, this phenomenon is going to increase.

Asylos: So what you're saying is that some families are sending the children for one purpose, but when they enter, they are being exploited, you said, for criminal purposes?

EF: Yes. In some cases the trips are also organized by friends or by a member of the community they come from.

AM: This situation is relevant for boys and young men because it's a different type of exploitation and trafficking. For girls, have early marriage, etc.

(Asylos reassures the interviewers that she and her team have seen reports on girls and the reason Asylos is focusing on boys and young men is the scarcity of the information available. Maya then asks whether the interviewees have specific information on boys and young men trafficked to the UK and suggests that if not, the interview can proceed to the following question.)

EF: We don't have, let's say, any experience...just from the media.

(Asylos says we'll be including media references in the report.)

- 2.2. What methods do they use to recruit boys and young men?
- 2.3. Where are boys and young men trafficked to and for what purpose?
- 2.4. Are they trafficked to the UK? And if so, for what purpose?
- 2.5. Are you aware of any cases of Albanian boys and young men fleeing Albania after being trafficked internally?
- 2.6. Are you aware of any cases where they've fled to the UK?

(Asylos suggests we they have already covered these questions.)

3. Legislation

- 3.1. According to sources internal sex trafficking is often viewed as prostitution and victims of trafficking have been punished on this basis⁶⁴. Are you aware of trafficked boys and young men being punished for any other unlawful acts committed as a result of their being trafficked?

⁶⁴ See Asylos literature review, pg 50, US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2018*

EF: As being punished for illegal act at this point. If we refer this question to an unaccompanied minors in Albania from foreign countries—in this case—such as refugees. Yes maybe they are forced into a detention center, because for their status, maybe.

Asylos: Okay, so because of their being ‘illegal’...

EF: It’s totally different if we talk about Albanian minors coming, for example, from rural areas and involved in labor exploitation. There is no real punishment (unless they commit serious crimes), but rather authorities should try to intervene through social services, with alternative measures to punishment. These types of interventions and procedures are not supported by legislative acts.

Asylos: Okay, so there is no legislative act to protect them?

EF: Yes, of course.

- 3.2. One source states that ‘gaps exist in Albania’s legal framework to adequately protect children from child labor⁶⁵. In your experience, what impact does this have for trafficked boys and young men?

AM: We don’t have any gaps in the legal framework for the child protection. It is the implementation of all laws in Albania in the context. First, child labor, under Albanian mentality, they are always called potential victims of trafficking. Children’s situation or child labor is recognized as part of trafficking, but in our statistics—government statistics—they are never reporting numbers, figures, about this kind of situation, which means the law it’s not implemented. It’s not because we have gaps but because the law is not implemented, and the children are not recognized as being in a situation of trafficking. What we want to do is to see and to include, to compile, to put together all the reports and to produce one document about the situation of not only children—about the situation of trafficking in our country. It doesn’t matter if they are children or if they are exploited or trafficked for sexual abuse. One report about the situation in the country.

4. Prosecution

- 4.1. Sources report that convictions for trafficking in general are ‘low’⁶⁶ and describe ‘an implementation gap between a strong legislative and policy framework in Albania with

⁶⁵ See Asylos literature review, pg 34, US Department of Labor (USDOL), *2017 Findings on the Worst Forms of Child Labor - Albania*, 20 September 2018

⁶⁶ See Asylos literature review, pg 41, CoE-GRETA July 2016 and p.38 European Commission

practice in reality'.⁶⁷ In your experience, why is this and what impact does this have for boys and young men?

AM: I don't know how to explain the idea. It is... we had a meeting with a local institution last year, and this question was also presented to them. The problem is you cannot bring, let's call them traffickers, to the prosecutor's office because the majority of them are parents or relatives... if there are going to the prisons is difficult for our institution to find solution for the children. What we did, for example, for a local institution with a child protection unit and social services, to inform the parents, to inform the communities. These kinds of communities, children in these kinds of situations, it's not let's say legal, and the parents should protect their children. We had a specific case, but it was a lot of paperwork for the police, for the prosecutors, for the child protection unit because after you are going to have children without parents, and she will be again vulnerable. And, you know, in Albania, we are facing another situation. A lot of them don't have the birth registration, which means that they don't exist for the system in Albania. I mean, it's very difficult to prove who are the parents or who there is no family, or I don't know, the guardian for this category of children.

Asylos: And that creates difficulties for protection?

AM: Yes

4.2. It is also reported that most of the cases of trafficking in human beings that the Prosecutor's Office registered are for adults.⁶⁸ Why do you think cases of children are less?

EF: The children are less, yes, just 15 were registered. At least last year.

Asylos: And that's because their parents are trafficking them?

EF: Yes. That is real.

5. Protection

5.1. According to the US Department of State in 2017 only 25 (out of 105) male potential victims of trafficking were identified through the Albanian National Referral Mechanism (NRM)⁶⁹. In your experience, why do you think the numbers of potential victims identified through

⁶⁷ See Asylos literature review, pg 35, Patricia Hynes et al, July 2018

⁶⁸ See Asylos literature review, pg 36, European Commission, COMMISSION STAFF WORKING DOCUMENT Albania 2018 Report, April 2018

⁶⁹ See Asylos literature review, pg 49, US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2017*

the NRM are so low?

AM: As you may know, Albania is trying to enter in Europe, okay. And one of the recommendations from Europe is to reduce trafficking in the country and outside the country. We are still an origin country for victims of trafficking, and it is also happening internally. Let's say we have internal trafficking in the country. The government sometimes is not presenting real statistics. etc. From the US government Department of State, several times we had recommendations on the identification because it's not true that in Albania we have low numbers of victims or that trafficking doesn't exist, but we receive recommendations that the identification of the victim or identification of different types of trafficking is not done in, let's say, a good way. And we have different bodies reporting about the numbers of victims. First, we have police, the directorate of the police from each region. We have border police reporting to the ministry of interior about figures. We have child protection units from local institution reporting about children. We have state social services reporting. We have NGOs reporting. We have regional trafficking committees, led by the prefects reporting.

(Asylos asks for clarification on the final sentence.)

AM: In Albania, we have a base divided into 12 regions, okay? Each region has a prefect, and it was established five years ago—a committee, a regional committee against trafficking, led by the prefects, which means members of these committees are all regional directors of the police, regional director of the border police, of the health system, of the commission, social services, etc. And their task is to discuss about the trafficking at a local level and to report in the ministry about the situation, about the prevention, about the protection, etc. And they are reporting cases because if some cases are identified at local level, the cases should be referred or let's say managed at local level. And they are reporting, I don't know, monthly or quarterly to the government. In the end, we have several sources, but the final paper, final document, final report is from the national coordinator. All these sources don't match with each other okay? If you go to read a report, the state agency on child protection, you are going to find some figures about children in street situations, or about children at risk, or children victims of trafficking. If you were to read a report from shelter...coalition of shelters, you are going to find other statistics or data. And it's a big mess in Albania, and we don't know how to find solutions for the moment.

Asylos: So you're saying that the figures are not adding up?

AM: Yes.

5.2. What barriers to accessing the NRM and its related protections do child and young male victims of trafficking face?

- 5.3. How effective are protection measures for young male victims of trafficking in cases where the trafficker is being prosecuted?
- 5.4. Do you have any evidence that the police or judiciary are complicit in trafficking and/or are corrupt?

AM: No, no, no, no, no, no. What I can say is my evidence at Caritas, I can say for the police, when they are going to have somebody who they suspect is a victim of trafficking, for them, it's a lot of paperwork. You know, the local institution doesn't respond immediately to the situation, which means in the afternoon, the office is closed, and the police should find solutions for them—accommodations, food, etc.—and they should wait until early in the morning to organize the interview with the other actors. So corruption, I don't know.

6. Prevention

- 6.1. What is your view on the efforts the Albanian authorities (regional government including the police) have made to prevent the trafficking of boys and young men?

AM: Not separately. Not only boys and young men. For us, we did as Caritas, in the past and we are still working with local authorities on prevention but not specifically boys and young men. Generally not with the category of boys and young men

Asylos: When it's done generally, do the efforts include boys and young men?

AM: Yes, for sure. Can I add something to mention here? As Caritas, we are working at local level with different communities to make aware and to inform them about irregular migration and to inform, because as we told in the beginning, a lot of children are leaving the country and trying to reach Europe as asylum seekers. We are trying to inform the population, the parents, the children that maybe you can be in a vulnerable category in Europe and maybe you can be recruited from different groups of traffickers. This kind of prevention is us informing them, especially with boys and young men, and we've show them different kinds of trafficking in Europe, exploitation, child labor, etc.

EF: The country has made important progress in recent years in relation to the trafficking of boys and young men. But there are a lot of steps to do. First of all, to strengthen the collaboration among state and non-state agencies. The implementation of the national strategy fight against the trafficking of human beings is not so rooted in all the territories. If we want to implement the national strategy at territorial level, there is a need to strengthen:

- the training of the staff (officials) involved from the various governmental bodies (labor offices, police, ministries and regional authorities, social services....) and to create greater

synergy between the various institutions. There is a huge need to increase the training and skills of the officials of the municipalities (even small ones) engaged in welfare and protection system, because they are in the field, they know their community and they can be considered like first social barrier of protection.

- the exchange of information between NGOs, IOs, and Authorities in Albania also at a “grass roots” level. Actually, few contacts and information are shared among these stakeholders, so are not enough the services such as advice, family tracing, or mediation for families of trafficked boys, young men and girls and this is generally on a poorly advertised ad hoc basis. This is very important element, because most of the time, information and interventions are going to be lost. every stakeholder plays his part without talking to others.

- data and databases (on victims or potential victims, shelters, services and interventions) among the different authorities don't match each other. That's why we have few cases intercepted in 2018.

Asylos: They need to strengthen that?

EF: Yeah.

7. How effective are more general child protection measures?

7.1. What is the Albanian police's attitude towards the rights and safeguarding of children, particularly boys?

AM: At Caritas, we have the possibility to invest in the capacity of the police at a local level. We had to take a project, it's a Department of State project, and we work along with them to increase their capacities and understanding policy, how to get protection and give recognition of the victims of trafficking, etc. It's changed their attitude because also they are aware about child protection in Albania. Three years ago, you had the law... child protection law, and also, the situation is changing always and they need to be informed or trained about the situation of trafficking. For example, as Caritas, we have, in the past, invested a lot in child friendly rooms, child friendly spaces. We created five spaces for the victims of trafficking, decorating them with the police in the directorate of Obeyis, in the north of Albania, in Shkodra, in the border, in Tirana, in [Flora], in [Turos], safe places, for the victims of trafficking or for the children in order to have, let's say, a very... to have a very good interview because you know, in Albania, sometimes the interview is done in the big offices with a lot of police officers, and it's not very easy for the victims or for the children. And Caritas in the past, we create this safe place for children and provide some support, some logistical support on food, food items for the period that the children or the victims are staying in these places. Yes, they changed their attitude thanks to different or similar trainings and also the Albanian government taking a lot out of the budget. The Albanian

government is talking a lot about child protection, safeguarding policy, and etc.

7.2. How effective do you think the child protection system is, particularly for boys?

AM: For me it's difficult to make this kind of difference: boys or girls. For us, it's a child protection system. No, now we have the state agency in Albania. It's a very interesting office under the ministry of health and social service, and this body or this agency is following the situation... First, the implementation of the law, child protection law in Albania. Second, they are following the whole system of child protection because we have the child protection unit under the municipality in the country. The child protection unit is following, I would say the situation of children at a grassroots level—their daily routine, and their task is to identify specific cases or to refer specific cases, and also to empower the education system about children. Maybe the presence or the creation of this agency makes very effective the law but also all the initiatives about children.

Asylos: So these are making the child protection system more effective.

AM: And they are working always with the NGOs. We are organizing not only protection activities together but also with us. We had several meetings together, and the bylaws are prepared with the NGOs, and also, the presentation of the new law on child protection is done together with NGOs and local actors. For example, as Caritas organized some coordination meetings with a special focus on children, young children, crossing the country. Other NGOs cover children in these situations, which means we divide this small pieces of the law, and we work with that to present at the top level because it's not only the duty of the child protection unit.

EF: The civil society is more welcomed by the community, by the society, by the police, and by the villagers, so...

7.3. How likely are male child victims of trafficking and their families to use the child protection system to get help?

AM: As I told you, it is difficult to make such...male are the victims or girls.

7.4. Does this differ between areas across the country?

8. Details of shelters and reintegration programs for trafficked boys and young men

8.1. Sources indicate that there 'is no shelter for male victims of trafficking, but the NGO

Different and Equal rents flats where such victims can be accommodated'.⁷⁰

- 8.1.1. How many rented apartments are available for young men and are they available throughout the country?
- 8.1.2. Do you think they have sufficient capacity?
- 8.1.3. What are their criteria for taking young men in, and for how long are they allowed to stay?
- 8.1.4. What services are available to victims whilst living in these apartments? And who provides these services?
- 8.1.5. Are there effective safeguards against victims being detected whilst living in these apartments?
- 8.2. Sources state that there is a shelter for children in Elbasan.⁷¹
 - 8.2.1. Are boys eligible for this shelter?
 - 8.2.2. If so what are their criteria for taking boys in, and for how long are they allowed to stay?
 - 8.2.3. What services are available to boys whilst living in this shelter? And who provides these services?
 - 8.2.4. Are there effective safeguards against boys being detected whilst living in this shelter?
- 8.3. Sources indicate that State Social Service finances residential centers including orphanages for trafficked children.⁷²
 - 8.3.1. What are their criteria for taking boys in and for how long are they allowed to stay?
 - 8.3.2. Do they have sufficient capacity?
 - 8.3.3. What services are available to boys whilst living in these centres? And who provides these services?
 - 8.3.4. Are there effective safeguards against boys being detected whilst living in these centres?
- 8.4. Is the above provision adequate for male victims of trafficking?

9. Information regarding difficulties a young man may face settling in a part of the country where they don't have family or a support network

- 9.1. Are there reintegration programmes for trafficked boys and young men returned from abroad, or from other areas in Albania. If so, are they aware of the available services and how to access them?
- 9.2. What are the risks of re-trafficking on return to Albania? Are you aware of any patterns of re-trafficking on return to home area or in relation to a new area? Are some individuals more

⁷⁰ See Asylos literature review, pg 72, CoE-GRETA July 2016

⁷¹ See Asylos literature review, pg 71, UK Home Office, Fact-Finding Mission to Albania, November 2017

⁷² See Asylos literature review, pg 78, UNICEF, July 2015

- vulnerable to re-trafficking than others?
- 9.3. What is the risk of further exploitation of trafficked boys and young men on return to Albania?
 - 9.4. Are there any difficulties an Albanian boy or young male VoT may face if attempting to reintegrate on return to either their home area or a new different area of Albania especially in relation to
 - 9.4.1. Transferring civil registration to a new area;
 - 9.4.2. securing accommodation;
 - 9.4.3. finding work;
 - 9.4.4. accessing health care?
 - 9.5. Do these factors vary depending on the area of relocation?

1. Profile

- 1.1. What do you perceive are the profiles of trafficked boys and young men?
- 1.2. Some sources suggest that more general risk factors for victims of trafficking in Albania (without specifying gender) may include; poverty⁷³, low education⁷⁴, suffering from physical or mental disabilities⁷⁵, there being domestic violence and/or sexual abuse within the family⁷⁶ or a pre-existing blood feud⁷⁷, being LGBT⁷⁸ and for children, being Roma or Egyptian⁷⁹ or homeless⁸⁰. Would you say these apply to Albanian boys and young men? Are there any other risk factors which may make some boys and young men vulnerable to trafficking?

1.1 My observation is that the majority of Albanian boys and young men are trafficked with the complicity of their parents and the promise of financial remuneration by the traffickers.

The exploitation is often linked to drug production (cannabis) and drug supply (Class A) and therefore the victims must be able bodied. Another relevant factor would be the expectation that a boy starts supporting his family from the age of 14 and any 'offer of work' presents an opportunity to do that.

1.2 A family's economic circumstances will be the main push factor. Escaping a blood feud or homophobic discrimination may be relevant. The Albanian culture of 'men' working and supporting their families is highly relevant and this results in 'victims' not perceiving themselves as victims. They are 'working' and that is how it will be seen by their families. I am not aware of the presence of Roma in Albania.

⁷³ See Asylos literature review, pg 13-14, Dr Enkeleida Tahiraj and the Shpresa Programme 2017

⁷⁴ See Asylos literature review, pg 13-14, Dr Enkeleida Tahiraj and the Shpresa Programme 2017

⁷⁵ See Asylos literature review, pg 18, Save the Children 2016

⁷⁶ See Asylos literature review, pg 12, UNICEF 2015

⁷⁷ See Asylos literature review, pg 20, Dr Enkeleida Tahiraj and the Shpresa Programme 2017

⁷⁸ See Asylos literature review, pg 19, Dutch National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children 2016

⁷⁹ See Asylos literature review, pg 11, UNICEF 2015

⁸⁰ See Asylos literature review, pg 10, US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2018*

2. Actors and patterns

2.1. Who are trafficking boys and young men?

Family members and organised gangs involved in the supply of drugs and human trafficking.

2.2. Are you aware of the different methods traffickers are using to recruit boys and young men?

See 1.1 Families are approached by traffickers and engaged with on the basis of how they will profit financially from the deal. Additionally, the family are the traffickers and the children are seen and used as resources. Other methods may be linked to providing a level of welfare for the individual or as a means of paying a debt. No examples. I have had no direct involvement with investigations for over 5 years.

2.3. Where are boys and young men trafficked to and for what purpose?

Any and all countries/cities/towns with an established diaspora. Drugs and THB. The European Union provides a lucrative market for traffickers with the richer countries being preferred or where there is an established diaspora (where there already exists an Albanian community). e.g. UK, Spain, Belgium, France, Italy. With regards types of exploitation its street crime and the most frequently reported examples are connected to the supply of Class A and B drugs. Also, as 'farmers' in residential cannabis farms. i.e. cannabis being grown in a residential property.

Trafficked boys will also be involved in other criminality but you have to look at where Albanian OC (organised crime) is making its money and in the UK its drugs. I also suspect that as the drug supply and manufacture market exposes Albanian OC to a higher level of risk than say THB (trafficking in human beings), children used as drug mules etc who are detected and detained, pose less risk to the organisation as potential witnesses and sources of information. They will be dealt with as children, subject to special protective measures and can claim trafficking as a defence. They are disposable, easily replaced and often, re-cycled after arrest. This does not happen to an adult offender.

2.3.1. Do you have experience of how this might occur in the UK context?

No. I only work overseas

2.4. Are you aware of any cases of Albanian boys and young men fleeing Albania after being trafficked internally?

Only through cases that have been referred to me for comment by UK legal aid lawyers. These would include exploitation in the commission of street crime (drugs) and sexual

exploitation (forced prostitution)

2.4.1. Do you have experience of how this might occur in the UK context?

See 2.4

3. Legislation

3.1. Sources have reported that internal sex trafficking is often viewed as synonymous with prostitution and that victims of trafficking have been punished on this basis⁸¹. Are you aware of trafficked boys and young men being punished for any other unlawful acts committed as a result of their being trafficked?

No

3.2. One source states that ‘gaps exist in Albania’s legal framework to adequately protect children from child labor, including using children in illicit activities’⁸². In this your experience, what impact does this have for boys and young men who are victims of trafficking?

Albania has a National Rapporteur and a functioning and effective NRM if a victim is identified. Some shelters will cater for children and the legislation provides protection for all victims, again assuming the victim is identified. A key issue will be the proper identification of victims and then, their willingness to be dealt with as victims. A victim has to report their circumstances in order to be assessed and then become a recipient of state support. I have no specific experience of a child trafficking case in Albania but I know the system and the ‘actors’ involved. The role of the National Rapporteur is one of governance over the state’s response to dealing with THB. The NRM ensures that when a victim is identified, correct procedures and the law are/is followed. The victim is dealt with from a humanitarian perspective regardless of their support or engagement with law enforcement. There are shelters in Tirana (NGO - Different and Equal), Linza (Government) and Vlore (NGO – Vatra) and some are able to deal with children, either as victims or as dependents of victims. Victim identification is wholly dependent on the actions of a third party. It is the biggest challenge in any country. Some persons in exploitation may not identify as a victim i.e. a child trafficked by their parents. Victims are not unwilling to be identified. Simply put, although there is

⁸¹ See Asylos literature review, pg 50, US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2018*

⁸² See Asylos literature review, pg 34, US Department of Labor (USDOL), *2017 Findings on the Worst Forms of Child Labor - Albania*, 20 September 2018

nothing simple about THB, they either cannot safely do so because of the traffickers' threats for example against themselves or family members if the victim informs the authorities. Or they don't know that they are victims. Some people do not know they are victims. They do not have the conceptual or theoretical knowledge of human trafficking and exploitation. If it's their culture, how they are brought up by their parents then it's their life, it's what they do.

4. Prosecution

4.1. Sources report that convictions for trafficking in general are 'low'⁸³ and describe 'an implementation gap between a strong legislative and policy framework in Albania with practice in reality'.⁸⁴ In your experience, why is this and what impact does this have for boys and young men?

This state of affairs is common to every country in the world including the UK. It is the consequence of many related factors but lack of or sufficient implementation of procedures aimed at identification, training, awareness and appropriate judicial response are the usual fundamental weak links.

4.2. It is also reported that most of the cases of trafficking in human beings that the Prosecutor's Office registered are for adults.⁸⁵ Why do you think this is?

Children don't inform on their parents/family, they don't see themselves as victims and therefore, they don't provide the evidence of their exploitation. The law identifies that children are particularly vulnerable and procedures for dealing with child victims will take their vulnerability into account but the law does not provide a magic wand to get them to see themselves as a victim or to cooperate with the authorities.

5. Protection

5.1. The US Department of State 'Trafficking in Persons Report 2018' states that in 2017 only 25 (out of 105) male potential victims of trafficking were identified through the Albanian National Referral Mechanism (NRM) in 2017⁸⁶. Whilst in 2016 the numbers were 11 out of 95. In your experience, why do you think this is?

⁸³ See Asylos literature review, pg 41, CoE-GRETA July 2016 and p.38 European Commission

⁸⁴ See Asylos literature review, pg 35, Patricia Hynes et al, July 2018

⁸⁵ See Asylos literature review, pg 36, European Commission, COMMISSION STAFF WORKING DOCUMENT Albania 2018 Report, April 2018

⁸⁶ See Asylos literature review, pg 49, US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2017*

Victims are not identified because the responder is not aware of what THB is or their role in identifying a potential victim and investigations are still re-active i.e. the Police are not proactively looking for traffickers. The majority of investigations are still based upon the complaint of a victim/ i.e. they obtain a testimony and investigate the circumstances. It isn't linked to gender or age although in all cases of crime where victims are children, the authorities face challenges in establishing the facts. It's a global problem.

5.2. What barriers to accessing the NRM and its related protections do child and young male victims of trafficking face?

From my understanding, none. Once identified the NRM kicks in. The NRM cannot respond to unknown persons. Individuals must be identified as a trafficked person. Unfortunately, if they are not identified then there is no response. In Albania it's no different to the UK, Sweden etc in that respect.

5.3. How effective are protection measures for young male victims of trafficking in cases where the trafficker is being prosecuted?

Difficult to answer this as each case is different and protection will be tailored to the individual. No case examples.

5.4. Do you have any evidence that the police or judiciary are complicit in trafficking and/or are corrupt?

Only through the legal work I am referred whereby the victim's testimony identifies the cooperation / collaboration of Police and officials. Anything else is anecdotal. Usually the information relates to how the victim became aware of the traffickers relationship with the authorities. i.e. the Police and that may include, in instances of forced prostitution, seeing Police officers in the brothel or club.

6. Prevention

6.1. What is your view on the efforts the Albanian authorities have made to prevent the trafficking of boys and young men?

There is no dedicated approach to a particular gender or age group. The measures in place are all inclusive and are routine. A limiting factor will be resources and again, in this respect Albania is no different from many other countries. I don't think the Albanian authorities have convicted many child victims who have been exploited in the production of cannabis whereas the UK does this routinely. No state response is adequate to prevent and combat THB but in Albania there is a dedicated law, a dedicated task force, a National Rapporteur, an NRM, law enforcement and judiciary training initiatives, dedicated prosecutors and

courts, and victim shelters. Better than some EU Member States in my opinion.

7. How effective are more general child protection measures?

7.1. What is the Albanian authority's attitude (and in particular the police's) towards the rights and safeguarding of children, particularly boys?

The same as any other victim. My observation is that there is no bias based on gender or age.

7.2. How effective do you think the child protection system is, particularly for boys?

There are shelters in Albania for victims of trafficking that are underused. The system exists. Effectiveness is subjective – see 5.3 I have no personal experience. There are to the best of my knowledge, no male only shelters.

7.3. Are male child victims of trafficking and their families likely to use the child protection system to get help?

No. See 1.1 and 4.2

7.4. Does this differ between areas across the country?

There may be some willingness to engage from city-based families whose belief and values are not linked to the traditional code of conduct (the Kanun) which is strictly adhered to by families living or originating from the north of the country and Kosovo.

8. Details of shelters and reintegration programs for trafficked boys and young men

8.1. The available country information (COI) indicates that there 'is no shelter for male victims of trafficking, but the NGO Different and Equal rents flats where such victims can be accommodated'.⁸⁷

8.1.1. How many rented apartments are available for young men and are they available throughout the country?

N/A

8.1.2. Do you think they have sufficient capacity?

N/A

8.1.3. What are their criteria for taking young men in, and for how long are they allowed to stay?

N/A

⁸⁷ See Asylos literature review, pg 72, CoE-GRETA July 2016

- 8.1.4. What services are available to victims whilst living in these apartments? And who provides these services?
N/A
- 8.1.5. Are there effective safeguards against victims being detected whilst living in these apartments?
N/A
- 8.2. COI also states that there is a shelter for children in Elbasan.⁸⁸
- 8.2.1. Are boys eligible for this shelter?
N/A
- 8.2.2. If so what are their criteria for taking boys in, and for how long are they allowed to stay?
N/A
- 8.2.3. What services are available to boys whilst living in this shelter? And who provides these services?
N/A
- 8.2.4. Are there effective safeguards against boys being detected whilst living in this shelter?
N/A
- 8.3. COI indicates that State Social Service finances residential centers including orphanages for trafficked children.⁸⁹
- 8.3.1. What are their criteria for taking boys in and for how long are they allowed to stay?
N/A
- 8.3.2. Do they have sufficient capacity?
N/A
- 8.3.3. What services are available to boys whilst living in these centres? And who provides these services?
N/A
- 8.3.4. Are there effective safeguards against boys being detected whilst living in these centres?
N/A
- 8.4. Is the above provision adequate for male victims of trafficking?
N/A

9. Information regarding difficulties a young man may face settling in a part of the country where they don't have family or a support network

⁸⁸ See Asylos literature review, pg 71, UK Home Office, Fact-Finding Mission to Albania, November 2017

⁸⁹ See Asylos literature review, pg 78, UNICEF, July 2015

- 9.1. Are there reintegration programmes for trafficked boys and young men returned from abroad, or other areas in Albania, to establish themselves into the community and are they aware of the services available to them and how to access them?

There are reintegration programmes for all victims of trafficking returned from overseas. But they have to have been successfully identified as a trafficked persons. However, I am not aware of what is provided for boys and young men.

- 9.2. What are the risks of re-trafficking on return to Albania and are you aware of any patterns in this occurring, both inside and outside of Albania e.g. in on return to home area or in relation to a new area? Are some individuals more vulnerable to re-trafficking than others?

The risk of re-trafficking for victims of sexual exploitation on return is real because of the loss of the family and friends support network and possible threats from family and traffickers. This is not unique to Albania but is poses the greatest threat. Other forms of exploitation may be viewed more constructively – see 1.2 There are no patterns other than the vulnerability of a victim without family or social support.

- 9.3. What is the risk of further exploitation of trafficked boys and young men on return to Albania?

High if returned to families and if they are placed in a shelter or similar they will only escape to get back to their families, so high.

- 9.4. Are there any other difficulties an Albanian boys or young male victims of trafficking may face when attempting to reintegrate on return to their home areas?

Only if they have dishonoured themselves or another then this may result in conflict between families. No examples.

Asylos: Are there any difficulties an Albanian boy or young male victims of trafficking may face if attempting to relocate and settle into a different area?

If it happens then a boy or young man on his own will seek out or become vulnerable to criminal gangs. It's unlikely they will be able to lead a solitary life. Unlikely that a child with no family or friend support can enjoy a stable or secure existence.

Especially in relation to

9.4.1. Transferring civil registration to a new area;

9.4.2. securing accommodation;

9.4.3. finding work;

9.4.4. accessing health care?

No idea to all of the above within the framework of a return and re-integration programme but, if they are victims, they will have access to such and be supported. If they are identified victims they will be supported according to their needs. If they are not identified. I don't believe a state actor will do anything for them under a re-integration programme.

9.5. Do these factors vary depending on the area of relocation?

I think it will vary on the resources available in the area of relocation, so yes. An investigator rarely has continued contact with a victim once they are placed within the NRM. Only the shelter staff and victim support personnel will be able to comment on resources and support services.

1. Profile

1.1. What are the main profiles of trafficked boys and young men?

There is no research in Albania about the profiles of trafficked boys and young men whereas we have done research on the profiles of trafficked girls and young women in this country. But the risk factors that you have included in Q1.2 are also true for trafficked boys and young men in my opinion.

Asylos: So those factors listed in 1.2 you would say apply to Albanian boys and young men as well and over they overlap to make people vulnerable with an emphasis on poverty and lack of opportunity?

Yes

1.2. Some sources suggest that more general risk factors for victims of trafficking in Albania (without specifying gender) may include; poverty⁹⁰, low education⁹¹, suffering from physical or mental disabilities⁹², there being domestic violence and/or sexual abuse within the family⁹³ or a pre-existing blood feud⁹⁴, being LGBT⁹⁵ and for children, being Roma or Egyptian⁹⁶ or homeless⁹⁷. Would you say these apply to Albanian boys and young men? Are there any other risk factors which may make some boys and young men vulnerable to trafficking?

I can add that for trafficked boys and young men the main risk factor is poverty and the lack of adequate resources to cover the cost of living for young men and boys, in particular for

⁹⁰ See Asylos literature review, pg 13-14, Dr Enkeleida Tahiraj and the Shpresa Programme 2017

⁹¹ See Asylos literature review, pg 13-14, Dr Enkeleida Tahiraj and the Shpresa Programme 2017

⁹² See Asylos literature review, pg 18, Save the Children 2016

⁹³ See Asylos literature review, pg 12, UNICEF 2015

⁹⁴ See Asylos literature review, pg 20, Dr Enkeleida Tahiraj and the Shpresa Programme 2017

⁹⁵ See Asylos literature review, pg 19, Dutch National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children 2016

⁹⁶ See Asylos literature review, pg 11, UNICEF 2015

⁹⁷ See Asylos literature review, pg 10, US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2018*

those that live in remote areas (mountain areas and underdeveloped areas of the country) with no prospective for their future, no land as their family property, no possibility to work somewhere to make a living. They are the ones that face higher risks of being ready to accept any offer to work somewhere - these are the groups of people that do not think twice about an offer they get to leave the country and work somewhere else - so this is poverty and lack of future prospects that many young men and boys feeling at a higher risk of trafficking because some of them are also the only source of living for their families - families that have no father, or many children, many sisters that are all depending on the older brother - these are all extra factors that increase the vulnerability of boys to leave the country in any situation.

2. Actors and patterns

2.1. Who are trafficking boys and young men?

They are criminal groups that are doing the trafficking, organise the trafficking network in the country- otherwise called in some research - the mafia group. They are the ones who identify the most vulnerable boys those that have no family support - those that are in immediate need to make some sort of living. Boys and young men that need to find a job or to make some money in order to support all the other members of the family that depend on them that have no support system that have no family support system. These groups work mainly in rural areas because these are more undeveloped with less opportunities to make a living, so they identify these young men and boys then they try to make offers to them. These people that organise the trafficking they have experience from abroad and they are also connected to other regional and European networks.

2.2. Are you aware of the different methods traffickers are using to recruit boys and young men?

The most frequent method is that of offering a job so they can make the most money in the shortest time possible

Asylos: And are there any other methods they use?

Sometimes they tell them that they can be engaged in such kinds of activities that can make lots of money even mentioning the trafficking of drugs and arms smuggling and these kinds of activities that people know are illegal, risky but profitable at the same time.

Asylos: And do they keep their promises?

I don't think they would keep their promises - once they leave the country you never know where and what do they do as much as I know they end up stealing and begging in the streets

of neighboring countries like Italy, Greece, Germany the Netherlands

Asylos: And they are doing that for the trafficker?

Yes, they work for their bosses if we can call them - I mean they do not make any money for themselves

2.3. Are you aware of boys and young men being trafficked to the UK and for what purposes?

No, I don't have any cases - I have cases of girls and young women being trafficked to the UK but I am not aware of any boys and young men being trafficked.

Asylos: Is that because you aren't aware of any - or is it because it's not happening?
I'm sure it's happening - but I'm not aware - I haven't met any case like this in my experience.

2.4. Do you have experience of how this might occur in the UK context?

[Not asked given the above]

2.5. Are you aware of any cases of Albanian boys and young men have left – have fled Albania after they were trafficked internally?

(Rephrase) - So they've been trafficked inside Albania and then they flee

I haven't had any experience of this kind, but I have heard of cases that have been trafficked internally first and after that externally. So, in a way they have been tested as to whether they are useful and after that they have been trafficked externally

2.6. And are you aware of cases where after being trafficked internally they have been trafficked externally to the UK?

Not really - not in my experience

3. Legislation

4. Prosecution

4.1. Sources report that convictions for trafficking in general are 'low'⁹⁸ and describe 'an implementation gap between a strong legislative and policy framework in Albania with practice in reality'.⁹⁹ In your experience, why is this and what impact does this have for boys and young men?

Well I would say that in general the implementation of legislation is a problem in Albania because as you mentioned in your question we pretend to have a strong legislative and policy framework but in most of the cases this legislation is prepared under the pressure of international organizations and I think that the lawyers in the country have not been able to digest the legislation framework. So, their mentality and professional formation is far from what they really need. Cultural factors also influence this situation. So, in general there is a big problem between the legislation and implementation in practice let alone the fact that the Albania legal system is considered the most corrupt one in the country

So, I think there are two reasons - one is this formation on the other side - the corruption play an important role in the gap between the legislation and what is done in practice. When I say cultural factors I mean that some judges are part of the dominant culture in the country which is traditional and to some extent even problematic. Judges accepts bribes to make decisions against the law because they think it is a chance for them to profit from the situation. They also for personal interests like family relations or people they know, make decisions against the law.

The legal system remains the most corrupt in the country and does not seem to be improved even under the so-called reform of the system.

Asylos: What does that corruption look like? Is it bribes?

Mainly. There are different forms of bribes I would say. Cash money in big amounts is one, offering land properties, expensive apartments in the capital city, villa and houses at the beach area, expensive vehicles, jewelry, etc.

Asylos: Are there ever threats?

The trafficker - paying under the table lots of money to stop the process - and in this case it is hard to continue with the prosecution

Asylos: And what impact does that have for boys and young men?

⁹⁸ See Asylos literature review, pg 41, CoE-GRETA July 2016 and p.38 European Commission

⁹⁹ See Asylos literature review, pg 35, Patricia Hynes et al, July 2018

In general, the boys and young men either do not make any statement against their traffickers because they do not trust the system or if they make it they will never profit from the process.

Asylos: So, do you mean they don't feel that justice has been served?

Yes

4.2. Why do you think that most of the cases of trafficking in human beings that the Prosecutor's Office registered are for adults.¹⁰⁰ Why do you think this is?

I said it at the beginning, we do not have a sophisticated system for protection of children they are not considered very seriously - their situation is not considered or taken seriously by the prosecutor's office - as part of the whole system - in general the weakness system of protection in the country is that of children.

5. Protection

5.1. Low identification rate through the NRM - the US Department of State 'Trafficking in Persons Report 2018' states that in 2017 only 25 (out of 105) male potential victims of trafficking were identified through the Albanian National Referral Mechanism (NRM) in 2017¹⁰¹, whilst in 2016 the numbers were 11 out of 95. In your experience, why do you think this is? Why do you think the numbers are so low for the NRM?

Because I think they do not make identification a priority - the rest of the numbers are those of young women and they have been, for all these years, they have been the priority for identification and for referral for other services. Personally, I doubt if NRM staff are really trained to ID boys and young men victims

Asylos: So, there is a lack of specialty in the NRM?

A lack of professionalism to identify these victims

Asylos: Is that a lack because of a lack of training or a lack of experience? Or whole combination?

¹⁰⁰ See Asylos literature review, pg 36, European Commission, COMMISSION STAFF WORKING DOCUMENT Albania 2018 Report, April 2018

¹⁰¹ See Asylos literature review, pg 49, US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2017*

Yes – because the focus for years has been on girls and not on boys

Asylos: Are there any other issues that would lead to such low rates of recognition?

In general, the NRM staff are people that live in the border area so they know quite well the situation in the border area sometimes there are some relations between the trafficking groups and the members of NRM which make it even more difficult to identify the trafficked boys and young men - so it's a kind of corruption and connection of police officers with trafficking groups

Asylos: So, is there some level of corruption in the NRM system?

Yes

5.2. What barriers to accessing the NRM and its related protections do child and young male victims of trafficking face?

(Rephrase) Any barriers that you are aware of that victims' face in accessing the NRM?

The victims are afraid that if they go to the NRM they would have more difficulties and less support. For eg. They have to tell their story of trafficking and the victims do not know whether this will be kept anonymous or not. They are afraid that words will be spread by NRM officers and the traffickers will get to know that they are back and where to find them.

5.3. How effective are protection measures for young male victims of trafficking in cases where the trafficker is being prosecuted?

Most of the time they are left alone to face all of the threats from their families, the families of the traffickers, or from the community, so I would say this system doesn't function

5.4. Do you have any evidence (speaking from your own experience) that the police or judiciary are complicit in trafficking and/or are corrupt?

I do not have any evidence myself. But I have heard lots of stories - we read in daily news that shows these things happen. During the last couple of years lots of cases have been published in different newspapers just to prove this fact that trafficking groups are in close relations with judiciary and police

6. Prevention

6.1. What is your view on the efforts the Albanian authorities have made to prevent the trafficking of boys and young men?

Personally, I think the Albanian authorities do not make prevention of trafficking of boys and young men a priority. Of course, we have a national coordinator who covers all the work of different institutions mainly civil society against trafficking or trying to reintegrate the victims into normal life, but the Albanian authorities do not have a focus on boys and men or at least nothing is said by them especially on this group.

7. How effective are more general child protection measures?

7.1. What is the Albanian authority's attitude (and in particular the police's) towards the rights and safeguarding of children, particularly boys?

Well they have been supported by different training programmes by different international organisations to work with children, including trafficked children especially the border areas but there is a problem among the police force in Albania. The mobility of these forces from one position to another within short periods of time which doesn't help to see the effect of the investments that different actors have made in different police forces -

Asylos: So they move about departments very rapidly?

Once they take one training you do not know if the next time you go you will find the same people in the same position and I think this is one of the most problematic situations with the police forces.

Asylos: Do they take the issue seriously - do they recognise there is an issue of trafficking with boys and men?

Trafficking in general, not especially for boys and men

7.2. How effective do you think the child protection system is, particularly for boys?

If I can get tonight a call from a child that is in a difficulty you know I can hardly find a place to put the child and protect him - there is no service available for the child. No accommodation, no families ready to take them - it will take some days to find an orphanage to find a safe place for this child to be accommodated – this is only one aspect that shows how weak the system is and how difficult it is to meet the child's needs immediately

7.3. How likely are male child victims of trafficking and their families likely to use the child protection system given that?

Difficult to say - what kind of service they can get. I mean if they cannot find a shelter if they

cannot find a system to support, to continue with their education reintegration - I find it difficult to say they can have a protection system to help them.

Asylos: (Clarification) So, they're not likely to access it?

No

7.4. Does this differ between areas across the country?

I can say that in the capital city it is a little bit better but in other areas both small towns and rural areas the situation is really weak - children cannot find any system to protect them

8. Details of shelters and reintegration programs for trafficked boys and young men

8.1. The available country information (COI) indicates that there 'is no shelter for male victims of trafficking, but the NGO Different and Equal rents flats where such victims can be accommodated'.¹⁰²

8.1.1. How many rented apartments are available for young men and are they available throughout the country?

In my knowledge I think they haven't experienced this yet. I work very closely with them and because I work with victims of trafficking and they work with trafficked victims and we collaborate a lot. In my knowledge they don't work with men and boys

This is all I can say. I have no information that Different and Equal is offering any service to men and boys.

8.1.2. Do you think they have sufficient capacity?

Of course not, of course not - we do not have for girls and women, so I think this is not something that is happening right now. As far as I know from regular contacts with them, they do not have sufficient capacities for boys and men.

8.1.3. What are their criteria for taking young men in, and for how long are they allowed to stay?

For women we use the period of 6 months as the max period of stay but for boys and men I haven't heard them mentioning anything

¹⁰² See Asylos literature review, pg 72, CoE-GRETA July 2016

8.1.4. What services are available to victims whilst living in these apartments? And who provides these services?

N/A

8.1.5. Are there effective safeguards against victims being detected whilst living in these apartments?

N/A

8.2. COI also states that there is a shelter for children in Elbasan.¹⁰³

8.2.1. Are boys eligible for this shelter?

8.2.2. If so what are their criteria for taking boys in, and for how long are they allowed to stay?

8.2.3. What services are available to boys whilst living in this shelter? And who provides these services?

8.2.4. Are there effective safeguards against boys being detected whilst living in this shelter?

8.3. COI indicates that State Social Service finances residential centers including orphanages for trafficked children.¹⁰⁴

8.3.1. What are their criteria for taking boys in and for how long are they allowed to stay?

I don't think the state social service supports trafficked children. I think the state social services finances residential centres for orphanages for orphans and they have strict criteria about groups of orphans who are biological or social - and they do not take trafficked children in this group - I do not know any criteria related to trafficked children in this group

8.3.2. Do they have sufficient capacity?

Not really not really

8.3.3. What services are available to boys whilst living in these centres? And who provides these services?

8.3.4. Are there effective safeguards against boys being detected whilst living in these centres?

¹⁰³ See Asylos literature review, pg 71, UK Home Office, Fact-Finding Mission to Albania, November 2017

¹⁰⁴ See Asylos literature review, pg 78, UNICEF, July 2015

8.4. Is the above provision adequate for male victims of trafficking?

I do not have any information for these questions.

9. Information regarding difficulties a young man may face settling in a part of the country where they don't have family or a support network

9.1. Are there reintegration programmes for trafficked boys and young men returned from abroad, or other areas in Albania

No - reintegration programmes for boys and young men do not exist
We hardly have for girls and we have been working for two decades now to establish such programmes.

9.2. What are the risks of re-trafficking on return to Albania? Are you aware of any patterns of re-trafficking on return to home area or in relation to a new area. Are some individuals more vulnerable to re-trafficking than others?

If they do not find any support if they are not supported for a reintegration process. I think if the same reasons continue to exist, I think the risk of being re-trafficked is very strong.

Some people are more at risk to be re-trafficked because they do not get any support from their families. I think that family support, family network continues to be the most important actor to support people (be female or male) to overcome their challenges. When families for different reasons (cultural, economic, stigma etc) do not play their role, the individual is facing higher risk.

Asylos: So if the same conditions prevail in their lives? Are you aware of any patterns of this occurring?

Not for the boys and young men

9.3. What is the risk of further exploitation of trafficked boys and young men on return to Albania?

(not answered as covered above)

9.4. Are there any other difficulties Albanian boys or young male VoT may face when attempting to reintegrate on return to their home areas?

Finding a permanent job is one of the main difficulties. Having enough financial resources to

cover their needs - getting a decent salary - to be able to cover their needs are their main difficulties - if that does not exist there is always a risk of being re-trafficked

- 9.4.1. Transferring civil registration to a new area;
- 9.4.2. securing accommodation;
- 9.4.3. finding work;
- 9.4.4. accessing health care?

Of course - finding a job is their main challenge because if they have a permanent job it means they can make enough money every month to find accommodation and also be able to cover their immediate needs but once they decide to move from their home town to main urban areas where they can feel hidden from the community and the history of trafficking then the cost of living is very high and securing accommodation and accessing health care becomes a big challenge to them

9.5. Do these factors vary depending on the area of relocation?

I don't think so - I think the whole country is in the same situation

1. Profile

1.1. What do you perceive are the profiles of trafficked boys and young men?

The majority of them come from orphanages and dysfunctional families

1.2. Some sources suggest that more general risk factors for victims of trafficking in Albania (without specifying gender) may include; poverty¹⁰⁵, low education¹⁰⁶, suffering from physical or mental disabilities¹⁰⁷, there being domestic violence and/or sexual abuse within the family¹⁰⁸ or a pre-existing blood feud¹⁰⁹, being LGBT¹¹⁰ and for children, being Roma or Egyptian¹¹¹ or homeless¹¹². Would you say these apply to Albanian boys and young men? Are there any other risk factors which may make some boys and young men vulnerable to trafficking?

Agree with all of these except that I have to add that another issue is unemployment which isn't mentioned here, and we are talking approximately 30% youth unemployment in Albania. According to one poll done recently approximately 70% of young people if they could have the possibility to leave the country would. The others, I totally agree as I said before. The second question...who are trafficking boys and young men?

Asylos: Sorry, Just to interrupt when you say that 70% would leave the country if they could does that then make them more prone to trafficking because they are tempted by offers for recruitment abroad or false promises that are made by traffickers is that what you mean ..to move abroad.

¹⁰⁵ See Asylos literature review, pg 13-14, Dr Enkeleida Tahiraj and the Shpresa Programme 2017

¹⁰⁶ See Asylos literature review, pg 13-14, Dr Enkeleida Tahiraj and the Shpresa Programme 2017

¹⁰⁷ See Asylos literature review, pg 18, Save the Children 2016

¹⁰⁸ See Asylos literature review, pg 12, UNICEF 2015

¹⁰⁹ See Asylos literature review, pg 20, Dr Enkeleida Tahiraj and the Shpresa Programme 2017

¹¹⁰ See Asylos literature review, pg 19, Dutch National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children 2016

¹¹¹ See Asylos literature review, pg 11, UNICEF 2015

¹¹² See Asylos literature review, pg 10, US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2018*

I mean that we are living in a situation where everyone is trying to leave despite the risks that they face during this road, during this process. And we are not talking only for the marginalised people or those who live in the remote areas, but even those with middle level economic and education.. can you imagine, because even the poll has been done in urban areas but in rural areas the situation is less hopeful... So that means that they can accept even being part or risk being trafficked - because I have examples or cases of people now for example to go to the UK from Albania they pay £13,000

2. Actors and patterns

2.1. Who are trafficking boys and young men?

Some of them are relatives - people who are living abroad - people who leave Albania and people who cannot go by visa or a legal way usually don't have education or don't have a skill that they can develop or they can't give a contribution to society when they go - so they usually work in the black market and they can accept any kind of job but in this category of people always they are asking for new persons like drug dealers or housekeepers or are working in car washes and they are always asking for youngsters in their country of origin and often they plan to call or to invite their cousins

Asylos: Ok, so the main traffickers are the relatives of boys and young men -

Yes, or not direct traffickers but I can say recruiters.

2.2. And who is doing the trafficking - who is trafficking the boys and young men?

Yes, they are mostly relatives who play in many cases play a key role in the trafficking of boys and men from Albania, almost in every case they live abroad.

2.3. Are you aware of the different methods traffickers are using to recruit boys and young men?

They use newspaper adverts for example, for work, but not for European countries or the UK - usually for Middle East.

Asylos: So, they basically put adverts in the newspaper that promises lucrative jobs?

Promise lucrative jobs with good salaries, with work contracts - but we have a lot of experiences, where the people when they go to the country where they've been promised they take the passport from them and they cannot leave the country and they can just work there for two or three years having no passport or possibility to return.

Asylos: So, their passport is confiscated when they get there?

Yes. Related to the UK or European countries, but mostly the UK, because in European countries, like Germany, Italy or Greece or any other country, it is easy because we can travel easily because we have the permission to go everywhere without having any visa - except the UK -so in the UK they don't do adverts they don't do anything - but the traffickers come to Albania for example for summer holidays and they meet a lot of people, traffickers.. and they use this time to recruit youngsters for their business or their work, their objectives.

Asylos: So, for what purpose are they trafficked to the UK?

I don't have evidence for sexual abuse or activities for men for the UK. For Italy I have, for Europe - I have even for pedophilia -but for the UK I have for car wash business and for drug like Marijuana farms in houses. This is very common recently and they always use young people to work in these farms because normally the police get them after sometime but they don't have any money with them and they don't have any documents for the government they don't have any contacts - they don't know where they live or work and so they come back to Albania with nothing and just trying to understand what happened to them - and not knowing even the boss. Because as I said before most of them are recruited by their cousins.

Asylos: Are you aware of any other purposes for which they're trafficked in the UK?

Construction but mostly these two- marijuana farms and car washes. Because I work in four areas in Albania and in all of them I have cases where the youngsters work or had an experience like this

2.4. Are you aware of fleeing after being trafficked internally?

Yes in some areas - to be honest I have only one case which is part of my programme- the boy was living in a very remote area, a poor area he decided to move to Tirana - the capital city - and he worked in a car wash - he had no education - he had no regular family - his father was sick - and his mother was unable to contribute or to help him - dysfunctional family. The guy because he was part of my programme because we have vocational training programme to help the people like him to find... to have a training to have a skill to have the possibility to start a new life or to find a job before they decide to leave the country or risk with life. But after 3 months of being in Tirana I heard from his colleagues that he left the country because one of the guys that brings the car to wash offered him better work in the UK. I never heard from him again and that's more than one year. I have only this case known by me but there are a lot of cases like this where young men or boys from local areas rural areas come to work at the beginning in Tirana or in big cities and then after 3 or 4 or one year they disappeared to the west. Also I can add I don't know if for here or somewhere else

there is a phenomenon of abandoning the children abroad - you know there is a myth here in Albania that if you go to a European country they will provide you with a lot of facilities for the children like school, education, food etc.- the parents take the children with them go abroad and abandon the children in front of an institutions like a church or a school or something like this - and this has happened very very often - they leave them there hoping for their future - but can you imagine how it can be possible to live in a big city like Rome, London or Berlin - young men like 13 or 15 years old - without knowing the language without having money without having anything.

- 3.2. One source states that ‘gaps exist in Albania’s legal framework to adequately protect children from child labor.’¹¹³ In your experience, what impact does this have for trafficked boys and young men?

Yes we have the law. It’s a good law. But the people who have the work in institutions, they do not have the expertise to implement these laws. Also the people for example who work in the offices they do not have specialised people to identify the victims of forced labour when they make their normal checks at the factories... or ... everywhere where people are working. They do not have the expertise to identify where people are being used - forced to work or being trafficked. They have zero cases of identification. They don’t have budget to train their people and they don’t have budget for logistics because in all the borders normally we should have offices to offer to identify victims or potential victims - they cannot be part time officers like we have during the summer season - this is not a good solution. We have seasonal officers, but this is not good.

Asylos: So, in your opinion there is a resource issue that means they are unable to implement some of the legal protection?

Yes, even the culture of working because for us in Albania it’s a new thing to think that the boys and men can be trafficked because until now we have been thinking only for women and girls. It is a new concept to believe that men and boys can be trafficked.

4. Prosecution

- 4.1. Sources report that convictions for trafficking in general are ‘low’¹¹⁴ and describe ‘an implementation gap between a strong legislative and policy framework in Albania with practice in reality’.¹¹⁵ In your experience, why is this and what impact does this have for

¹¹³ See Asylos literature review, pg 34, US Department of Labor (USDOL), *2017 Findings on the Worst Forms of Child Labor - Albania*, 20 September 2018

¹¹⁴ See Asylos literature review, pg 41, CoE-GRETA July 2016 and p.38 European Commission

¹¹⁵ See Asylos literature review, pg 35, Patricia Hynes et al, July 2018

boys and young men?

Corruption because we live in a very small society in Albania. When I visit my friends in prison, they are a very small part of the crime. The guy who is directing everything is always outside because he is always in collaboration with the officers or the judge and this is the biggest problem that we have in implementation of the law regarding trafficking. We know big source of money, and they always achieve corrupting the people they want.

Asylos: So corruption...

Absolutely, absolutely.

Asylos: And what specific impact does this have for boys and men

The impact is they have no hope, no trust in institutions and usually they over accept the fact they are...so they re-enter the world of trafficking or they end up in prison.

- 4.2. It is also reported that most of the cases of trafficking in human beings that the Prosecutor's Office registered are for adults.¹¹⁶ Why do you think cases of children are less?

As I said before this is a new culture. Most of the cases where victims are minors, they do not see themselves as a VOT they think there has been mistake in their life or there have been a situation where they were not able to think of themselves or find a solution so they sent them to institutions like churches or NGOs where they think they are more protected. But usually they connect this problem with the work of NGOs or religious institutions. This is connected with culture. We think this is a new trend. It is still not at being taken seriously. Because of a cultural concept, the problems of minors have been treated with no precedence and are mainly addressed in non-state institutions. Another reason that there are fewer cases of minors dealt with by the prosecution is that they find it harder to demand their rights or understand whether they have been trafficked or exploited.

5. Protection

- 5.1. According to the US Department of State in 2017 only 25 (out of 105) male potential victims of trafficking were identified through the Albanian National Referral Mechanism (NRM)¹¹⁷.

¹¹⁶ See Asylos literature review, pg 36, European Commission, COMMISSION STAFF WORKING DOCUMENT Albania 2018 Report, April 2018

¹¹⁷ See Asylos literature review, pg 49, US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2017*

Whilst in 2016 the numbers were 11 out of 95. In your experience, why do you think the numbers of potential victims identified through the NRM are so low?

It is the trust in institutions - and we have a case this is not a male victim, but it was a woman and she went to the police to denounce a case of sexual harassment and she finished by being abused by the police. During the interview of the case. This case explains what happens in all the other fields even with men children and with other services.

5.2. What barriers to accessing the NRM and its related protections do child and young male victims of trafficking face?

The lack of trust in institutions and the people which creates this gap between having the service and the victims.

5.3. How effective are protection measures for young male victims of trafficking in cases where the trafficker is being prosecuted?

In the last year we have some cases where assets from the criminals who were arrested and prosecuted have been used for reintegration of victims and other activities but always in this context. But to say how effective I don't know I don't have a measurable information or number or comment to be honest but I can say the only in areas where the NGOs the other NGOs are working with people and programmes they can do effective protection because they do a lot of work on prevention in school and other organised groups where these VOT are but when we go to rural areas I don't know how effective they are because even the trainings and awareness programmes - it's very difficult to know.

5.4 Do you have any evidence (speaking from your own experience) that the police or judiciary are complicit in trafficking and/or are corrupt?

I don't have direct evidence otherwise I would go to the police, but I have information from the people in prison and they tell me their stories like how much one paid to get a lower sentence and how much the other paid.

Asylos: And those stories came from VOT who are in prison in Albania?

Or from cases where at the border some of the victims have paid money and they didn't get arrested for crossing the border illegally and other people who didn't have money, they went to prison. For example, when we leave the country, we cannot stay more than 3 months abroad and when this 3 months is up, if they will need to reenter in Europe they can only do so if they pay something to the police officer at the border and this is very common.

Asylos: So, they effectively pay a bribe?

This has been one of the measures that the government has taken to stop the abuses of the visa liberalisation. But it's not every effective if you need to go abroad you pay 100 Euro despite the fact you have been there 3 months already.

Asylos: Who do they pay the bribe to?

To the immigration official at the border.

Asylos: Albanian border?

Always.

6. Prevention

6.1. What is your view on the efforts the Albanian authorities have made to prevent the trafficking of boys and young men?

I have zero information on the activities the government is doing to stop them, NGOs have different programmes in different areas working in marginalised communities offering trainings and vocational training and community development trainings to develop their lives within their own community but until now I don't have information whether this kind of training has been budgeted by government or directed by government. Some of them yes some of them no. The issue is they change the situation or the needs change in a short time. When we apply for a project and the funds come the next year and we implement the 3rd year and things have changed. This is not very helpful because we face immediate need for intervention for different topics. Very important is economic empowerment. If people can find a livelihood in Albania nobody wants to leave. The need to address poverty is very real. This and education.

7. How effective are more general child protection measures?

7.1. What is the Albanian police's attitude towards the rights and safeguarding of children, particularly boys?

They are at a low level - we have been part of a training programme in collaboration with the police officers here in Albania and they are really in they have a problem in Albania I don't know what happens in other countries but the police officers do not have their work position for a long time - you can work in one location for 1 year then you have to work in another city for 2 years, and still you come back to your city for another year and this creates a big problem because you have no opportunity to create your own contacts in your city where you have to work so changing the officers and this strategy of not leaving them in a

particular community I think has created a gap between the institution the police and the victims and the NGOs who have to collaborate with the victims especially the children.

Asylos: You mean the high turnover of police can impact on the quality of child protection

Yes.

7.2. How effective do you think the child protection system is, particularly for boys?

I did some research and I found only a day service and they can stay there and access a programme but still there are no shelters like for women and girl victims. Male victims only have day centres where they can have trainings, food, clothes and very low level of services but not a residential centre. In all the centres where they accept VOT they do not accept boys. Some of the centres like D+ E have flats for rent but very few and very difficult to find the victims who accept to go in this flat. They have to move - they don't have budget to support him during this process of rescuing him, to give him a flat or a place to live - education – so they always move.

Asylos: Just getting back to police effectiveness - you've talked about how effective they are - what about more broadly - for example in the UK context we have social services and local authorities with specific obligations - is there anything in Albania and if so how effective are they?

In Albania we have Child Protection Units in all municipalities, the responsible person for the unit in rural areas (I mention rural areas because most of the victim are from rural areas) has not the right education or preparation to work with the issue, the same thing happens with the police who do not have the proper capacity to handle with care the most minor cases.

7.2.1. How likely are male child victims of trafficking and their families to use the child protection system to get help?

It is difficult to say because of the lack of information about the CPU's practical information, but also because of the low level of trust in state institutions. People prefer religious institutions and NGOs, in Albania is a lot of prejudice in government institutions

7.3. Does this differ between areas across the country?

In Albania most people who are able to, move from the village to live in cities - that means even people who work in local institutions like in municipalities do not have a very high level of education or expertise.

But if you go in (I can say for sure) in 80% if you ask them what your position does, they don't know because they have just been asked by their boss that they have this role. But they don't have training, budget, facilities, an office, nothing - so how can I say that it is effective strategy? Yet this happens in 80% of the rural areas.

Asylos: So, the quality is poorer in the rural areas?

Absolutely yes. Just to add something to this - even in urban areas where we have people who are educated and very well organised working in these institutions, municipalities etc., even when they do identify potential VOT they have no budget from the government so the only thing that they can do is to refer them to the NGOs – a lawyer or psychiatrist - they have no budget for anything - the most they can do is refer them to the NGOs or the church or somewhere.

8. Not answered – due to lack of expertise
N/A

9. Information regarding difficulties a young man may face settling in a part of the country where they don't have family or a support network

(Clarifying question) Are there reintegration programmes for trafficked boys and young men returned from abroad, or other areas in Albania. If so, are they aware of the available services and how to access them?

There are some programmes - always from the NGO - there is no effective programme from the government. The Swiss NGO Terre d' hommes and World Vision have reintegration programs. In general, these kind of programs in Albania are directed to adults and have an economic focus. There are programs but the formal way of how we work doesn't really keep with victims' need for immediate help - we have to be more flexible - we have to be very flexible, but this is difficult to do because of the way funding works.

Asylos: Do people know about these programmes and how to access them?

This is a difficult question. We always have awareness programmes in collaboration with municipalities, but we don't know if they are really aware of what we are doing. I think that the role of the municipality should be more proactive. There is a lot of work to be done by the local government, in cooperation with NGOs in community regarding to the awareness of the possible programs, the difficulty lies in facing nepotism by local representatives in the selection of beneficiaries.

Asylos: More proactive in guiding VOT to civil society services?

Yes - and offering them to the right people.

- 9.1. What are the risks of re-trafficking on return to Albania? Are you aware of any patterns of re-trafficking on return to home area or in relation to a new area? Are some individuals more vulnerable to re-trafficking than others?

Those who have a dysfunctional family, who live in remote areas and face the prejudice and bullying from small communities, and all of them youth who find difficulties to find a job or a future in Albania and have no financial support from family. The risk is high because when you leave Albania you are disconnected from all that you've done before - from work possibilities to your network organization or institution because you left the country and you are trying to find another possibility somewhere else. We had some cases where they sell their assets or properties. Starting from the beginning in a country in Albania for someone who has nothing and has abandoned the environment some time ago is very hard this makes a real risk of re-trafficking.

- 9.2. What is the risk of further exploitation of trafficked boys and young men on return to Albania?

When they have been trafficked, they learn a lot of other ways of being trafficked or trafficking, so they become experts because they are part of an environment abroad where people are victims in different ways. They share with each other these stories and somehow without knowing they accept their reality which doesn't have to be accepted, in the sense they think again about reentering this work. So there is a have a large possibility that they can be trafficked or where they can be exploited again.

- 9.3. Are you aware of any other difficulties' Albanian boys or young men VoT face when reintegrating to their home, any other example of exploitation they may face?

(Clarifying the question) *What other general challenges do they face? What other risks apart from re-trafficking?*

Despite all that they face when they have been trafficked to be honest, they often say it is a better way of life.

Asylos: Do you mean that even when they were trafficked they say it was better than the life they had before they were trafficked?

Yes, so with this mentality they still feel they have no choice but to reenter into this world of trafficking, according to what difficulties they experienced in Albania and also what

society and the environment in Albania offers (lack of job, future, vision, care, food, home, education). This is for all sectors. We have cases - we work in the prisons - a lot of girls there have been in jail for prostitution and are VOT and still they think that when they leave the prison, they still will do this work. Because they have a better life than when they were living in a village in their community. It happens even with young boys.

9.5 Are there any difficulties an Albanian boy or young male VoT may face if attempting to relocate and settle into a different area? Especially in relation to

(a) Transferring civil registration to a new area;

Not difficult at all.

(b) securing accommodation; finding work; accessing health care?

We live in a small country where everyone knows everyone, and you rely on your friends and your network to offer you all the services but when we have the problems like health always you have this problem especially with health problems but finding work is very difficult. Accommodation is not difficult. The main challenges are findings work and access to healthcare.

9.6. Do these factors vary depending on the area of relocation? Is it harder in some areas compared to other areas to find work or access healthcare?

Always in the rural areas it is harder.

1. Profile

1.1 In your opinion what are the profiles of trafficked boys and young men?

1.2 According to some sources general risk factors for victims of trafficking regardless of gender in Albania include; poverty, low education, suffering from physical or mental disabilities, domestic violence and/or sexual abuse within the family or a pre-existing blood feud, being LGBT and for children, being Roma or Egyptian or homeless. Would you say these apply to Albanian boys and young men? Are there any other risk factors that apply to them I haven't mentioned?

In my opinion, we're looking increasingly at minors. Of course, I base that on research from this project with Anne-Marie Barry. You'll get a lot more from her there in terms of, perhaps, precise figures. And if you look at risk factors, of course poverty, low education, but I think there is one thing missing, which is people from disadvantaged backgrounds in Albania would also be the ones who don't have the right connections for building a future and who are maybe not in the capital or from larger cities but more in the peripheries. So I think there are geographical/topographical and social issues, which go into this picture. We know there are minority issues; this again is related to poverty, but I don't know whether it's fair to say "low education," it's more like lack of access to education. Already, I would like to chip in and say from an anthropological point of view, what's really important to understand is how hopeless it can feel for the younger generation, and also entire families, in terms of making a living and having a good future where you can found your own family, have an income, and provide, which is also very much a traditional role model, it's very patriarchal there for young men. So if you can't see any other way but to migrate or a criminal path to become a successful provider, what are you going to do when everyone expects you to become a provider for your family. So it's really access or chances to good avenues of building a basic decent future. In that sense, yes, poverty, low education, of course you can have, sometimes, domestic violence, sexual abuse issues, but I don't think, necessarily, this is the main thing, but it might also be an outcome of economic stress. Well, I've worked with a huge amount of blood feud cases, but that is a very blurred area, and the reason is because it's become very convenient to use traditions to explain and to justify persecution risks in terms of blood feuds, but there are also real traditional elements. There are also modern elements. It's also criminalized in many ways. There's also this very strong patriarchal masculinity culture, so you can be under threats and need to go, but whether that's a traditional blood feud, one has to look very much at the individual case.

Asylos: Do you mean that it is problematic in terms of blaming the traditional system?

It becomes very stereotypical, and when you stereotype Albanians in terms of their traditions, you miss out on what is actually happening, because tradition becomes utilized

very much. It can be romantic nationalists who utilize it, it can be people who absolutely reject it as being pre-modern, and it can be people who find that it's a very convenient excuse for murder when there are completely different interests, and when we then, from the outside... You know, this is something I've actually written about and can give you; that's another reference on stereotypes. The ones who benefit from our stereotypical assumptions from the outside tend to be the worst because it's really very helpful for an Albanian criminal, trafficker, macho man, mafia guy, to say "oh well, we are traditional; we are these guys who are really violent because this is in our blood, this is our tradition," so it becomes very self-essentializing discourse, which feeds into a very useful reputation to keep other people off your turf.

I'm getting too much into detail here or not? I can send you an article on that. You just have to be very careful in terms of what is actually happening. There is, of course, this cultural script of blood feuds, this so-called *kanun*, but it's very selectively used and picked up on, and there are also real socio-cultural traditions, but I would hesitate to put the word *kanun* on them because these are simply very patriarchal traditions. And they, of course, frame a lot for men and women what their childhoods are and what the societal expectations are, and the moment you fall out of that picture, such as being a gay man is very difficult, so LGBT is also at risk, definitely, contrary to all the legislation, you would be frowned upon.

Asylos: Would that make them more vulnerable to things like trafficking?

Yes. It might be different if you're part of the intellectual artist, cosmopolitan elite in the capital. You have other avenues. You have networks and contacts that are transnational, international, and it can be really cool to be gay, and you can even be on TV. But if you are a gay boy comporting yourself in what is seen as an effeminate way in a conservative context, you might face horrible abuse.

Asylos: Are you able to elaborate on the geographical aspect? Is this located in specific regions or does it fall more into the rural-urban divide.

There used to always be this break down between north and south, and there are differences between north and south, but I think, basically, the main thing is rural-urban. People used to say that north is the most backward area, but you know, you have people from the north who have been in university education in England and come back, and you can find teachers who are very contemporary in a northern village school, so you cannot generalize anymore. Equally, you can have semi-urban towns in the peripheries, or if you are not from the externally educated and young intellectual elites in the capital, even in some of the intellectual circles in the capital, Tirana, (communist modernity, for example, pathologised homosexuality and there are cultural legacies) people can be extremely conservative and homophobic.

2. Actors and patterns

2.1 Who are trafficking boys and young men?

So the first thing I think is to say that you might have people actively seeking out traffickers. When I looked into this several years ago, they operated almost like travel agents in the region. Sometimes it's just word of mouth, but they are seen as service providers. If you want to go abroad, because you don't see a future at home, so again, this is I think where this 'victim' narrative sort of obscures things.

Asylos: I assume that there is a difference between those who are being trafficked and those who are being smuggled.

In social reality, the distinction is not always that clear cut. What is 'choice' in a context of no opportunities? If we accept a distinction between 'smuggling' (voluntary) and 'trafficking' (coerced), then many journeys might be oscillating between the two at different stages. For example, you might proactively seek out a smuggler as a service provider because of sheer destitution at home and, perhaps, misguided beliefs of how you can make ends meet once in the UK, but then end up in some debt bondage, because you have to pay back enormous sums.

2.2 What methods do they use to recruit boys and young men?

Please refer to Anne-Marie Barry's work for details in response to this question.

2.3 Are they trafficked to the UK? And if so, for what purpose?

I can't quantify that exactly because I haven't done this research (Anne-Marie Barry would be the better respondent for this), but I have done a bit of online research into various phenomena where young boys end up, before their Instagram page was taken down. So we have here the "Hellbanianz." These are a street gang of Albanian boys in South London who become drug mules. Some recent Guardian article suggest that major criminal networks are involved (<https://www.theguardian.com/world/2019/jan/13/kings-of-cocaine-albanian-mafia-uk-drugs-crime>).

Their former web sites that I looked into, suggested that the 'blingbling' factor was very important for their internal prestige economy: sending messages home to their peers of success featuring an abundance of money, speedy cars, women, gold necklaces and Rolex watches, branding also guns and power. So there is that. But I think there are also kids who really are sent by their families in order to have a chance at decent education and a future—

to build a decent future—but nobody has really done this ethnography. It would be a really fascinating research question also to find out where they go with this aspiration and hope. And maybe this is also the hope that's sold to them as well, and in addition with the pressures of expectations to succeed from home, some of them might end up becoming drug mules. There are Albanian boys who do not end up becoming drug mules in this country. Working for car washes has been very common and visible and perhaps others might successfully enrol in the educational system. So again, I can't quantify this. We just don't have enough differentiated data, but, again, maybe Anne-Marie Barry can break that down more.

2.4 Are you aware of any cases of Albanian boys who are trafficked internally and then flee to other countries?

I haven't done any research on that.

2.5 Do you know of any cases where they've fled to the UK?

No, I don't. Might it be a good idea to talk to Professor Nicola (or Nick) Mai. Have you talked to him? He's at Kingston University. He's worked a lot, I don't know how recently, about trafficking in Albania, but he's worked with Albanians but also Tunisians, Moroccans, and I don't know, and he's done very grounded field work and has a whole team of researchers, so he might be able to give you more details there as well.

3. Legislation

Here, we might want to skip that right away because I just haven't updated myself on legislation. When I used to do country case reports, so the last one I probably did, six years ago. So I would have to read up on that, and I haven't done that for this interview, I'm afraid. I would look at public available resources, country guidance, US State Department reports, and human rights... I don't need to repeat the information in these reports to you, and I just haven't gotten into it.

The only thing I've checked was how the question of corruption has developed, because this relates... because this was always the big thing. You have a lot of wonderful laws on paper, and you have certain prosecution and all sorts of strategies, but what does this mean in social reality? This applies of course, because this applies to 5, 6, and 7. We could talk about that. There's this discrepancy between what's on paper and what's in practice. The answer is yes, there is this discrepancy, big time! And it was like that, always, when I did my in-depth research, and it really hinges on the question of how much corruption is an issue. And corruption is a huge issue still. There are lots of demonstrations against the government going on currently, but the interesting thing with the issue of corruption... Well, it is an

interesting issue because the only people who get justice are those who have more money and better connections. That means that if you are a vulnerable victim, a really vulnerable trafficking victim, and you're up against somebody who is a big organized crime boss with lots of money, you have no chance because this person can bribe whomever, and they have the connections too. You are basically excluded from justice, regardless of what is on paper, it happens really subtly. It happens in the way in which certain things are submitted or not, so it's very difficult to put your hand on where the problem really is because, if you observe, say, a court case, it looks all fabulous, but some of the things may not have been even admitted as evidence or witnesses or what-not. There are also real threats and stuff. So corruption is the big issue of whether somebody can actually have fair access to justice and protection.

Asylos: Is it corruption across the board?

Well, I would have to rely on secondary reporting on what they say now on corruption in the judiciary. When I did my research so many years ago, there was a big issue in the judiciary. Well it could be... I don't really suspect that it has massively improved. The question I'm certain about is that corruption prevails on political levels and that always, of course, trickles down and affects the whole system and also disenfranchises civic and social trust. People don't trust their government, they don't trust anything, and they have their reasons to.

The other thing about the issue of corruption is also the discourse of corruption. Sometimes, things just don't work because there is not the money and there is not the procedures and processes in place as we know them and in the way that they are institutionalized in countries where you have strong democratic institutions and the trajectory of those... so things might go wrong even here, but you still have recourse and some trust that something might work and some institutions. Whereas in a country like Albania, you absolutely have no trust in the institutions. The institutions are weak and they are undermined, but also, sometimes things work, but people don't really realize that, and when things are difficult, and when there's a "no" that doesn't suit their specific interests, they think it must be corruption, so corruption is such a big assumption. It's got a life by itself even as an assumption, a discourse only. And of course with our EU interventions, we feed into that as well because with all the anti-trafficking and anti-corruption, it's become a huge argument to blame whatever goes wrong on corruption when, of course, sometimes it's not and sometimes it's other things. The trust issue is probably really important for the decisions families make in terms of their strategies for their boys to have a future because they just can't trust their own government, society, justice system, because they just don't have the connections and don't have the money. They cannot expect that their boy will have a future in becoming a civil servant or a policeman, right?

3.1 According to sources internal sex trafficking is often viewed as prostitution and victims of

trafficking have been punished on this basis. Are you aware of trafficked boys and young men being punished for any other unlawful acts committed as a result of their being trafficked? [no explicit answer to this]

See above.

3.2 One source states that ‘gaps exist in Albania’s legal framework to adequately protect children from child labor. In your experience, what impact does this have for trafficked boys and young men? [no explicit answer to this]

See above.

4. Prosecution

4.1 Sources report that convictions for trafficking in general are ‘low’ and describe ‘an implementation gap between a strong legislative and policy framework in Albania with practice in reality’. In your experience, why is this and what impact does this have for boys and young men?

Yes, I think that, actually what I just explained, it all comes together when it comes to these questions now. It’s the low trust, why you don’t report, but also it’s the power of those people who actually do have the money and do have the connections. You can’t break through that, so actually it’s too dangerous if you’re on the weaker side in some situations.

Asylos: I think you also said weak institutions.

Weak institutions, I think it’s really important. The significance of having social capital, having connections. Again that explains a lot about your disadvantages if you’re from the back waters in Albania—the periphery of periphery—you just need your connections. And that goes beyond family, often just really whom you’ve gone to school with... nowadays.

4.2 It is also reported that most of the cases of trafficking in human beings that the Prosecutor’s Office registered are for adults. Why do you think cases of children are less?

I have a personal opinion but no evidence. My personal opinion is that there is a lack of understanding when it comes to children’s rights. It’s just under the parapet of visibility in many ways. But this is maybe to random off the top of my head in many ways.

(Asylos mentions that we discuss state attitudes on children’s rights later in the questionnaire)

5. Protection

Perhaps I want to just add something generally. In my prior research on the national referral mechanisms and the existing shelters... are you going into shelters, no, they come later again, so we can talk about those later.

Asylos: Any information you can give us on NRMs would be useful, so please share.

Again when we did my research, you find that in my article (Social Opprobrium 2010), that so many years ago we found is that there is so much conditionality on the EU accession and the EU progress reports, so they've put up all these things, which satisfy on the surface what is required, but do not necessarily reflect meaningful improvements. For example, at the time, they had put up a helpline for trafficking victims. Looks really great. "We have put up a helpline. This is part of our national referral...anti-trafficking strategy," but actually, there was no one at the other end of the phone, or so we were told.

Asylos: Can you say when this was?

This was around 2008 and I've written about the heightened image concerns in response to EU conditionalities, and what that means for pressures to present your success in your anti-trafficking measures in the 2010 (social opprobrium) article. We just have to be very alert to the fact that, sometimes, image anxieties drive the presentation of progress or the formal establishment of such wonderful strategies, but in fact, what is really happening on the ground is another matter. That has to be looked at very carefully. What is actually working in practice.

5.1 According to the US Department of State in 2017 only 25 (out of 105) male potential victims of trafficking were identified through the Albanian National Referral Mechanism (NRM). In your experience, why do you think the numbers of potential victims identified through the NRM are so low?

There is another book I want to recommend, but it's also a bit outdated. It's called *My Name is not Natasha*. Have you come across that? Again, that is based on research even earlier, but I found it was absolutely true when I did my research in 2008. I visited shelters when there was just nobody in there, but they were running and getting money because they had to build an anti-trafficking center, but the people who didn't want to be there were the supposed victims. The reason is, and that I think is the answer to this question as well, is that I suppose that trafficking victims, they don't want to be the ones who are incarcerated and limited in their freedom. They don't want to hide, and they don't want to be the ones who are stripped of their agency in finding a living, so again, the victim category doesn't work. Also, the other big problem is, who is imprisoned. Is it the trafficker? This is the problem with all the shelter stuff. In Albania, if you are really at risk and you go into a shelter, then you are the one... you can't just leave when you like. You are behind closed doors in a very confined

space. And the other thing is the people who run these things, they're not... I mean one or the other may be a most benevolent NGO worker, but I've also come across suspicions that they only want the donors money, so that would be opportunist or pragmatic or whatever. Of the genuinely benevolent kind, I've talked to some that are really religious in that sense, and again, you have people who do not want to be subjected to something that is seen as morally patronizing, where the shelter experience is felt as patronizing. If you are, sort of, by somebody seen as a sinner who needs to be rescued, then you have an attitude which people are not necessarily prepared to deal with. The same applies for wider attitudes in society. There is this stigma of shame and it's much better not to expose your history as a trafficking victim, if you have this option, as a matter of self-protection (see also Social Opprobrium article 2010).

5.2 What barriers to accessing the NRM and its related protections do child and young male victims of trafficking face? Additional difficulties?

Again, I don't have updated information, but have a look at what I wrote about that in the other article, and one thing, as I just said they may not know about it. They might not trust police, and there might be police corruption.

Asylos: What do you mean by "they might not know it"?

If you are really a trafficking victim, you are not likely to, sort of, go into an internet café and download the national strategy against trafficking. You might not know that such a thing exists. I don't know to what extent nowadays it's being advertised. Do they have a few poster campaigns or anything? They had a few poster campaigns, when I was there, by the OSCE, which really shifted... you cannot assume anymore that female victims of trafficking don't know what the risks are if somebody says I promise you this, that, and the other in Italy. I think it might just be lack of knowledge, and it might also be low trust in the authorities, in the police. And then, low trust, but also this relates to the shelter question. When we did our research on the matter, there were a lot of people at the government shelter in Tirana whose role or purpose was not clear, just standing around the gate of the national shelter, so we were not sure this was working the way it was supposed to. This was this one insight. The other insight was how one of the private shelters that we visited and which came highly recommended, there was nobody in there. I cannot be sure whether anybody I spoke to or saw, in either case, was involved with criminal intentions, but, in theory, if they were, you've got all these people nicely corralled in these shelters, ready to be shipped off and make business. The persistence of corruption in the wider context does not help.

To come back to your question, if even we outsiders felt a bit uncomfortable in the contexts described (but remember, this is a while back), why would people's whose lives potentially might be at risk, trust these specific institutions more than themselves and their immediate

friends and families? It might just be a conglomeration of lack of knowledge about things that might really work, on the one hand; and, on the other, concerns over unclear outcomes, long-term security and freedom of movement for those victimised; potential risks of being patronised, exposed and stigmatised or restricted in your freedoms; and wider institutional and interpersonal distrust (beyond people you know in person) that prevent young people from seeking the officially available support.

National referral mechanisms...sorry, I'm permanently swerving into shelters. [Asylos mentions that we are missing information on shelters]. There is another issue, which is the figures, the numbers. The numbers are... nobody knows exact numbers because it is a grey area, but people were not divulging... they were not giving away their victimhood, if it existed as such, at the border crossings because they did not want to be identified. They did not trust the authorities. They did not want to go into shelters. They wanted to be free to find other ways... mainly to go back abroad, to go underground. So the figures are one thing, then of course with these figures, we found there was this strong tendency because of the image anxieties of any national agency to play them down whereas you had other groups, like NGOs or so, who really wanted the problem to be a problem because that was where their income was coming from, so they played them up, so you really don't know what the exact truth is, nobody knows what the exact figures are. There's that and of course people's agency and degree of interest in being identified or marked, and again, low trust. But there is actually a field where I could imagine that there has been a little improvement in the sense of there was, I understand, policemen were trained [Maya confirms that there's been some training], and border customs were trained to recognize better potential victims of trafficking, so I think that there might have been an improvement since my research in 2008.

When victims return from abroad, do they have to be formally recognized as a victim of trafficking within Albania to access the protections?

This is exactly what my article is about. It's about the return risks, and I went through it at the time, and at the time, I think they had to be recognized [Maya clarifies, "in Albania"], they had to be identified, but I don't remember the details now, so you would have to look in that article.

5.3 How effective are protection measures for young male victims of trafficking in cases where the trafficker is being prosecuted?

No, there is this whole issue of corruption and witness protection that matters. And the witness protection issue is really huge, because at the time, when I did my research and looked into that, and what can that actually be. And the only good witness protect is to send people abroad. So if you're, how do you say? "The cat bites its tail?" This just goes in a circle because these are kids being sent back, but actually they are only safe abroad, so this is also

why they don't go into the system but do what they can to... they are agents of their own witness protection by going underground and going abroad immediately again. Then, they come into the attention of the authorities, and then potentially, whether it's true or not, they would see it as a huge risk that they would be exposed to because some traffickers are really rich and bribe the policemen or guard or so. Whether that's true or not, they would expect that, so... Of course, I don't have the criminal evidence for that.

5.4 Do you have any evidence that the police or judiciary are complicit in trafficking and/or are corrupt?

Again, I know that politicians are currently really seen as majorly corrupt, and then again, it's this big accusation, which is political as well. No, I think the answer is probably inherent in what I said before, and again, in the article I'll send you where we actually looked into at what stage does bribery happen, and at what does come to court or not, and how hidden it is, so hopefully you can extract it from that (2010).

5.5 What is your view on the efforts the Albanian authorities (regional government including the police) have made to prevent the trafficking of boys and young men?

I actually don't have an opinion on that. I haven't done research into that.

6. How effective are more general child protection measures?

6.1 What is the Albanian police's attitude towards the rights and safeguarding of children, particularly boys?

If I were to answer this question, probably now, I would want to look into what training have they had because there has been some training for these customs officers, but has anybody actually picked up on training for police in general, thinking about improvement in safeguarding awareness, for example? More often than not, I have been surprised how limited awareness there is of child safeguarding issues and children's rights, but there is legislation in place, but the legislation is very much pushed through these international legislations and demands. There's just so little awareness, and generally, an understanding of formal procedures relating to child protection, children's rights and safeguarding is very different, I think, from the UK.

6.2 How effective do you think the child protection system is, particularly for boys?

N/A

6.3 How likely are male child victims of trafficking and their families to use the child protection system to get help?

Again, I would also not be able to answer 6.2, just looking at it. In 6.3, I think the distrust issue comes back in and the fact that very frequently young boys end being trafficked even though it was a family strategy to send them in the first place, so they would not necessarily seek that support. They would be more likely to try to seek support abroad because they don't trust the Albanian system.

6.4 Does this differ between areas across the country?

I haven't got that precise information. It would have to be based on a differentiated study taking economic and educational factors into account

Asylos: Can you comment more broadly about how it would differ between urban and rural areas?

Well, I think it's most likely to differ, but, again, it would require a differentiated study into economic and educational factors as well, I would suspect, into social capital: what connections and assets do you have to obtain justice, for example? If you are from a remote, rural background or a lower social and marginalised neighbourhood even in the cities, you would be more disadvantaged in obtaining formal protection. Unfortunately, it tends to be those with the least of any of these factors which become easiest victimised, yet would feel least hopeful in obtaining protection or security through a state system where corruption and nepotism is such a problem still.

7. Details of shelters and reintegration programs for trafficked boys and young men

7.1 Sources indicate that there 'is no shelter for male victims of trafficking, but the NGO Different and Equal rents flats where such victims can be accommodated'.

7.2 How many rented apartments are available for young men and are they available throughout the country?

7.3 Do you think they have sufficient capacity?

7.4 What are their criteria for taking young men in, and for how long are they allowed to stay?

7.5 What services are available to victims whilst living in these apartments? And who provides these services?

7.6 Are there effective safeguards against victims being detected whilst living in these apartments?

7.7 Sources state that there is a shelter for children in Elbasan.

7.8 Are boys eligible for this shelter?

7.9 If so what are their criteria for taking boys in, and for how long are they allowed to stay?

7.10 What services are available to boys whilst living in this shelter? And who provides these services?

- 7.11 Are there effective safeguards against boys being detected whilst living in this shelter?
- 7.12 Sources indicate that State Social Service finances residential centers including orphanages for trafficked children.
- 7.13 What are their criteria for taking boys in and for how long are they allowed to stay?
- 7.14 Do they have sufficient capacity?
- 7.15 What services are available to boys whilst living in these centres? And who provides these services?
- 7.16 Are there effective safeguards against boys being detected whilst living in these centres?
[above questions, 7.1 to 7.16 not commented on]
- 7.17 Is the above provision adequate for male victims of trafficking?

I mean this actually relates to the next question because this is about can you anonymously live in Albania, and the answer is no, you can't anonymously live in Albania— that is very different from London or from Bristol or any UK city—because it's such a small country and because also for cultural reasons, the ways in which people situate you socially. You encounter somebody and you meet somebody, and any social contact you make you are defined as a person through where you are from and who your family is. It is almost a ritual; it is a ritual rhetoric. When you meet someone, you ask "How's your father? How's your mother?" And you ask that if you know the father and mother. There also is this very big trope of a good or a bad family. It's very common in Middle Eastern societies, and prevalent in Albania as well, where it was reinforced during the Communist rule in particular. Albania is an incredibly small society. Also, you have very clear social organization with rules such as post-marital virilocal residence still very common. Society is organised patrilineally. This means that you can relate always somebody through their patrilineage. "Who's your father?" Mother's family now matters as well, but you are always judged in terms of whether you are from a good or bad family through your parents' lineages.

Asylos: Relating that to the question about safeguards for those living in the centers, do you think that's relevant.

If you have any social contacts, if you start work on the weekend, if you start going to a café—anything that resembles a normal life—you can't meet people, and of course, you wouldn't meet people anyway in your normal life. This is always very funny in terms of cultural misunderstandings when you have foreigners coming into places like Albania. You might know that from experience. We find their questions rather intrusive; it's so inappropriate in an English context, but it's culturally normal, caring and polite, there. This is how people are socially situated, and you have, sort of, sorted out what their place is in society. In anthropology we speak of 'dividual' societies rather than individualist, so you're divided in a way as a person: you are not just you, yourself, as ego. You are part of a family.

8. Information regarding difficulties a young man may face settling in a part of the country where

they don't have family or a support network

I think I've answered that exactly in the answer I just gave. There is no anonymous living such as in Europe's large cities. What chance do you have to reintegrate into a society, without your family, where everything is reliant on family? Just being given a rented flat in a city without pre-existing social contacts would make you very conspicuous and attract attention and suspicion.

At the same time, young men have a lot of pressure on their shoulders because they have to be the providers for their families and extended families. This is also why this whole set of questions before is a little off what is relevant to people themselves because, in a way, families would want them to go back abroad, and often they would want to keep eyes shut about how income is actually really generated as long as the money comes back and people can live. Deducing this from the situation for women as observed in 2008, and given the wider situation in Albanian society as I know it, if you are really victimized, remigration (in situations of social vulnerability typically ending up in re-trafficking) is your best option for safety, so yes, the risk of being re-trafficked would be extremely high.

Asylos: Can you clarify that?

I think re-trafficking risks are very high. Now, I have to—again, a caveat—I haven't done that—those questions—in relation to young boys, but for young women, the percentage was mind boggling. It was like the majority ended up being re-trafficked. This is because they don't want to be either facing massive stigma, or being locked up in a shelter in Albania with no hope and being married to an old widower or sent back to their family and kept locked up in their family's house. You know, any of that. They want to have a life and some control over their own fate, so the next opportunity to go abroad, they took, so of course, many ended up in servitude again. I think that, by extension, I would be surprised if that was any different for boys because of the whole logic of why it started first of all. With young women, we also had this escape from patriarchal structures and getting a bit more modern life was very big. With young boys, that is perhaps... it could also be that they are fed up with tradition. At the same time, we also find that young boys reinvent the tradition because they empower them as men.

8.1 Are there reintegration programmes for trafficked boys and young men returned from abroad, or from other areas in Albania. If so, are they aware of the available services and how to access them?

N/A

8.2 What are the risks of re-trafficking on return to Albania? Are you aware of any patterns of re-trafficking on return to home area or in relation to a new area? Are some individuals more

vulnerable to re-trafficking than others?

I think it's all cultural and social capital, it comes down to, of your own family. If you're from a family with a good standing in the country with good connections, you will have all the support in the world and will be pretty safe but you're also least likely to end up in that situation first of all. I think it's an economic thing, it's a class thing, and of course, it is a very hierarchical society. They wouldn't tell you it's hierarchical. They tell you it's very egalitarian, but it's hyper capitalist, hyper individualist now, hyper hedonistic, yet infused with all these things like that, you still... families are so important. These people are entrepreneurs in the informal realm. [...]

Of course, I think, if you look at the poverty scale and the scale of social exclusion and inclusion, and social exclusion and discrimination as a Roma boy, you would be on the bottom edge in terms of accepted society, so you are particularly vulnerable. Class, ethnicity, social capital are all important in assessing risks.

Asylos: Are you aware of any reintegration programs for trafficked male victims?

You would have to go through the papers that are out there, which you already done. You would probably know that better than me.

8.3 What is the risk of further exploitation of trafficked boys and young men on return to Albania?

Re-trafficking for sure and further exploitation, but there is something very interesting that I forgot to mention. Just as a social anthropologist, if you look at these groups and the blurred boundaries between victim and actually taking agency, you have people going up the ranks, right, whether these are women or boys and then, if you become complicit, you could progress—have a career from a trafficking victim to becoming a trafficker, so this is not further exploitation but sort of career progression, but of course, this is not something that happens for everybody.

8.4 Are there any difficulties an Albanian boy or young male VoT may face if attempting to reintegrate on return to either their home area or a new different area of Albania especially in relation to

N/A

8.5 Transferring civil registration to a new area;

Civil registration links to the question of corruption as well, and the way data protection

works or doesn't work. If you're in a local area, go to the municipality and people might have really outdated ideas, and you can't be sure that this is not publicized or talked about somewhere even though they are supposedly... have a duty of confidentiality. You cannot trust civil servants with confidentiality, just because of a lack of awareness or training. I'm saying that off the top of my head, there has been a huge amount of training in recent years, so that might be suddenly wrong, but it definitely was absolutely underdeveloped when I looked into that.

8.6 securing accommodation;

8.7 finding work;

8.8 accessing health care?

Securing accommodation, not without contacts or lots of money. Same for finding work. And accessing healthcare, no. I haven't updated my research. When I did research, you had to privately pay, and you could call that bribery or corruption. Everybody was complicit in that, including the patients because they understood that the doctors are underpaid otherwise, so you have to have money or connections for all those three points there.

8.9 Do these factors vary depending on the area of relocation?

People with migrants abroad who sent remittances can make ends meet, but those without such connections, or where these have disappeared with the years passing and migrants creating their own families and integrating better abroad. There can be utter destitution anywhere, perhaps more in rural areas, but in marginalised urban areas everywhere across the country, too. This applies to all areas of Albania, although there was more migration to Greece from the south of Albania because of the vicinity.

1. Profile

1.1. In your opinion what are the profiles of trafficked boys and young men?

From the Albanian boys that I work with the majority of them have come from lower economic background in Albania. Others; I wouldn't go as far to say 'middle class' backgrounds though obviously it's hard to compare societal definitions in England to Albania but the majority have had a family where predominantly father works, some with both parents working e.g. mum as a cleaner, father often in construction work. Those kinds of professions have been most common. Quite a few young men I've worked with have only had their father working.

Some have talked about going on holidays sometimes to the seaside so having some degree of a lifestyle that we might describe as middle class or at least not being in abject poverty (compared to trafficked victims I've worked with from other countries e.g. Vietnam which obviously reflects differences in the countries and therefore the profiles of those being trafficked).

Are there any patterns in terms of geographical areas they have come from?

Quite varied- most of those that I've supported have come from cities, not specifically from rural areas, the north. A number have come from the capital, Tirana, and Elbasan, people from Durres. Predominantly cities, sometimes smaller towns but very rarely fully rural environment. Bit of a cross section. I'd say overall I've seen more from central and south than from the north.

1.2. According to some sources general risk factors for victims of trafficking regardless of gender in Albania include; poverty¹¹⁸, low education¹¹⁹, suffering from physical or mental disabilities¹²⁰, domestic violence and/or sexual abuse within the family¹²¹ or a pre-existing

¹¹⁸ See Asylos literature review, pg 13-14, Dr Enkeleida Tahiraj and the Shpresa Programme 2017

¹¹⁹ See Asylos literature review, pg 13-14, Dr Enkeleida Tahiraj and the Shpresa Programme 2017

¹²⁰ See Asylos literature review, pg 18, Save the Children 2016

¹²¹ See Asylos literature review, pg 12, UNICEF 2015

blood feud¹²², being LGBT¹²³ and for children, being Roma or Egyptian¹²⁴ or homeless¹²⁵. Would you say these apply to Albanian boys and young men? Are there any other risk factors that apply to them I haven't mentioned?

That's quite a clear and accurate representation of factors that I've seen.

I'm very aware of blood feuds in Albanian but actually that's come up very rarely with trafficked boys I've worked with, I think that's come up once.

I haven't worked with any young men from Romani backgrounds, haven't worked with anyone who themselves identified as LGBT although I do work with a few young men whom I suspect may be.

What comes up most commonly and fairly endemically across the boys and young men that I work with is domestic violence. It has actually been the case in every single Albanian boy that I've worked with. It's been very common that they themselves have experienced violence as well as witnessing violence to siblings and their mother.

Definitely poverty and I've worked with an Albanian boy who had moderate to severe learning disabilities and I would definitely say that's a huge reason for them being trafficked. Also exploited from very young ages due to family members not wanting to look after them.

Have also worked with some that experienced homelessness.

But I would say by far the most common thing I've witnessed is the interrelation between poverty and domestic violence that causes a breakdown in the family unit where commonly either the father leaves home or the mother escapes the family environment with children.

I have seen a few examples of where people seemed to have fairly stable relationships with their parents but where we still see the classic grooming model at school, through older young people and adults offering them money and trainers. The same range of things as we would see in the 'Country Lines' phenomenon that we see in the UK that gets quite a lot of attention now. I would say that I see a very strong correlation between young British people

¹²² See Asylos literature review, pg 20, Dr Enkeleida Tahiraj and the Shpresa Programme 2017

¹²³ See Asylos literature review, pg 19, Dutch National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children 2016

¹²⁴ See Asylos literature review, pg 11, UNICEF 2015

¹²⁵ See Asylos literature review, pg 10, US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2018*

being groomed into gangs and organised criminal exploitation and the trafficking of males in Albania- a very strong correlation between the kinds of background they come from and these kinds of networks which is why it's not surprising to me that Albanians criminal gangs operate in the UK.

I have seen a degree of sexual exploitation. I don't have much direct experience of male Albanian young people disclosing sexual abuse but we have had in our service a few young people who have been sexually abused by men as part of a grooming process into a criminal network in Albania rather than for financial purposes i.e. using it as a control tactic. Which is quite common, or where they aspirationally see expensive cars- most of the Albanians boys I've worked with are very into cars actually and it seems like criminal networks often drive flashy cars and it attracts them.

I've seen situations where they've been groomed at a carwash in Albania then helping out around the expensive home doing domestic work for good money.

2. Actors and patterns

2.1. Who are trafficking boys and young men?

Mostly peers and young adults that form part of a criminal network that I've come across. Sometimes small, or sometimes large criminal gangs who are grooming young men into trafficking often from very young ages and in settings the young people are working at to support their families due to poverty or where they are being targeted at school. Age ranges from other teenagers grooming them, exploiting them or adults up to 30s or 40s.

Sometimes we have young men who have been trafficked without us knowing who has trafficked them to the UK. E.g. A specific young male with moderate learning disabilities who found it difficult to make disclosures and give a clear account of his trafficking.

The vast majority are being trafficked by other young adult males.

2.2. What methods do they use to recruit boys and young men?

Alongside what I've mentioned on the grooming process I have seen quite severe levels of violence to break down young men and make them as compliant as possible. I've had a few young men disclose quite extreme forms of physical violence and abuse, lots of threatening with weapons. People being very severely beaten and being locked in rooms for days at a time without food and water.

Others have experienced initially softer tactics, followed by violence.

For others violence wasn't utilised until they were trying to extricate themselves. Sometime violence and threats against their family.

Some have been kidnaped and forced to grow cannabis. Have seen the occasional example of the kidnapping scenario but most of the time it's a grooming model of exploitation.

2.3. Where are boys and young men trafficked to and for what purpose?

Often internally within their local area. The vast majority its criminal exploitation for drug distribution. Some is very localised e.g. distributing drugs in their own school. Others its travelling on train routes still within the city limits. Some of them where they are close to ports, it's seaside locations distributing drugs to those ports or drop off drugs to locations as opposed to people,

Most have not disclosed travelling large distances, it's relatively localised.

Very rarely have any talked about international trafficking. It's domestic exploitation in Albania and then they have left Albania and come to the UK to get away from those networks. Sometimes I question the reality and have had concerns about young men not disclosing—there are significant barriers to disclosure for Albanian males, often it can take years for them to disclose to me more than just the basic details so it's a real challenge to have the full picture of what has happened to them. Some descriptions of how people have left Albanian have been quite questionable e.g. that at very young ages they have left independently without an agent. This is all quite speculative and hard to be clear on.

Some moved from cities further away by vehicles into northern areas or unknown locations in mountainous areas of Albania that have been transported a decent distance—specifically working cannabis cultivation rather than drug distribution (which can also be class A drugs).

2.4. Are they trafficked to the UK? And if so, for what purpose?

We have had some young males who have disclosed exploitation into the UK for criminal exploitation within my trafficking service, just very few and I've not worked with them directly. The only ones I can think of were trafficked for unknown exploitation or to work in car washes.

Sometimes young men turning up at social services with severe physical injuries at young ages and being taken into care but without really getting to bottom to the circumstances of the exploitation.

2.5. Are you aware of any cases of Albanian boys and young men fleeing Albania after being trafficked internally?

Answered at 2.3

2.6. Are you aware of any cases where they've fled to the UK?

Answered at 2.3

3. Legislation

3.1. According to sources internal sex trafficking is often viewed as prostitution and victims of trafficking have been punished on this basis¹²⁶. Are you aware of trafficked boys and young men being punished for any other unlawful acts committed as a result of their being trafficked?

No I'm not. That's not something that I have experience of.

If anything the young men I've worked with have talked about encounters with police—largely that has been witnessing direct relationships between police and the traffickers, rather than them facing prosecution or repercussions. Sometimes when picked up by police, once they have provided the name and the phone number of the person who is in charge of the criminal network then they have been released without charges.

3.2. One source states that 'gaps exist in Albania's legal framework to adequately protect children from child labor¹²⁷. In your experience, what impact does this have for trafficked boys and young men?

4. Prosecution

4.1. Sources report that convictions for trafficking in general are 'low'¹²⁸ and describe 'an implementation gap between a strong legislative and policy framework in Albania with practice in reality'.¹²⁹ In your experience, why is this and what impact does this have for

¹²⁶ See Asylos literature review, pg 50, US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2018*

¹²⁷ See Asylos literature review, pg 34, US Department of Labor (USDOL), *2017 Findings on the Worst Forms of Child Labor - Albania*, 20 September 2018

¹²⁸ See Asylos literature review, pg 41, CoE-GRETA July 2016 and p.38 European Commission

¹²⁹ See Asylos literature review, pg 35, Patricia Hynes et al, July 2018

boys and young men?

I do think there is an endemic problem with direct relationships between law enforcement and criminal networks in Albania. It comes up so consistently in the accounts of boys and young men that I work with that I find it very hard to believe that that's not the case.

I think it also leads to a culture where boys and young men believe that they cannot rely on or access state support. I think that's one of the reasons that they leave the country. It also leads to people feeling powerless to escape networks as they see them to be very well connected and they generally don't believe that relocating to other areas will be enough to prevent them from being at risk again.

- 4.2. It is also reported that most of the cases of trafficking in human beings that the Prosecutor's Office registered are for adults.¹³⁰ Why do you think cases of children are less?

It's much easier for an adult to come forward and to bring a case against those that have exploited them. An adult is going to be much more empowered to do so than a child which relies much more on the police themselves choosing to prosecute. We know full well even with the frame of reference in the UK how difficult that is.

Also they may hold such a fear of reprisal that they might not come forward.

I have worked with a number of male children that have gone to the police, often when the family has been involved and no one has been able to protect them. They tried moving from location to location and the networks have still found them. Sometimes the police are even giving guidance to hand drugs back rather than them do anything themselves or suggest to prosecute them. The police see themselves as having less power than the criminal networks.

5. Protection

- 5.1. According to the US Department of State in 2017 only 25 (out of 105) male potential victims of trafficking were identified through the Albanian National Referral Mechanism (NRM)¹³¹. In your experience, why do you think the numbers of potential victims identified through the NRM are so low?

One of the reasons is that I think a lot of Albanians are trafficked as minors, particularly boys

¹³⁰ See Asylos literature review, pg 36, European Commission, COMMISSION STAFF WORKING DOCUMENT Albania 2018 Report, April 2018

¹³¹ See Asylos literature review, pg 49, US Department of State (USDOS), *US Department of State: Trafficking in Persons Report 2017*

and young men. I realise that I have a bias in that direction as I specifically work with children, but we have worked with young men up to 25 in my service most who came in to the UK as early teens or even younger than that when they were trafficked into the country.

Overall as a society we are not doing a v good job of identifying Albanian victims. There's lots of reasons for that, specifically boys and young men.

Of every nationality I've worked with and having specialised in trafficking for the past five years, Albanian males are the most difficult I've worked with in terms of disclosure. In terms of trusting professionals there's a really deeply held belief that you don't trust professionals, that you keep things to yourselves as individuals, don't share what you've been through with others, even with close friends. This is particularly the case with boys and men and young people I've worked with have said so explicitly.

So disclosures are not being made.

I think this relates back to the fact that in Albania they are unlikely to recognise those victims if they were presenting. There's a vested interest to not recognize them, they may well not have the adequate level of training, knowledge and intention to identify victims of these particular profiles. At same time there is a willingness and intention perhaps to not identify them. Whether they are consciously aware of this or not, I don't know.

On top of that none of the young men I've worked with have ever come forward to the authorities in a way that I think has led to an NRM referral. Certainly I would question whether police are even aware of the process, what training police have in Albania to refer to the NRM. I'm not familiar with how the system works in that way. I know their NRM is modelled on our NRM but I think that lots of those people would never make it to the NRM. And certainly none of the young men I've worked with have ever been referred in to the NRM. As mentioned above I would add my concerns regarding police collusion with trafficking networks and that I assume the police are one of the main agencies who would make NRM referrals, hence a direct conflict there where policing is corrupt.

5.2. What barriers to accessing the NRM and its related protections do child and young male victims of trafficking face?

Albanian society is deeply patriarchal, masculine from my experience and from the accounts I hear from young people. I think that also further worsens and makes it very difficult for both young boys themselves and for society to recognise themselves as victims. It's a society that views males as by far the dominant gender which encourages dominance in that sense. Which allows systemic domestic violence to play out in households and therefore this creates a whole other layer of the concept of "toxic masculinity" that ultimately hides the

reality of male victimhood and doesn't allow space for it to be acknowledged and spoken about, whether that be publicly or internally within family or friendship networks. I think there's a huge culture of silence that exists.

I also don't think that many of the Albanian boys that I've worked with understood prior to arrival in the UK and prior to our socio educative work around this issue what the concept of trafficking is anyway. I think they might have recognised their experience as exploitative when they experienced abuse, but not thought of it as a crime in their country, but a system of how people get by or how people make money in their society. There is a very low level of awareness of trafficking, of healthy relationships and safety. An additional factor is the boys I've supported generally having a deep mistrust of the police whether they have directly encountered them or not and the state's ability to protect them more widely.

5.3. How effective are protection measures for young male victims of trafficking in cases where the trafficker is being prosecuted?

It's hard for me to answer that as none of the young men I work with have ever gone through a process of prosecution. My experience is the police have not been prosecuting.

5.4. Do you have any evidence that the police or judiciary are complicit in trafficking and/or are corrupt?

Also see answer to 4.2

No direct experience of links with judiciary. I don't think the boys and young men I work with would understand how the judiciary works. They would never have come across the judiciary; it operates at a level that they would never see. It certainly doesn't mean that I don't think it's happening.

6. Prevention

6.1. What is your view on the efforts the Albanian authorities (regional government including the police) have made to prevent the trafficking of boys and young men?

They talk about investing in campaigns to raise awareness about trafficking- in terms of advertising, I think there's some degree of partnership work with NGOs highlighting the issue. I still don't believe that the messaging is targeted around male victims of trafficking. E.g. I imagine if they ever did a poster campaign it would be an image of a woman. My understanding is there would be very little if any work being done to meaningfully raise awareness of and engage with boys and young men being trafficked because they don't believe it is happening at all.

7. How effective are more general child protection measures?

7.1. What is the Albanian police's attitude towards the rights and safeguarding of children, particularly boys?

I don't have a huge amount I can say other than the majority of those young Albanian men I work with have grown up in family situations which if they had been in the UK would have involved social service interventions-in relation to domestic violence, people who have experienced physical abuse from family members. In my experience none had any interactions with the equivalent of social services, other state support structure. I don't know if there is ostensibly social services in Albania. That term can be used very differently in different locations anyway- I don't know what that would mean in practice. I would be very doubtful about the state response to things like domestic violence within the family, particularly given how utterly endemic it appears to be. I understand that both from individuals that I've spoken to and also from other professionals in Albania about how deeply held attitudes are around male control of women. Where you have such an ingrained sense of violence being acceptable in those structures across society, it's hard to believe that society would know how to act.

7.2. How effective do you think the child protection system is, particularly for boys?

None of the boys I have worked with have every access it whatsoever. None have been identified and no indication that they've been supported, so I would suspect that it's not working very well at all.

7.3. How likely are male child victims of trafficking and their families to use the child protection system to get help?

Very unlikely indeed. Coming back to the concept of masculinity but also a sense of pride. There is a very deeply held belief you look after yourself. We have a therapist within our team who specialises in providing therapy to trafficked boys and men. In work she's carried out with Albanian males it's come up very strongly this idea of what is my identity outside the family? I think this affects how individuals interact with society and what support they seek from society. All of the young men I've worked with have demonstrated this idea that you are expected to look after yourself, you don't disclose to others, even close friends or family members, let alone to authority figures. The young men I've supported believe you have to resolve problems within the family unit rather than seeking support externally and believe that to do so would be shaming of the family. Therefore I don't believe there is much trust. Definitely distrust with authority has come through in my work. The young men I've worked with almost talk about it as a lawless country where you have to do what you have to do to get by. It's one of the reasons that being groomed into exploitative networks is so

normalised rather than believing that the police can adequately prevent crime or be able to support victims. So I would say that people wouldn't try to seek that support very often.

However some people's families have gone to the police but in none of those situations have the police been able to meaningfully prevent trafficking.

7.4. Does this differ between areas across the country?

Anecdotally I'm aware of the fact that people talk about there being a disparity between the north and south and countryside and cities but I wouldn't say that I've seen a particularly notable difference. However as stated above most of those I've supported have been from the centre of the country, not the north. Even within major cities I can't say that I've seen significant different in the way that people view the police's ability to protect.

8. Details of shelters and reintegration programs for trafficked boys and young men

8.1. Sources indicate that there 'is no shelter for male victims of trafficking, but the NGO Different and Equal rents flats where such victims can be accommodated'.¹³²

I don't have answers to those questions.

8.1.1. How many rented apartments are available for young men and are they available throughout the country?

8.1.2. Do you think they have sufficient capacity?

8.1.3. What are their criteria for taking young men in, and for how long are they allowed to stay?

8.1.4. What services are available to victims whilst living in these apartments? And who provides these services?

8.1.5. Are there effective safeguards against victims being detected whilst living in these apartments?

8.2. Sources state that there is a shelter for children in Elbasan.¹³³

8.2.1. Are boys eligible for this shelter?

I'm not aware if they are, no.

8.2.2. If so what are their criteria for taking boys in, and for how long are they allowed to stay?

¹³² See Asylos literature review, pg 72, CoE-GRETA July 2016

¹³³ See Asylos literature review, pg 71, UK Home Office, Fact-Finding Mission to Albania, November 2017

8.2.3. What services are available to boys whilst living in this shelter? And who provides these services?

8.2.4. Are there effective safeguards against boys being detected whilst living in this shelter?

8.3. Sources indicate that State Social Service finances residential centers including orphanages for trafficked children.¹³⁴

No.

8.3.1. What are their criteria for taking boys in and for how long are they allowed to stay?

8.3.2. Do they have sufficient capacity?

8.3.3. What services are available to boys whilst living in these centres? And who provides these services?

8.3.4. Are there effective safeguards against boys being detected whilst living in these centres?

8.4. Is the above provision adequate for male victims of trafficking?

9. Information regarding difficulties a young man may face settling in a part of the country where they don't have family or a support network

9.1. Are there reintegration programmes for trafficked boys and young men returned from abroad, or from other areas in Albania. If so, are they aware of the available services and how to access them?

I have heard that there is some limited degree of reintegration that is possible, mainly I've heard that talked about in terms of shelters, initial support provision on arrival rather than longer-term reintegration support. Certainly none of the young men I've work with have been aware of them so my knowledge has not come from young people directly. Those who have been made aware of what is there have no belief in those systems to adequately protect from further exploitation, or to provide ongoing support. There is a very firmly held belief that criminal networks are wide ranging across the country and whatever that support might look like it certainly wouldn't prevent that risk. So overall, I would say a very low level of awareness of those support provisions at all and again I don't believe male specialist support is available.

9.2. What are the risks of re-trafficking on return to Albania? Are you aware of any patterns of re-trafficking on return to home area or in relation to a new area?

¹³⁴ See Asyls literature review, pg 78, UNICEF, July 2015

I think that they are very high. I think that obviously it depends on the circumstance of the person's return, how long they've been in UK for, whether they are returning back to a family support network or not. If any of the young males I've worked with were returned I'm not sufficiently assured they could access family support networks on return as for whatever reason, communication lines have broken down or been lost. The Home Office and the Red Cross have had real difficulties tracing families for some of the Albanian young people I've worked with; that haven't resulted in anything even when an address is provided. There are often real concerns that that may well mean that the family has been targeted by the traffickers. I've had numerous examples where families have been directly targeted by the traffickers prior to the young people leaving and so themselves have been at significant danger; have either been moving around the country regularly, or themselves considered leaving, or have left the country with those young people, but haven't been able to pay for the journey to accompany them to the UK. Unclear whether they have remained in Albania or ended up in a third country. I have also had some examples, maybe not many, where the family themselves were involved or colluded in the trafficking of their children.

Many of the young men I've worked with have described criminal networks that are extensive- that involve many members of criminal gangs and they have overheard phone conversations where they are linking up with gangs in other locations in Albania, whether nearby or further away locations, where they have direct links with the police. Therefore that would strongly suggest to me that those individuals could potentially have access to information that could mean they could find those young people who have returned. Further if those particular criminal networks weren't targeting them then males being returned on their own without guaranteed large safety nets, particularly family would be at huge risk of re-trafficking from other exploitative networks given that they seem to be very prevalent and endemic across lots of parts of the country and are quite visible. Lots of young people talk about visibly seeing criminal gangs around a lot from young ages. For some it's almost becoming quite a normalized part of day to day life in Albania to witness groups of young men who show indicators of being part of criminal networks. So I think that would make them quite vulnerable to re-trafficking.

Are some individuals more vulnerable to re-trafficking than others?

A number of the young men I've supported have had mental health issues, if not learning disabilities caused by the level of trauma that they've experienced so have additional vulnerabilities on that basis. Also those who through their experience of trafficking have become quite compliant, find it very difficult to speak up for themselves, even after lots of work to help them develop confidence. Those without family networks, or whose families themselves were involved in their exploitation. Those where their whole family has been targeted by the criminal networks. So not just those who were targeted by individuals but where it is quite clear that targeting may well have gone on beyond the person leaving the

country. I've seen an example of reprisals where other members of family have escaped from traffickers and moved to another country e.g. the UK, then seeing those networks target the remaining family in Albania. That would create a risk. I would also say anyone who has been exploited by a network who have witnessed them having direct connections with the authorities creates a risk.

9.3. What is the risk of further exploitation of trafficked boys and young men on return to Albania?

Exploitation outside of re-trafficking? I suppose it depends on how you define it; people have different definitions of what trafficking is. What I would say is that the biggest risk is of internal exploitation by criminal networks as in within Albania rather than from Albania to another country though being trafficked internationally is also a risk. I would still define that as trafficking as a person is still being moved around or held in a location even if not across international borders. The only area that I can really comment on is that some young men would be at risk of being groomed into criminal networks, it might not initially present as exploitative but it becomes exploitative through the grooming model I have described previously, they are at risk of this internal form of exploitation.

9.4. Are there any difficulties an Albanian boy or young male VoT may face if attempting to reintegrate on return to either their home area or a new different area of Albania especially in relation to

9.4.1. Transferring civil registration to a new area;

Anecdotally heard of there being challenges but don't have direct knowledge and experience to comment.

9.4.2. securing accommodation;

9.4.3. finding work;

9.4.4. accessing health care?

No, I'm aware. I work with young men who are too young to have attempted to access those kinds of services.

9.5. Do these factors vary depending on the area of relocation?