



**REPUBLIC OF ALBANIA**  
**Ministry of Interior**  
**Deputy Minister of Interior**  
**National Coordinator on the Fight against Trafficking in Human Beings**

**MEASURES AND ACTION TAKEN TO COMBAT TRAFFICKING IN HUMAN BEINGS IN  
ALBANIA**

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## 1. Introduction

I would like to thank you for granting me the opportunity to address you on the efforts my government has taken to combat trafficking in human beings.

Albania greatly appreciates the assistance the United States has given us to combat organized crime and trafficking in persons. In particular, we would like to thank you for the help and support you have given us through programs and special agencies such as ICITAP and USAID.

### Outline of Albanian Legislation and Structures to Fight Organized Crime

Before I explain the work of the Office of the National Coordinator on the Fight against Trafficking in Human Beings in detail, I would like to provide an outline of the legislation and structures in place in Albania to combat organized crime.

Albania is making a determined effort to fight organized crime and human trafficking. It has ratified the UN Convention on Transnational Organized Crime and its two additional protocols as well as the Council of Europe Convention on Action against Trafficking in Human Beings. We introduced important changes to our penal code in 2004 to criminalize trafficking in human beings. Amendments were also made to the Penal Procedures Code on the use of Special Investigation Means (Surveillances, Simulated Actions and Infiltrated Police Personnel). In addition, parliament has passed a law on organized crime - Law on Preventing and Striking at Organized Crime, No 9284, dated 30.09.2004, which provides for civil asset confiscation of criminal assets as well as the compensation of victims of trafficking from the criminal proceeds amassed by the traffickers. In relation to witness protection, a law has been passed - Law on the Justice Collaborators and Witness Protection, No. 9205, dated 15.03.2004, guaranteeing the legal and physical protection of victims of trafficking. In accordance with this law we are intending to introduce video-conferencing facilities to the Serious Crime Court shortly.

At an administrative level, Albania has implemented special structures in the police department to combat organized crime, including creating a new department in the general

directorate of police. A Serious Crimes Court with national jurisdiction at both First Instance and Appellate level has been established in Tirana together with a Special Prosecutors Office. The agency for the administration of criminal asset confiscation works in conjunction with this court in the fight against organized crime.

#### The Office of the National Coordinator

I am responsible for the Office of the National Coordinator on the Fight against Trafficking in Human Beings which was established in November 2005. It is the first time that Albania has had an office with an exclusive anti-trafficking mandate reflecting the importance with which my Government takes this problem. The Office of the National Coordinator is the central point for coordinating the anti-trafficking efforts of the different government ministries both at a national and international level.

The Office of the National Coordinator has a broad political mandate and importantly a high degree of autonomy enabling it to take any initiative which it deems necessary in the fight against human trafficking. Its autonomy derives from an order of the Prime Minister.

#### 2. Focus of Albania's Anti-Trafficking Efforts

Albania has followed a three pronged approach to combating trafficking in human beings as set out in its National Strategy: prevention, protection and reintegration of victims and witnesses of justice, and prosecution of trafficking and trafficking related crimes.

In 2006 the Office of the National Coordinator on the Fight against Trafficking in Human Beings has predominantly focused on:

- I. The establishment of national referral structures for victims of trafficking both at central and local levels.
- II. Better management of Albania's borders and preventing illegal migration.
- III. Preventing internal trafficking of children and women.
- IV. Improving victim identification.
- V. Increasing prevention activities.
- VI. Increasing awareness of the people who work with assistance services.

In addition, we have instigated the drafting of new legislation on trafficking and trafficking related offences and we have taken steps to improve international cooperation on these issues.

3. The Establishment of the National Referral Structures for Victims of Trafficking both at Central and Local Levels

a) Central Level

The Government has established a national referral structure for victims of trafficking at central and local levels. The referral structure at the central level is known as the Responsible Authority. The police, social services and consular section are involved. They each have individual and shared duties. Once it is fully operational it will coordinate the referral process for initial assistance, protection and rehabilitation of victims of trafficking throughout the country. It is intended that the Responsible Authority will be activated as a National Referral Mechanism (NRM) for cases of victims of trafficking, at national and local levels. The aim of the NRM is to identify and protect every victim of trafficking.

b) Local Level

At the local level, Local Anti-trafficking Committees have been established by an order of the Prime Minister. These committees are chaired by the regional Prefect, and their members include the Mayor, directors of the regional State Social Services, Employment Office, Police, State Informative Service, Education and Public Health Directorates.

They are intended to capitalize on the knowledge of the local community. These Committees have been set up to assist the law enforcement agencies to identify victims and potential victims of trafficking and provide them with immediate protection and support.

In addition to identifying, referring and protecting victims of trafficking, the Local Committees are also tasked with monitoring the trafficking situation in their region and identifying any measures that it may be necessary to take to combat this crime. For example, many Local Committees run preventative campaigns in cooperation with the police, prosecutor's office and social services to remove children from the streets and register them in schools. To underline the importance of the Local Committees I have personally

participated in awareness campaigns in schools where law enforcement personnel have discussed the dangers of trafficking with students in order to raise their awareness and understanding and thereby ultimately reduce the chances that they will fall prey to traffickers.

4. Better management of Albania's borders and the prevention of illegal migration

A prescreening procedure has been established and reception centers have been activated at the main border checkpoints for returnees and potential victims of trafficking by an order of the General Director of State Police. The prescreening procedures are being carried out by border and anti-trafficking police for returned, inadmissible and deported people from third countries to Albania. These procedures also help to identify victims and potential victims of trafficking at the border crossing points upon their return and refer them to police and social services who will follow them further.

In order to assist the prevention of illegal migration an amendment to Article 298 to the Criminal Code has been approved by the Council of Ministers. This criminalizes smuggling of human beings across borders other than those of Albania.

Article 298 of the Criminal Code was approved by the Parliament in the Law no.9686, dated 26 February 2007:

*Article 298: Assistance to Illegal Crossing of the Border: Sheltering, accompanying, making available or using vessels, aircraft or other means of transportation, or any other type of assistance with the purpose of assisting in the illegal crossing of the border of Republic of Albania, or assisting the illegal entry of a person into another state, whilst not being a citizen thereof, or not having a residence permit therein, constitutes a penal act (1-4 years imprisonment, plus fine from 3-6 million lekë)*

*When assistance is given for purposes of profit (3-7 years imprisonment, plus fine from 4-8 million lekë).*

*When this act is perpetrated in collusion with others, or repeatedly, or causing serious harm (5-10 years imprisonment, plus fine from 6-8 million lekë).*

*When the act causes the death of the person (Not less than 15 years imprisonment or life imprisonment, plus fine from 8-10 million lekë).*

*When the penal act is perpetrated by abusing the state function or public service (Imprisonment and fine increased by one fourth)*

This is complemented by a law banning the use of the speed-boats for three years in Albania. The speed boats were used as means of illegal trafficking, primarily to Italy. Additionally, a Strategy for Integrated Border Management is being finalized to combine the work of the Border and Migration Police, transport authorities, customs services, as well as phytosanitary services.

#### 5. Internal Trafficking of Children and Women

The Office of the National Coordinator on the Fight against Trafficking in Human Beings is currently focusing its attention on internal trafficking of women and children. To this end a number of measures have been taken:

- The project “Second Chance” has been launched. It is run by the Ministry of Education and Science to encourage the education structures to readmit children who have dropped out of school as a result of their family situation.
- A Joint Operational Regulation for Tourism Agencies that prohibits the sexual exploitation of women and children on hotel premises has been agreed with the Ministry of Tourism, Culture, Youth and Sports. The regulation was the product of negotiations between the Ministries of Interior, Tourism, Culture, Youth and Sports and OSCE - presence in Albania.
- In addition, new provisions in the Criminal Code on the exploitation of children for forced labor and the sale of children (Articles 128/c and 128/ç ) have been proposed together with a new socio-educational package-deal of assistance for these children and their families in the form of employment, education and other kinds of aid.

Articles 128/c and 128/ç of the Criminal Code are expected to be approved by the Parliament during 2007:

*Article 128/c: Exploitation of children for labor, begging or other forced services: The exploitation of minors for labor or other forced services, including begging for alms, by parents or legal guardians, constitutes a criminal act and is punished by imprisonment up to one year and a fine ranging from 50.000 to 1.000.000 leks.*

*When the exploitation of a minor is committed by third parties, it is punished by imprisonment up to three years, and a fine ranging from 100.000 to 2.000.000 leks.*

*When the exploitation of a minor brings serious consequences to his/her health or causes death, it constitutes a crime and is punished by imprisonment from three to seven years.*

*Article 128/ç: Sale of children: Offering, giving or accepting the sale of a child for sexual exploitation purposes, transfer the child's organs for purposes of profit, or illegal adoption, is punished by imprisonment up to seven years.*

#### 6. Improving victim identification

A number of steps have been taken in order to improve victim identification. These include:

- The establishment of the Responsible Authority and Local Anti-Trafficking Committees as explained above in section 4.
- A database within the Responsible Authority, where representatives of the Ministry of Interior, Ministry of Foreign Affairs, Ministry of Labor and Centers of Protection of Victims of Trafficking will record all cases of victims returned, referred, handled and protected in Albania and abroad is almost complete.
- A "Help line" – a 24-hour, country-wide, toll-free telephone line for reporting cases of trafficking and to provide individuals with information on safe migration.
- The establishment of direct contacts between representatives of regional committees in the border regions of Albania with representatives with representatives of border regions in neighboring countries, in order to exchange information about Albanian children who are begging and Albanian girls who are being exploited in these countries. It is hoped that this contact will lead to the adoption of measures to combat cross border trafficking

- The establishment of prescreening procedures as described above in section 5.
- The creation of a Transnational Referral Mechanism between the Balkan countries.

#### 7. Prevention and Public Awareness Campaigns

The Office of the National Coordinator on the Fight against Trafficking in Human Beings has taken steps to prevent trafficking by raising public awareness of this crime. It maintains open communication lines with nongovernmental organizations that develop and run awareness campaigns directed at the public, targeting mostly women and children. For example, TV awareness campaigns have been launched and brochures produced by foreign and Albanian consular staff to inform the public about the risks, likelihood and causes of trafficking in persons.

In addition, at our instigation, an agreement has been signed with Ministry of Education and Science to include classes on trafficking in human beings in the school curriculum. Special classes have also been set up for children who have dropped out or do not attend school.

#### 8. Increasing awareness of the people who work with assistance services

We recognize the importance of training law enforcement personnel on how to identify and handle victims of trafficking, protect and respect their rights, and provide for their safety. To this end we have organized training courses throughout the country on the nature of trafficking for members of the police, prosecutors' offices and courts. The aim of this training is to increase their awareness about the special profile and special assistance that victims of trafficking need.

#### 9. Forthcoming Legislation

##### Law on Foreigners

A law has been drafted, but not yet passed, regarding the provision of temporary residence permits to foreign victims of trafficking in accordance with the Council of Europe Convention.

#### 10. International Cooperation

International cooperation is vital to combat trafficking in human beings. In recognition of this, the Office of the National Coordinator on the Fight against Trafficking in Human Beings has taken a series of measures, the most of important of which is the Agreement with Greece on Protection and Assistance to Child Victims of Trafficking.

It was ratified by Albania in May 2006, and ratification is expected by the Greek Parliament soon. The ratification of this Agreement paves the way to undertake the identification and return of Albanian children residing in Greece to Albania.

#### 11. Conclusion

I would like to thank you once again for inviting me to speak here today. If you have any questions, I am more than happy to answer them.