

GENDER ALLIANCE FOR DEVELOPMENT CENTER

CREATING ECONOMIC OPPORTUNITIES FOR WOMEN IN ALBANIA: A STRATEGY FOR THE PREVENTION OF HUMAN TRAFFICKING

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¹ At the time of interview, this key informant has been in the position of Vice Director, substituting the director Ms. Mariana Meshi.

FOREWORD

The impact of the transition processes in Central and Eastern Europe (CEE) on both populations generally and women specifically, continues to cause debate among experts and policy makers. Clearly, many people have benefited from opportunities that have emerged during the transition. It can also be argued that economic restructuring which has led to a dramatic increase in unemployment, poverty and inequality, has had a negative impact on the economic security of both men and women.

Women in the CEE region continue to suffer discrimination and violation of their rights, most notably in their unequal participation in decision making and as victims of violence, and according to some evidence, also in employment. However, conclusions about women's position in the labour market are often conflicting due to inadequate data as well as an inadequate understanding of existing data. The United Nations Development Fund for Women (UNIFEM) therefore believes it is important to support initiatives that shed light on women's true situation in economic life through in-depth analysis that applies a human rights lens, particularly in areas that remain hidden behind conventional quantitative measures.

This study is one of five supported by UNIFEM. Each study explores a specific aspect of women's engagement in economic life in the national setting: women's engagement in informal work in Bulgaria; the impact of budgetary

allocations in the agricultural sector on the situation of rural women in the municipality of Gjakova, Kosovo; women's low labour market participation and high unemployment in Kosovo; and women's working conditions in the FYR of Macedonia. The present study focuses on the link between women's lack of economic opportunities and their vulnerability to trafficking in Albania.

UNIFEM support for the studies was premised on a belief that the *process* of working on them was as important as the *product*. Indeed, work on these reports has enhanced the capacity of local actors for analysis and advocacy around women's position in the labour market. Cooperation between gender equality advocates, experts (economists and statisticians in particular), and policymakers has also been strengthened. Finally, the research and consultation process has contributed to greater awareness of the need to improve both the collection of gender statistics as well as the analysis of available statistics.

The case study *Creating Economic Opportunities for Women in Albania: A strategy for the Prevention of Human Trafficking* reveals that the major factors that increase the risk of trafficking for women in Albania are poverty, lack of economic opportunities, low level of education, domestic violence, and inadequate law enforcement. The study sheds light on the ways in which trafficking prevention strategies can be linked with economic development and social

inclusion strategies so that a more holistic, long-term approach to anti-trafficking is developed that addresses the root causes. The principles of gender equality and protection and promotion of the human rights of victims or potential victims of trafficking must lie at the core of all anti-trafficking interventions.

The findings that emerge from this study, together with the four others, feed into a new UNIFEM regional report: *The Story Behind the Numbers: Women and Employment in Central and Eastern Europe and the Western Commonwealth of Independent States*. These reports will serve to advocate for the integration of gender dimensions within employment and economic development plans, in line with national and international commitments to gender equality and the full realization of women's human rights.

A handwritten signature in black ink, appearing to read 'Osnat Lubrani', written in a cursive style.

Osnat Lubrani
Regional Programme Director
UNIFEM Central and Eastern Europe

ABBREVIATIONS

CAAHT	The Albanian Initiative: Coordinated Action against Human Trafficking	UNICEF	United Nations Children's Fund
CEDAW	Convention of the Elimination of all Forms of Discrimination against Women	UNIFEM	United Nations Development Fund for Women
DCM	Decision of Council of Ministers	UHCHR	United Nations Office of the High Commissioner for Human Rights
EU	European Union	WID	Women in Development
GAD	Gender and Development	WRATE	Women's Rights Education Project
GTZ	Deutsche Gesellschaft für Technische Zusammenarbeit		
ICMC	International Catholic Migration Commission		
ILO	International Labour Organization		
IOM	International Organization of Migration		
MAC	Migrant Assistance Centre		
MDGs	Millennium Development Goals		
NSSSED	National Strategy for Social Economic Development		
MPO	Ministry of Public Order		
NES	National Employment Service		
NGO	Non-governmental organization		
NPF	Help for Children (Ndihmë për Fëmijët)		
OECD	Organization for Economic Co-operation and Development		
OSCE	Organization for Security and Co-operation in Europe		
ODIHR	Office for Democratic Institutions and Human Rights		
UNDP	United Nations Development Program		
UNHCR	United Nations High Commissioner for Refugees		

INTRODUCTION AND AIMS OF THE REPORT

In the early and mid-1990s, after the overthrow of the communist regime in Albania, migration from rural areas to more developed ones was perceived as one of the main ways to escape poverty. Albanians did not restrict their movements to the country, however. They also migrated abroad. Despite the economic advantages of migration, it led to severe social and economic consequences at home, including the trafficking of women and children.²

Trafficking remains a hot topic in the Balkan region. The problem is linked to the regional political, economic and social upheavals of the 1990s, which not only paved the way for organized crime but also increased the vulnerability among women and children for trafficking. Each country in the Balkans has a specific set of conditions that has engendered trafficking. The years between 1992 and 1997 will be remembered in Albania as the time when many types of trafficking thrived—especially that of young women and children.

This report gathers and analyzes information on human trafficking in Albania and explores its relationship to the economic opportunities (or lack thereof) among women in that country. The research arose out of a significant need for data and analysis on trafficking in Albania, as well as a

² Limanowska, Barbara. Trafficking of Human Beings in South-eastern Europe. UNICEF: 2003, p. 33–34.

deeper understanding of the role that employment plays in human trafficking.

The overarching goal of the report is to provide evidence-based analysis that can serve as a mechanism for change. By providing recommendations for the prevention of human trafficking and the repatriation and social integration of trafficking victims, the authors specifically intend to help national women's groups and other intermediary organizations: 1) identify and understand the issue of human trafficking; 2) design strategies to increase employment opportunities for Albanian women; and thus 3) improve the ways to achieve gender equality in Albania.

In Chapter One, the authors' methodology is presented and analyzed for its strengths and weaknesses.

Chapter Two explores the root causes of human trafficking in Albania, linking them to both the social and economic situation of Albanian victims of trafficking and the political situation of the country itself.

Chapter Three focuses on the national and international efforts to prevent and combat human trafficking in Albania, including repatriation and integration of victims that are undertaken in accordance with the existing legal framework and institutional mechanisms.

Chapter Four gives a summary of the national and international policies on human trafficking, employment, and gender equality in Albania.

Chapter Five explores the laws on employment services for women in Albania and raises one of the guiding questions of this research: Do specific laws or regulations, government measures, and/or local and international efforts create or increase employment opportunities for women in Albania?

Chapter Six gives a summary of existing data on employment and trafficking in Albania. Special attention is paid to the experiences, opinions, concerns, feedback and recommendations shared by the victims of trafficking as well as key informants.

Chapter Seven explores two regions in Albania, Fier and Lezha, both of which have (and continue to have) high incidences of human trafficking.

Conclusions of the research are presented in Chapter Eight. Specific recommendations are made to the Albanian government, international institutions and organizations, and to Albanian non-governmental organizations (NGOs).

CHAPTER ONE: METHODOLOGY, DATA GATHERING, VALIDITY AND LIMITATIONS

Despite growing literature and increased interest during recent years, available information on human trafficking remains limited. Consequently this study relies substantially on primary sources, consisting of interviews with victims of trafficking and key informants. Secondary data, in the form of information published by national and international human rights organizations, rounds out the research.

Primary data

This study uses interviews with female victims of trafficking as a primary source. Interviewing a victim raises a number of ethical questions and safety concerns for all involved.³ Having a sound understanding of the risks, ethical considerations, and the practical realities related to trafficking can help minimize the danger of exposing the victim and increase the likelihood that she will disclose relevant and accurate information.⁴

³ WHO ethical and safety recommendations for interviewing trafficked women. WHO, London School of Hygiene and Tropical Medicine, Daphne Program of the EU. London: 2003.

⁴ Ibid.

⁵ Ibid, page 4.

Following the ten guiding principles to the ethical and safe conduct of interviews with trafficking victims,⁵ the research team solicited the help of social workers employed at two women's shelters in Albania, Vatra in the district of Vlora and Different & Equal in the district of Tirana. The social workers, who also helped draft the interview questionnaire (See Annex 1), had close contact to the victims prior to the interviews.

At the time of the interviews, all of the victims were living in either Vatra or Different & Equal, both of which provide a range of services to victims of trafficking. The interviews were semi-structured; open-ended questions allowed the interviewee to express herself freely. Questions focused primarily on the period before and after the trafficking; this reduced interview length and helped identify any economic indicators.

In total, the social workers conducted 10 individual interviews with female victims of trafficking. Data collected includes:

- > Age and place of birth;
- > Family situation prior to being trafficked (marital and family status, area of origin, education, economic status, size of the family, parent's/husband's economic and educational status);
- > Situation during the trafficking period (period of leaving Albania, the destination country, the reasons of leaving/escaping home, the person/s who helped her to escape, the information on the destination country and on the type of job she would do);

- > Experience during the reintegration process (the period of returning home, the reasons for returning home, the relationship with the family members, the vocational trainings and possible employment opportunities, information about the victim's opinions about her future).

The study also relies on 10 individual interviews with key informants as a primary source. Informants, identified during a round table event, include people working at Albanian governmental and non-governmental organizations that deal with trafficking. Since these key informants came from different institutions and had different experiences in dealing with trafficking issues, they were given individual questionnaires. The open-ended format of these questionnaires facilitated the gathering of the most information possible.

A follow-up with key informants as well as other stakeholders involved in anti-trafficking efforts in Albania was intended to be a part of this research. However, the Albanian government has since changed. Therefore, the results will be presented to a new group of people to share the draft report findings and recommendations, as well as receive feedback and suggestions. In addition, advocacy efforts will be made regarding the necessary changes indicated in Chapter Eight.

Secondary data

The research team obtained a considerable amount of secondary data in the form of literature from different national and international organizations dealing with trafficking issues of Albanian women. The literature includes various findings, best practices, lessons learned and recommendations.

To analyze the nature of the link between trafficking and economic status, the research team used the most current data available. For information dealing with human trafficking, the administrative records of the Ministry of Public Order (MPO) and the national institute of statistics (INSTAT) were of great importance. It must be noted, however, that the information available to this report's researchers was very limited in terms of measuring the true extent of the relationship between human trafficking and economic status.

There is ample data regarding the economic status of Albanian women thanks to INSTAT's Population and Housing Census of 2001 and its Living Standards Measurement Survey of 2002. Information on the main characteristics and trends of the labour market in Albania derive from the administrative records of the Ministry of Labour and Social Affairs and INSTAT. It must be noted that there a number of problems exist with such data, including: poor or inaccurate representation of women in administrative data; high statistical inactivity in survey data with no explanation for this inactivity; a large, undocumented informal labour market; and out-of-date data.

Important definition

According to the UN Convention on the Rights of the Child, Article 1, a child means every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier.⁶ Since this Convention is signed and ratified by Albanian government,⁷ a girl child is any woman who is unmarried, even over 18 years. For other important definitions, please refer to the Annex 2: Glossary of Terms.

Methodology limitations

We understand that the primary and secondary sources used in this study lack strong statistical backing. However, both represent the best current data available on the subject of human trafficking and the labour market in Albania. Together, the data are used to create a more holistic view of human trafficking and its relationship to economic status. Above all, this report has uncovered the need for more and better statistical information regarding human trafficking in Albania. The lack of reliable, representative and comparable statistics on trafficking continues to be an obstacle to effective counter-trafficking policy measures.

⁶ General Assembly resolution 44/25, The Convention on the Rights of the Child. September 2, 1990.

⁷ <http://www.unicef.org/crc/fulltext.htm>, accessed November 5, 2005.

CHAPTER TWO: THE SITUATION OF TRAFFICKED ALBANIAN WOMEN AND GIRLS

2.1 Who is trafficked and how are they recruited?

Human trafficking continues to be one of the major concerns of governments and organizations active in fields such as migration, human rights, gender, poverty, and the fight against organized crime. A most disturbing violation of human rights, trafficking in persons can be understood as a multi-staged process, starting with recruitment, followed by transporting the victims (often across borders), and ending with various types of exploitation in the area or country of destination. Deception, coercion, and physical and mental violence are common throughout the process.

Several discussions are being held on Albania's role and position in the trafficking process. According to Rebecca Surtees, trafficking victims in South-eastern Europe come from Albania, Romania, Moldova, Bulgaria, Kosovo and Serbia and Montenegro.⁸ These nationalities accounted for 90 percent of the victims who received assistance between

2000 and 2004. The fifth-annual *Trafficking in Persons Report* states that Albania was considered “a source country for women and children trafficked for the purposes of sexual exploitation and forced labour, largely to Greece and Italy” but is now “significantly decreased as a transit country for trafficking in Western Europe”.⁹

Debates on the actual number of trafficked women make it hard to gather reliable statistics on human trafficking. However, a number of studies have generated data on known victims. A report based on interviews with 125 women and conducted by Save the Children, the International Organization for Migration (IOM), and the International Catholic Migration Commission (ICMC), reported that 60 percent of Albanians trafficked for prostitution were under the age of 18.

Moreover, an Albanian NGO called Women in Development estimated in 1999 that there were around 30,000 Albanian women working in Western Europe as prostitutes.¹⁰ A significant number are thought to have been trafficked by Albanian men—boyfriends, family members or relatives of the victims. According to the same report, victims of trafficking were generally women and girls from 16 to 22 years old. There were also cases of divorced women who accepted work abroad to support their children.

⁸ Surtees, Rebecca. *The Second Annual Report on Victims of Trafficking in South-Eastern Europe*. Regional Clearing Point. Geneva: International Organization for Migration, 2005.

⁹ *Trafficking in Persons Report*. U.S. Department of State Publication 11252. Washington, DC: Office for the Under Secretary of Global Affairs, June 2005, p. 4.

¹⁰ IOM/UK Department for International Development, 1999, p. 2.

A more recent study on forced labour and human trafficking confirmed that in industrialized countries, victims of trafficking are overwhelmingly foreign women.¹¹ While some are sold into prostitution by their parents, relatives or kidnapped, the data shows that most victims are recruited under false pretences. Marriage and the promise of employment, ranging from babysitter to film star, are identified as the top two ways that women are recruited. Victims are not restricted to rural areas. Marriage for the purpose of trafficking is reported in the capital of Tirana as well as other large towns such as Lushnje, Berat and Elbasan.¹²

Based on a survey of 54 penal decisions related to human trafficking,¹³ traffickers trick or force women into prostitution by:

- > Luring them into marriage and living abroad;
- > Assuring them employment and better living conditions abroad;
- > Cheating through intermediation of another woman;
- > Threatening their lives and those of their family;
- > Compromising with gifts, money or other material obligations.

While some women realize that they are being recruited to work in the sex industry, other women do not. These find out upon arrival and are forced to engage in prostitution to pay off fraudulent debts. Some women only find out about

¹¹ Belser, Patrick. *Forced Labour and Human Trafficking: Estimating the Profits*, Working Paper 42, International Labour Office, Geneva, March 2005.

¹² Vatra Annual Report 2003. Tirana: 2004.

¹³ Survey: Monitoring of District Courts' Decisions of Tirana, Shkodra and Vlora on Human Beings Trafficking (2001-2003). Tirana: Centre for Legal Civic Initiatives, 2005, p. 43.

their “debts”—fees for travel agents, smugglers, labour contractors and so on—after they are transported. In this regard, recruitment entails informal networks including introductions through friends or agencies offering to facilitate travel and provide jobs abroad.¹⁴

2.2 Root causes of trafficking of Albanian women and girls

The root causes can be divided into push and pull factors. Push factors are those inherent in Albanian women and girls themselves or their immediate surroundings, including the legislative, institutional and general social and economic conditions. Pull factors are those considered outside the victims' immediate surroundings, such as the demand for, and high profitability of, human trafficking.

The reason trafficking remains an issue in the Balkan region is linked to the political, economic and social upheavals of the 1990s, which not only paved the way for organized crime but also increased the vulnerability of women and children to trafficking. Each country in the Balkans has a specific set of conditions that has engendered trafficking. The years between 1992 and 1997 will be remembered in Albania as the time when many types of trafficking thrived—especially that of young women and children. Legal vacuums in Albania between 1992 and 1995 are considered one of the main factors that helped strengthen trafficking networks. Political instability coupled with high

¹⁴ II Research Report On Third Country National Trafficking Victims in Albania. Tirana: IOM and ICMC, June 2002.

unemployment and poverty have worked together to create an atmosphere conducive to entrenching trafficking networks into the fabric of Albanian society.

2.2.1 Push factors

Labour market conditions

According to data drawn from INSTAT,¹⁵ the 2004 working age population comprised 65 percent of the total population (those between 14 and 65). While the economically active population (those working or seeking employment) accounted for 58.8 percent of the working age population, the rate changes when calculated by gender, with 69.9 percent of men and 47.2 percent of women economically active. As a percentage of the employed population, women account for just 39 percent.

The economically inactive population (students, soldiers, housewives and the worker aged population not seeking employment) comprised 41.2 percent of the total population. Again, the differences between women and men are large, with more than 50 percent of women completely inactive compared only to just 30 percent of men.

INSTAT reports that employment rates for 2004 stood at 50.3 percent (931,000 persons) of the working age population. Of these, 62.08 percent (587,000) were men and 37.92 percent (353,000) were women. Moreover, from 1994 to 2004, statistics point to a higher unemployment rate

among women compared to men. The national unemployment rate at the end of 2004 was about 14.4 percent. This indicator was higher among women (17.5%) compared to men (12.4%). It was also higher for younger age groups, but a difference between women and men existed in all age groups. Essentially, women face higher unemployment rates than men. However, it is important to note that the rate given by INSTAT is based on registered unemployment, which does not take into account informal or undeclared work.

Based on information drawn from Different & Equal, the shelter for victims of trafficking based in Tirana, we know that few of the assisted victims worked before being trafficked (20 to 30 percent out of 200 from 2002-2005). Moreover, those who worked before being trafficked did so under difficult conditions: 16 hours per day and low wages. Tailoring and hairdressing were given as the only income-generating activities for women living in rural and small urban areas; however, even these jobs did not provide the necessary income needed to survive. Inactivity, high unemployment and low paid work are thus identified as some of the most important labour market conditions increasing the risk of trafficking.

Poverty

It is widely accepted that unemployment and poverty are closely linked. However, there are situations in which economic activity does not generate enough income to lift people out of poverty. According to the *National Human Development Report* on Albania, rural areas, which are

¹⁵ Women and Men in Albania 2004. Tirana: INSTAT, 2005, p.13–15.

home to half of the population, continue to be the poorest part of the country.¹⁶ At least 29.6 percent of the Albanian rural population lives below the poverty line as compared to 20.1 percent of the urban population. By 2004, agricultural activities represented almost 60 percent of sectarian employment in Albania.¹⁷

In contemporary literature, poverty is considered a root cause leading to human trafficking and women are identified as the most at-risk among victims. “Women particularly have fewer choices and are disproportionately excluded from access to economic resources; and the increase in trafficking in women and children is directly linked to the feminization of poverty as a result of the transition process.”¹⁸ Based on data supplied by the shelters in Tirana and of Vlora, victims come from a wide range of economic backgrounds, from poor to well-off. Most of the victims, however, report that they come from poor families.

It is important to bear in mind that the definition of poverty, in this case, is based on the victims' perception. For example, a victim from Tropoje, a rural area in the north of Albania, does not identify herself as poor as long as she has something to eat on the table. In other words, she

¹⁶ “Pro-Poor and Pro-Women Policies: Operationalizing the MDGs in Albania.” National Human Development Report 2005. Tirana: UNDP/SEDA, March 2005.

¹⁷ <http://www.instat.gov.al/>, accessed February 25, 2006.

¹⁸ Limanowska, Barbara. Trafficking in Human Beings in South-East Europe: An inventory of the current situation and responses to trafficking in human beings in Albania, Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia and the former Yugoslav Republic of Macedonia. UNICEF: August 2000, p. 6.

cannot perceive that poverty does not equate with hungry. In fact, poverty is a complex and multidimensional phenomenon that captures various dimensions of deprivation. Poverty is hunger; poverty is homelessness, illness and/or no access to medical care. Poverty is unemployment and an insecure future. It is being illiterate and lacking services and tools necessary for daily life.¹⁹

Inadequate legislation and/or enforcement difficulties

In chapter four we describe and analyze the Albanian legal framework on employment and trafficking. Here, we merely wish to emphasize that inadequate legislation and enforcement difficulties have been push factors since the 90s. Even though legislators have made several improvements to the laws, strategies and measures dealing with human trafficking since data for this report was collected, their implementation depends on increased financial and human resources.

According to the *Trafficking in Persons Report 2005*, Albania does not “fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so”. The Albanian government remains committed to monitoring and preventing trafficking at the country's main ports and has produced successful interdictions. However, implementation of Albania's anti-trafficking tools is inadequate and a critical area of concern. Better protection and reintegration of victims is needed to ensure their safety. The

¹⁹ “Pro-Poor and Pro-Women Policies: Operationalizing the MDGs in Albania.”

government must enforce existing laws and programs, in addition to improving prevention for at-risk groups. Trafficking-related corruption must also be addressed.

Gender inequalities

The trafficking of Albanian women and girls is linked to a cultural bias that considers women as human beings without rights and totally dependent on men. Gender inequalities and traditional mentalities are key factors related to gender violence and human trafficking in Albanian society.

Interestingly, almost all the women assisted at Vatra and Different & Equal shelters were victims of domestic violence before being trafficked.²⁰ Furthermore, they perceive domestic violence as something normal. Regional gender and development professionals believe this misperception is related to a patriarchal family structure in Albania in which the man dominates the family as the breadwinner and head of household. Women are raised and educated as subordinate. Since gender inequalities are entrenched in social attitudes, change is difficult and slow. The Albanian legislature is doing little to help, as discussed in Chapter Four. (See Chapter Six for a more in-depth analysis of the socio-economic conditions that increase the risk of Albanian women to trafficking.)

²⁰ Interviews with victims and key informants.

Extended families/one-parent families

Victims of trafficking say they come from large extended families, single-parent families, divorced parents, or families with other difficulties. The average family size is five to six members.²¹ Extended families and poverty are closely linked. Based on the interviews conducted and literature analyzed, a high correlation can be assumed between an increased incidence of trafficking and: 1) the socio-economic status of the victims' family of origin; 2) the presence of gender inequalities; and 3) domestic violence. According to INSTAT's *Living Standards Measurement Survey of 2002*, the average household size among the poor is 5.7, compared with a household size of four among the non-poor. Poverty rates are highest (50% or higher) among large households (seven or more members) regardless of geographic location.

Internal migration

Another factor influencing human trafficking, according to a 2005 Vatra report, is the migration of Albanians from the north to central and southern coastal areas, as well as from rural to urban regions in general. According to Different & Equal, out of 200 victims, 70 to 80 percent had moved with their families (mainly from the north) to urban areas of central and coastal Albania.²²

²¹ Different & Equal shelter, Tirana, 2005.

²² Amarilda Manushi, Social Worker at Different & Equal, interview by research team, Tirana, July 27, 2005.

From 1989 to 2001, Tirana, Durres, Fier, Vlora and Lezha had the highest internal migration rates. Figures from the Ministry of Public Order indicate that trafficking victims for 2002-2004 most often come from Tirana, Durres and Fier.

External migration

Massive emigration after the 1990s resulted in a gender imbalance, with many male Albanians leaving their families behind. Given the traditional structures underlying Albanian society described above, women and girls became more vulnerable. The initial political instability, social unrest and the economic downturn associated with the change in the government between March 1991 and 1992 led to the largest surge of Albanian migration. An estimated 300,000—almost 10 percent of the population—left primarily for Greece and Italy.²³ A recent desire among younger women to emigrate has further increased their vulnerability to trafficking.

Poor education level

According to different reports and research conducted on the trafficking of Albanian women, the majority of victims has a low educational background and come from a poor stratum. In this context, the victim's level of education and poverty are intertwined and reinforce each other. The average education of victims assisted in Different & Equal is five to six years of school. During 2004, 9 percent of victims helped at Vatra were illiterate; 64 percent of them had completed only four to eight years of education.

²³ "Pro-Poor and Pro-Women Policies: Operationalizing the MDGs in Albania." March 2005.

Income differences among poorer and richer groups start at low levels of schooling and increase with years completed. The poor complete fewer years, and the differences in income are small for the first eight years of education but increase significantly afterwards. The enrolment rate in secondary school is 46.7 percent for non-poor and 19.4 percent for poor; 62.2 percent in urban areas and 24.9 percent in rural areas.²⁴ Regarding secondary education in 2004, the ratio of girls to boys in rural areas was 0.82:1 while in urban areas it was 1:1.²⁵

Age

Youth also increases the risk of being a victim of trafficking. Difficult economic conditions and traditional, patriarchal social structures encourage many Albanian girls to drop out of school at a young age to work or get married. According to the case histories of 231 victims assisted by Vatra in 2004, 48 girls were from 14-18; 109 were from 18-25; and 74 were 25-30. (Bear in mind that these ages represent victims returned to Albania after having spent years as forced prostitutes in Italy, Greece and other European Countries.) In addition, based on the Thematic Country Evaluation carried out on behalf of Save the Children by Gender Alliance for Development Centre in 2004, 17 out of 20 victims were trafficked when younger than 18 years.

²⁴ World Bank, 2003.

²⁵ Albanian Ministry of Education, 2004.

Geographical position

Geographical position plays another important role in human trafficking. Girls from rural areas and the northern part of Albania are at greater risk of being trafficked; however it is difficult to draw conclusions. According to Vatra, out of 84 cases referred to the centre in 2003, “more than 80 percent are from rural areas, particularly from north and north-eastern areas”. However, just one year later, 52 percent of the victims came from rural areas. It is difficult to determine the real number, since victims raised in villages may report residing in nearby urban areas. Poverty among the young is above the national average, and is highest among rural children.²⁶

Ethnicity: Roma and Egyptian origin

Egyptian and Roma communities are considered at-risk groups. “The fact is that nearly 52 percent of the victims involved in the trafficking come from Egyptian or Roma communities. During 2003, out of 270 female victims treated at Vatra, 142 belonged to families of the Egyptian and Roma communities; 70 percent were minors.”²⁷ Trafficking is often labeled as a “Roma” or “gypsy problem”. This view increases discrimination against the Roma and generates stereotypes.²⁸

²⁶ World Bank, 2003.

²⁷ Vatra Annual Report 2003, p. 19.

²⁸ CPRSI research trip to Albania. “Trafficking in Children from Roma and Egyptian Communities.” ODIHR, 2003, p. 4.

2.2.2 Pull factors

Demand for the sex trade in western countries

An economic approach to human trafficking argues that in order for the market to exist there must be demand. The intention is not to blame countries where the demand exists. On the contrary, the considerable efforts by western countries to fight trafficking and help victims to return home deserve applause. However, for a sex trade exists in western countries and it is important to acknowledge it as a contributing factor to human trafficking, and measures should be taken to address the issue.

On one hand, some are willing to risk being trafficked in order to improve their quality of life. On the other hand, there is an undesirable trend in industrial countries to use cheap or undeclared labour forces, as well as exploiting women and children through the means of prostitution and pornography.²⁹

Highly profitable activity

The trafficking of Albanian women and girls has been fuelled by the fact that it results in quick and extremely high earnings for the traffickers.³⁰ For this reason, organized crime is often involved. A European Parliament Report on the illegal sex industry in the European Union estimates that it generates more money per year than the total of all

²⁹ Bregu, Majlinda. Throw-away women from Albania to Italy: The genesis and characteristics of the Albanian female prostitution phenomenon. PhD Thesis. 2004.

³⁰ This term is also commonly referred to as a pimp or perpetrator in legal context.

military budgets in the world (\$5,000 - 7,000 billion).³¹ The UN estimates that some four million individuals, principally girls and women, are transported annually within and between countries for the purpose of sexual exploitation.³²

Lack of hope within the country and belief in a better life abroad

The drastic changes that have taken place in Albania since 1990 have been accompanied by a lack of hope, causing immigration to be viewed as the best alternative. Neighboring countries such as Greece and Italy are most accessible because of geographic proximity—it is cheaper to get there than anywhere else.

The belief that emigration offers a better life is also reinforced by media, which shows unrealistic images of life abroad, as well as by neighbors and relatives living outside the country. According our, in almost all cases, trafficking victims were assured that a relative or neighbor living abroad would guarantee them a job in the new country.

2.3 Conclusion

All of the above mentioned push and pull factors are interconnected and contribute to the problem of human trafficking. However, it is important to note that push and pull factors alone do not contribute to the trafficking of Albanian women, since many women and girls facing the same problems do not become victims. Rather, push and pull factors should be considered risk factors that increase the probability of human trafficking in direct and significant ways.

³¹ European “Report on sex industry in the European Union.” Brussels: European Parliament, April 15, 2004, p. 15.

³² Ibid.

CHAPTER THREE: NATIONAL AND INTERNATIONAL MEASURES AGAINST HUMAN TRAFFICKING

3.1 Main governmental measures to tackle the problem

Two of the most important efforts³³ against human trafficking include the Albanian National Strategy for Combating Trafficking in Human Beings (2001-2003), and the Albanian National Strategy for Combating Trafficking in Human Beings and the Strategic Framework and National Action Plan: 2005-2007.

According to several interviews and round tables organized in Albania in the context of research for this report, human trafficking is on the rise partly because of the quick and easy way for pimps and perpetrators to exploit women and girls in the sex trade. Albania has taken considerable efforts to fight this trend. In 2004, Albanian courts prosecuted 132 human traffickers and handed down 121 convictions. More

³³ Others include the Anti-Mafia Package with the following measures: Law No. 9205: "Witnesses and Justice's Collaborators Protection"; Law No. 9275: "Supplement and Changes to The Criminal Code of Republic of Albania"; Law No. 9276: "Supplement and Changes to The Criminal Code of Albania"; Law No. 9284: "Prevention and Combating Organized Crime".

than half of those convicted received more than five years in prison; 30 traffickers were sentenced to more than 10.

Another measure of importance is referred to as "The Iron Net" Operation, undertaken by the state police in 2004. The target of this operation was to identify and sequester assets gained through trafficking, such as hotels, motels and boats.

According to the annual report produced by the Ministry of Public Order,³⁴ the state police in 2004 identified 759 criminal acts perpetrated by 1,134 people. Out of these, 44 percent were arrested, 47 were released under bail, and 9 percent had not yet been tried. In addition, the police took action against 30 criminal groups, in which 101 perpetrators were indicted for involvement in prostitution rings as well as trafficking in children and weapons. The police also seized 115 cars and 15 vessels stolen from other countries and used to traffick human beings.

3.2 Programs implemented in Albania

3.2.1 Measures on prevention, combat and the reintegration processes

Most programs focused on preventing human trafficking include media awareness campaigns, educational and training programs, and activities organized by women's shelters, youth clubs, police officers and judges. The

³⁴ "On the work done by the State Police during 2004 and some orienting tasks due for 2005." Prepared by Bajram Ibraj, General Director, Albanian State Police. Tirana: Republic of Albania, Ministry of Public Order—General Directorate of State Police, December 23, 2004.

Ministry of Education, for example, is incorporating prevention activities into school curricula. And in 2004, the government adopted a newly improved national action plan that outlines a comprehensive and targeted approach to combat trafficking.³⁵ Only recently, however, have these efforts been coordinated, and they have yet to be embedded in wider economic and social development policies.

In total, Vatra has assisted 1,270 victims of human trafficking between 2001 and 2005.³⁶ One of the shelter's most important media-awareness campaigns took place in 2003-2004. Activities included training sessions and round tables with local high school students, as well as newspaper articles, leaflets and radio and television discussions. Issues discussed included the causes and consequences of human trafficking, recruitment patterns, and the rehabilitation and reintegration of victims back into society. For the trainings, Vatra organized 45 sessions in which 200 women from five regions participated.³⁷ Victims and those at risk were offered computing and English language courses, and over an eight-month period, 52 girls acquired vocational skills. Unfortunately, poor follow-up means there is no accurate way to measure whether the program resulted in employment or the reduction of human trafficking.

A local NGO, Help for Children (Ndihmë për Fëmijët or NPF), is helping reintegrate child victims returning from Greece. The program includes assessment of the trafficking

situation in Greece in cooperation with Greek organizations; monitoring of informal repatriation (by NGOs); reintegration of children into schools (special classes, special education, support in adaptation, vocational training); development of a legal model for the protection of trafficked children and lobbying for children's rights.³⁸

During 2002-2005, Different & Equal shelter collaborated with the IOM to help 200 victims of trafficking, most of whom originated from Central and North Albania. The "hottest" recruitment areas were Shore, Troop, Kukus and Ethiopia (See Chapter Seven).³⁹

3.3 International organizations supporting anti-trafficking efforts (in collaboration with Albanian NGOs)

The Organization for Security and Co-operation in Europe (OSCE), the International Organization of Migration (IOM), and the Women's Rights Education Project (WRATE) are some of the main international organizations focused on human and women's rights that have implemented trafficking awareness programs. For example, the IOM, in conjunction with the University of London, conducted a training course on trafficking issues for government officials. Moreover, the IOM has established an information centre

³⁸ Limanowska, Barbara. Trafficking in Human Beings in South-Eastern Europe. 2003 Update on Situation and Responses to Trafficking in Human Beings in Albania, Bosnia and Herzegovina, Bulgaria, Croatia, The Former Yugoslav Republic of Macedonia, Moldova, Serbia and Montenegro, including the UN Administered Province of Kosovo, and Romania. Sarajevo: UNICEF, UNOHCHR, OSCE/ODIHR, 2003, p.133.

³⁹ Amarilda Manushi, interview, August 2005.

³⁵ Ibid.

³⁶ Vera Lesko, Vatra, Director, interview by research team, Vlora.

³⁷ Vatra Annual Report 2004. p. 14.

called the Migration Assistance Centre for individuals seeking assistance on legal migration.

In February 2002, an IOM shelter was opened in Tirana for Albanian victims. This shelter helps long-term cases and provides ongoing reintegration assistance.⁴⁰ The IOM undertook an 18-month campaign to provide information to, and raise awareness among, potential victims of trafficking. The campaign included: training and grassroots networking; seminars and workshops with journalists and government officials; and media coverage, such as brochures, posters, TV spots and press releases.⁴¹

Besides this, the OSCE has supported the WRATE Project, a grass roots campaign started in November 2000 to raise awareness in Albania about women's rights under international human rights conventions and domestic law, and to illustrate how trafficking is an abuse of those rights. The project included teacher training on women's rights and developing a curriculum that teaches about human rights and trafficking.⁴²

A recent and ongoing project looks at immigration issues as a way to help combat human trafficking. Called the "Pre-screening of Asylum Seekers and Migrants in Albania", this project is a joint effort by the United Nations High Commissioner for Refugees (UNHCR) branch office in Albania, the IOM Mission in Albania, the Directorate for Refugees at the Ministry of Interior, and the Albanian Border

State Police. The project helps prevent the unlawful expulsion of asylum-seekers and provides appropriate assistance to victims of trafficking. Since its inception in February 2001 until September 2005, a total of 816 migrants were pre-screened, of whom 206 were asylum-seekers, 148 were victims of trafficking and 462 were economic migrants.⁴³ At the moment, there is no public information on where these migrants are from.

In addition, the OSCE, the UNHCR and the IOM are implementing a project on irregular migrants in Albania. This project covers the whole Albanian territory and is being implemented in close collaboration with the Albanian State Police and the Directorate for Refugees. In the framework of this project, an average of 92 percent of Albanian state border police have been trained on legal issues related to migration, asylum, and human trafficking.⁴⁴

Irregular migrants fall into three categories: asylum seekers, victims of trafficking, and those who require repatriation to their home countries. Categorization is based on migrant statements and their free will (the project does not support forced returns). Upon the finalization of the pre-screening interview, the irregular migrants are referred to different agencies for assistance according to their needs.

Temporary reception facilities have been established at eight border-crossing points⁴⁵ to ensure that the basic

⁴⁰ Limanowska, Barbara. *Trafficking in Human Beings in South-Eastern Europe: 2003 Update*. p.127.

⁴¹ *Ibid.*, p.133.

⁴² *Ibid.*

⁴³ *Ibid.*

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*

needs of migrants are met. Each of these reception halls has two rooms and one toilet. The average accommodation period does not exceed 24 hours—enough time for a pre-screening interview and a needs assessment.

The IOM accommodates trafficking victims at the National Reception Centre for Victims of Trafficking, which is overseen by the Ministry of Labour, Social Affairs and Equal Opportunities. Irregular migrants hoping to return home are also taken to the National Reception Centre for Victims of Trafficking until a separate centre is established.

Save the Children Albania prepared a report on child trafficking in Albania in 2001, which gives information on the exploitation of children (prostitution of girls, begging and cheap labour of boys). This report filled the following purposes: to collect and systematize information about the extent of trafficking and smuggling of Albanian children in terms of number, age and gender; victims' background and socio-economic status; with the aim to establish reliable data on recruitment, means of travel and final destination.

The Directorate for Refugees (formerly the Office for Refugees) signed a Memorandum of Understanding in 2001 with the OSCE, IOM, UNHCR and the International Catholic Migration Commission (ICMC) concerning screening of trafficked women and illegal migrants, asylum seekers and refugees. From 1999 to 2002, the ICMC with the IOM offered protection and assistance to trafficked women. Primarily from Romania, Moldova and the Ukraine, the victims either escaped their traffickers or were caught by the

Albanian police as they attempted to pass through Albania to Italy and other destinations in Western Europe. The ICMC provided the women with temporary accommodation, counseling, and help with repatriation and reintegration. The IOM arranged for new passports and other travel documents that, in many cases, the women had either lost or had confiscated. By August 2002, the ICMC/IOM project in cooperation with the UNHCR and Albanian authorities offered protection and assistance to more than 300 trafficked women. On the 30 September 2002, the ICMC shelter was closed, primarily because of the limited number of women being identified and referred for assistance.⁴⁶

3.4 Conclusions

Although national and international efforts are being exerted to reduce human trafficking, the data suggests that stand-alone initiatives provided by civil society (government, NGOs, institutions and donors) are not enough. Without proper coordination, awareness campaigns cannot be properly monitored, measured or analyzed, which means that improvement is difficult. In addition, funding is generally short-term whereas the problem requires a long-term, strategic approach matched by adequate resources. The result is that the programs in place often do not reach those most vulnerable to trafficking. Not only is a coordinated, nationwide awareness and prevention campaign needed, but civil society as well as individuals must be more involved.

⁴⁶ <http://www.icmc.net/docs/es/programs/cotraff#1>, accessed January 9, 2006.

CHAPTER FOUR: INTRODUCING THE ALBANIAN LEGAL AND INSTITUTIONAL FRAMEWORK ON TRAFFICKING, EMPLOYMENT AND GENDER EQUALITY - IMPLEMENTATION ANALYSIS

4.1 Review of domestic laws

This chapter describes the legal framework in Albania concerning human trafficking as a criminal act, and analyzes it in terms of gender equality and the impact on employment. Employment data is included as an analysis of the push factors as well as victim interviews to underscore the central importance of economic independence of women in any prevention strategy.

Legal framework:

The Albanian legislation specifies “trafficking in human beings” as a crime.⁴⁷ In addition to that, every criminal act related to human trafficking can be prosecuted and punished under the Albanian Criminal Code. Moreover, Albania ratified the Palermo Protocol in 2002, which establishes rules to prevent human trafficking and punish its perpetrators.⁴⁸

Albanian law does not provide a definition of “trafficking in human beings”; instead, it depends upon the following definition in the Palermo Protocol:

Trafficking in persons shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.⁴⁹

⁴⁷ Article 110/a, Albanian Criminal Code.

⁴⁸ United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons. Supplement to United Nations Convention against Transnational Organized Crime. Official Gazette #41, July 2002.

⁴⁹ Ibid.

Several amendments were introduced to the Albanian Criminal Code starting in 2001, among them Laws No. 8733 and 9275,⁵⁰ which specify severe sanctions for sexual assaults on adults and minors, and kidnapping. Regarding civil damages to victims (pain and suffering, lost wages),⁵¹ Article 59 of the Albanian Criminal Procedural Code⁵² states that a person injured by certain criminal offences is entitled to file a petition with the court and to participate in the proceedings as a party in order to testify and to request compensation for the damages suffered.⁵³ These criminal offences include: other intentional harm; infliction of serious or minor injury; violation of residence; insult; libel; unjust interference with someone's privacy; revealing of secrets; refusal to provide financial support; unjust taking of a child; publication of work under a false name; unjust reproduction of someone else's work; unlawful entry by officials on duty into a residence.

Criminal offences concerning trafficking:

The adoption of Law No. 8733 in January 2001 changed Albanian law on human trafficking. This law states that "trafficking in human beings, trafficking in women for

prostitution, trafficking in children for the purpose of material profit or any other profit is punished by five to 20 years of imprisonment or by life imprisonment".⁵⁴ On the basis of this law, amendments were made to several articles of the Criminal Code: trafficking in women for sexual exploitation is punishable with seven to 15 years imprisonment,⁵⁵ and trafficking in children is punishable with 10 to 20 years of imprisonment.⁵⁶ When these criminal offences are committed in collusion, repeatedly or accompanied with mistreatment and physical or psychological threat of injured person to commit different actions or causing serious harm to the health of the trafficked person/woman/child, the punishment should not be less than 15 years of imprisonment.⁵⁷ When causing death to the trafficked person/ woman/child, the perpetrator receives life imprisonment.

The current Albanian Criminal Code provides for sanctions related to criminal offences directly or indirectly associated with human trafficking, including: trafficking of women for prostitution; trafficking of children; illegal border crossings and their aid and abuttal; exploitation of prostitution (including incitement, intermediation, profit); prostitution itself; exploitation of prostitution in aggravated

⁵⁰ Review of Albanian Legislation on Trafficking in Human Beings. Tirana: OSCE Presence in Albania, February 2005.

⁵¹ Note that in the Albanian Criminal Code, "victim" and "injured person" have the same connotation.

⁵² According to the Albanian Penal Code, two different codes exist: the Penal Code and the Penal Procedural Code. Article 59 refers to Penal Procedural Code.

⁵³ This action is referred to in the ACPC as civil lawsuit in a criminal proceeding.

⁵⁴ Country Report on Trafficking in Human Beings: Albania. Presented by the Minister of State to the Prime Minister at the SPTF Meeting in Portoroz, Slovenia, 28-29 March 2003.

⁵⁵ Article 114b of the Criminal Code amended by Law No. 8733 of 24 January 2001. See: www.legislationonline.com, accessed July 22, 2004.

⁵⁶ Article 128b, Law No. 8733, www.legislationonline.com, accessed July 22, 2004.

⁵⁷ Article 110/a-2; 114/b-2; 129/b-2 of the Albanian Criminal Code.

circumstances of minors or people incited or forced to exercise prostitution outside of Albania by criminal organizations; maintenance, exploitation, financing and renting out of premises for prostitution; kidnapping of a person or child under the age of 14; intentional hiding or substituting of a child; unlawful deprivation of a person's liberty and endangering the life or causing physical handicap; physical assault; sexual assault; removal of identification papers; falsification of identification papers; threat; and commission of criminal offences in collusion by armed or criminal organizations.⁵⁸

Important information has been provided by the media about many bars and private hotels being used for prostitution. In this regard, Article 115 of the Criminal Code instructs that “maintaining, exercising, financing, and renting of premises for purposes of prostitution, are punishable with penalty up to 10 years of imprisonment”. Article 128 states that the trafficking of children with purposes of material benefit or any other purposes is punishable with 10 to 20 years in prison.

On March 15, 2004, the Albanian government approved Law No. 9205. This Law is part of an anti-Mafia package, which consists of ways to defend witnesses and justice collaborators. It also consists in organizing, defining, functioning and regulation of competencies of government institutions charged with proposing, evaluating, approving and implementing defense measures. In this regard, the OSCE in Albania has provided technical support by

coordinating a Task Force on Witness Protection prior to existence of the law and helping draft the law.

According to the provisions of Law No. 9205, persons arrested or sentenced for a criminal offence related to trafficking in narcotics, prostitution, and clandestine immigration; who cooperate and assist in the criminal proceedings against them, cannot be given a punishment of more than half of the maximum punishment for the offence they committed. Besides these general protection measures, the Albanian legislation has adopted “special” and “extraordinary” protection measures.⁵⁹ Beneficiaries of this law include witnesses, collaborators, and other additional categories, such as “close”, “related”, and “protected” persons.

It is important to provide legal consultation to victims prior and during court procedures, even though we have not yet identified **any** cases pertaining to the witness and collaboration law in the Albanian Courts. The establishment of bi-lateral agreements between the Albanian government and other countries to implement standardized witness protection is greatly needed, once it is established how exactly the law impacts human trafficking.

At the same time Law No. 9205 was being approved, a Memorandum of Understanding was signed to create the Witness Protection Task Force. This task force aims to help the government protect witnesses provide evidence against traffickers.

⁵⁸ Ibid.

⁵⁹ Review of Albanian Legislation on Trafficking in Human Beings. February 2005.

In spite of all of these legal achievements, gaps exist, especially pertaining to the legal protection of minors; the assistance to child victims of trafficking; foster care laws, and the juvenile justice system.

Another matter of great importance regarding nationwide anti-trafficking activities is the shifting of the Anti-trafficking Unit and the Department of Organized Crime from the ex-Ministry of State for Coordination⁶⁰ to the Ministry of Interior. The role of the Ministry of Interior's vice minister has expanded. In addition to her regular duties, Vice Minister Iva Zajmi is also the national coordinator for anti-trafficking actions in Albania. In the beginning of December 2005, the first official meetings were held to address these responsibilities.⁶¹

Legal framework on gender equality:

The bill on “Measures against domestic violence” is an initiative taken by civil society involving a coalition of Albanian NGOs working on human rights, women rights and gender equality.⁶² Specifically, this bill defines domestic violence as “any action or lack of action regarding murder, intimidation, torture, interruption of pregnancy, causing of suicide, despoilment, habitation infringement, sexual abuse, trafficking, enforcement and exercising of prostitution”. According to Albanian Criminal

⁶⁰ After Parliamentary Elections of July 3, 2005, this ministry ceased to exist.

⁶¹ Ledia Beci, interview by research team, December 16, 2005.

⁶² Drafted in accordance to Articles 78 (1); 81 (1); 83 of the Albanian Constitution.

Code provisions, the refusal to defend victims of domestic violence will be considered criminal acts.

The Family Code recognizes the rights of women and men to be free to choose to marry or divorce, as well as their reciprocal rights and obligations in the family for raising and educating their children.

The Law on Gender Equality fulfils the legal framework in terms of equal rights between women and men. This law places both sexes in equal positions relating to employment, education, decision-making processes, discrimination and sexual harassment. In addition, the law foresees legal punishment in case of infraction. However, neither budgetary provisions have been made nor indicators established to support and monitor its implementation.

Legal framework on employment:

The Labour Code prohibits discrimination based on sex, and enshrines the individual's right to equal employment and training opportunities. In brief, the Labour Code ensures the equal rights of men and women to protection in the work place and to equal pay for the same job.⁶³

⁶³ Additionally, the Labour Code contains specific regulations regarding women. See Articles 54 (3); and 55.

4.2 Review of institutional arrangements and policy

Institutional framework for the advancement of women and gender equality:

The institutional mechanisms for the advancement of women in Albania have evolved over the years, and are reflected in the attention the Albanian government has paid to women's problems and policies it has undertaken and implemented.⁶⁴

One of the paradoxes of Albanian society during this period of transition is the decline of the level and status of the Committee for Equal Opportunities. Once managed by the Council of Ministers, the committee is now overseen by the Ministry of Labour and Social Affairs. This demotion in status and the limited financial resources of this institution do not allow it to play a major role in developing and implementing gender equality policies in Albania.

The Government program of action on gender issues:

The platform of the Albanian government on gender equality for the period 2002-2005⁶⁵ is as follows: women and men should be treated as equals in politics, economics, social

affairs, healthcare and education. One of the platform's main objectives is to pay special attention to rural-area women, who are practically absent from the political and social life of the country because of prejudicial cultural values, norms, and educational opportunities. This political strategy regards the accumulation of gender sensitive statistical data and its interpretation, periodic publication and dissemination as an important step in building social policies that respect gender equality.

Analysis of the existing strategies against trafficking

Anti-trafficking strategy: 2001-2003

In June 2001, an inter-ministerial working group was set up to draft the National Plan of Action (NPA).⁶⁶ In December 2001, the government adopted the National Strategy against Trafficking in Human Beings (decree No. 674), which incorporates the NPA. During the same year, the Committee of Equal Opportunities also prepared the National Strategy for Children. Both strategies are strengthening the partnership and networking between the Albanian government and NGOs.

Anti-trafficking strategy: 2005-2007

The government has prepared and approved the Albanian National Strategy for Combating Trafficking in Human

⁶⁴ "Initial, and first, periodical national report on the Convention for the Elimination of all Forms of Discrimination Against Women." The Committee for Equal Opportunities. Tirana: OSCE, May 2002, p. 20.

⁶⁵ Excerpts from "Government Platform on the Equality between Women and Men." <http://www.cwf.gov.al/>, accessed September 29, 2005.

⁶⁶ National Strategy to Combat Trafficking in Human Beings (draft). Council of Ministers: Nov 2001, p. 12.

Beings: Strategic framework and National Action Plan: 2005-2007. The purpose of this plan is to consolidate progress made, whilst at the same time develop new legislative and institutional approaches to meet the changing nature of human trafficking, and create a more systematic, credible and verifiable statistical approach to measuring output.⁶⁷

National strategy on migration (20.12.2004)

The Albanian government, with the support of IOM, has envisioned the adoption of a National Strategy on Migration since 2002. Emigration in particular is an important concern for Albania, since it has one of the highest immigration flows in the world. In just over a decade, about 20 percent of Albanians has left the country.⁶⁸

While there is no official data on external migration, INSTAT figures for internal migration are as follows:

**Table 5:
Data on internal migration in Albania 1989-2001**

Total	299,532 (100%)
Men	134,102 (44.8%)
Women	165,430 (55.2%)
Under 18 years old	
Men	111,805 (43.8%)
Women	143,276 (56.2%)

Source: *Census 2001*.

⁶⁷ National Strategy to Combat Trafficking in Human Beings 2005-7. Council of Ministers: 2005, p. 1.

⁶⁸ National Strategy on Migration—Albanian government. IOM and Cards Program—European Union. Tirana: December 20, 2004, p. 3.

The fact that more females than males are migrating (See Table 5) in both age groups is important in terms of the demographic imbalances it might be creating, not to mention the impact on the future of rural areas with reduced populations. The consequent lack of opportunities, poverty and gender inequality can continue to reinforce this trend.

The massive scale of Albanian emigration and its impact on all levels of society has prompted the Albanian government to act. It approved Law No. 9034 date in March of 2003 to regulate the right to leave the country for employment or self-employment abroad. As previously mentioned, the emigration of Albanian men increases the vulnerability of their family.

Analysis of the existing strategies on social affairs and employment

The strategy of social services: 2005-2010

The draft strategy on social services for the period 2005-2010 includes an employment program whereby women and girls and victims of trafficking can receive vocational and professional training at lower fees (or for free at some public schools) than the rest of society.⁶⁹ To that end, five licensed employment agencies have been approved to mediate employment opportunities abroad, and ensure legal and secure employment. These employment agencies are monitored by the State Inspectorate of Labour in order to avoid possible abuse by these agencies in the mediation of

⁶⁹ Decision of the Council of Ministers No. 632. November 2003.

employment opportunities. In addition, the IOM's reintegration centre has offered its vocational and professional training to 80 victims of trafficking. Some of those who have undergone training have already been employed.

Draft National Strategy for Social and Economic Development (NSSED) 2005

The main policy document of the NSSED for poverty reduction/alleviation and economic development is the Albanian Poverty Reduction Strategy Paper. The paper is the core instrument for meeting various global agreements and treaties on gender equality. An audit of the NSSED regarding gender equality, however, revealed that this central document ensures minimal gender equality. It applies a "women in development" (WID) approach rather than a "gender and development" (GAD) approach. WID is considered an ineffective approach that focuses on "female" problems such as poor school attendance and women's reproductive health issues, whereas GAD is the essence of mainstreaming gender.⁷⁰ GAD allows policy makers to analyze inequalities between men and women across sectors and propose programs to eliminate inequalities. As a consequence, the current status of women in Albania is lower than that of men, a result of neglecting to mainstream gender equity and women's human rights at the policy level.

An NSSED progress report for 2004 includes a few paragraphs concerning human trafficking:

⁷⁰ Zuckerman, E., and A. Garrett. Do Poverty Reduction Strategy Papers Address Gender? A Gender Audit of 2002 PRSPs. Washington D.C.: Gender Action, 2003.

In the efforts made against trafficking and criminal actions: the main directions of the work have been: (i) The improvement of the legal and organic structure; (ii) Knowledge of the geographic spread of the situation on the illegal traffics; (iii) Increasing of the level of collaboration and interaction with the other administrative state organs at the local and central level; (iv) Continuous strengthening of the collaboration with the Serious Crime Prosecution Office and the task-force, in order to exchange the information and to conduct common action; (v) The designing of the action plan about the anti-traffic strategy (which includes a strategy against child trafficking which is in the process of adoption by the government).

The report also acknowledges the trafficking of women and girls to be one of the main problems affecting Albanian society.

Another report, the recently published National Human Development Report,⁷¹ draws on a wealth of data to conclude that the situation and social position of women in Albania has not markedly improved over the past decade. In fact, they have worsened, especially in education, political representation, social security and economics. The widening and deepening of the gender gap continues to be attributed to complex recent developments, like "transition", "restructuring" and "traditions".⁷²

⁷¹ Pro-Poor and Pro-Women Policies: Operationalizing the MDGs in Albania. National Human Development Report March 2005.

⁷² Wittberger, Dolly. Gender Assessment and Recommendations Strategies of Employment, Social Services and Social Insurance formulated by the Republic of Albania, Ministry of Labour and Social Affairs, 2004. Tirana: Gender Alliance for Development Centre, 2005, p. 7.

Strategies for Employment, Social Services and Social Insurance

The document set forth in 2004 by the Ministry of Labour and Social Affairs Strategies for Employment, Social Services and Social Insurance, provides a road map for Albania's socio-economic development at least through 2007 (in some cases, the road map goes to 2020). The ministry address issues in the fields of unemployment, employment, enterprise, social security and social insurance.

As mentioned in earlier chapters, being registered as an unemployed person in the Public Employment Service offices is a pre-requisite for both employees and employers to receive benefits, subsidies and services offered through new legislation. Given that more men than women are beneficiaries of the new legislation, and registering for unemployment is cumbersome, it is difficult to measure how effective the new measures are as tools to prevent the trafficking of women and girls.

4.2.1 Review of international arrangements and agreements

Newly passed legislation tackling organized crime results in the need for bilateral agreements between nations. In this section, we point to the international agreements to which Albania is already a party, and to other on-going, mostly regional processes that are relevant to trafficking issues.

International agreements

CEDAW - The Albanian Parliament ratified the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) in December 1993. First adopted in 1979 by the UN General Assembly, CEDAW is often described as an international bill of rights for women. Consisting of a preamble and 30 articles, it defines what constitutes discrimination against women, and sets up an agenda for national action to end such discrimination.

Fourth World Conference on Women Platform for Action

- This plan of action upholds CEDAW and builds upon other UN strategies for the advancement of women. The Platform for Action was designed to establish a basic group of priority actions that should be carried out to ensure fair and equal treatment irrespective of gender.⁷³ Governments (including that of Albania) have the primary responsibility to implement the Platform for Action, which calls for commitment at the highest political levels. According to the Platform for Action, governments should take a leading role in coordinating, monitoring and assessing progress in the advancement of women.

United Nations (UN) Global Summits and Conferences

- UN meetings held throughout the 1990s have addressed social, economic and environmental issues facing both developing and developed countries in the world today. The result is a set of goals known as Millennium

⁷³ <http://www.un.org/womenwatch/daw/beijing/platform/plat1.htm#framework>, accessed December 29, 2005.

Development Goals (MDGs). Although there is a low level of awareness among Albania's government institutions of its obligations towards the declarations, treaties and conventions relating specifically to the MDGs, their strategies and policy documents nevertheless coincide to a large extent with the objectives, targets and indicators defined by the UN's global conferences and summits.⁷⁴

Various border crossing arrangements

Visa agreements

During recent years, Albania has established diverse bilateral agreements concerning visas. Some of these (mainly with non-EU states) contain measures to ease cross-border traffic by granting of multiple entry visas for specific groups of people or in some limited cases, lifting the requirements for certain categories of travelers (i.e., diplomatic passport holders and business people).⁷⁵

Local cross-border movement

Albania concluded an agreement in 1997 with Macedonia, whereby inhabitants of defined border villages have the right to cross twice a month, with stays in the other country limited to 48 hours. Furthermore, Albanian and Macedonian citizens do not need to apply at the requisite embassy to obtain visas but can get them at the border stations.⁷⁶

⁷⁴ The Albanian Response to the Millennium Development Goals. UNDP Albania and Human Development Promotion Centre (HDPC). Tirana: May 2002, p. 7.

⁷⁵ National Strategy on Migration—Albanian government, p. 59.

⁷⁶ Ibid.

Balkan Schengen and other border initiatives

The Albanian government supports the establishment of a so-called "Balkan Schengen" area. This concept, inspired by the EU Schengen Agreement, is based on the free movement of people within the region through a gradual harmonization of visa requirements. The Albanian Prime Minister has formally introduced the idea, and the Ministry of Foreign Affairs is actively lobbying for it. Some positive reactions from within the region have been heard.⁷⁷

Albania has been targeted on different occasions by the EU, which strongly supports a common policy for immigration and asylum.⁷⁸ In response, the IOM coordinated with the Ministry of Labour and Social Affairs to create a Migrants Assistance Centre, where interested parties can find visa application forms and required documentation, application guidelines for various immigration programs, information on migratory legislation, and culture.⁷⁹

4.3 Conclusions

Albania does not fully comply with the minimum standards for the elimination of trafficking. Although the government remains committed to monitoring and preventing trafficking at the country's main ports and has produced successful interdictions, its anti-trafficking tools remain inadequate and

⁷⁷ Ibid.

⁷⁸ Ibid. p.16.

⁷⁹ International Organization for Migration (IOM) Coordinating Site: Migrant Service Center Tirana; www.migrantinfonet.com.

a critical area of concern. Greater steps in the areas of protection and reintegration are needed to ensure the safety of victims. For example, the government must apply available laws and programs, in addition to improving prevention among vulnerable groups. Trafficking-related corruption must also be addressed.⁸⁰ There are a number of national and international commitments and policy strategies that have had some degree of implementation in Albania. However, full implementation of these is necessary for success.

Albania's main poverty-reduction organizations lack a gender perspective, thereby reinforcing and perpetuating gender discrimination and inequality at the institutional levels. As a result, inequality in policy design and implementation has become for a major factor inhibiting Albania from achieving set targets.⁸¹

⁸⁰ Trafficking in Persons Report.

⁸¹ Wittberger, Dolly. Gender Assessment and Recommendations Strategies.

CHAPTER FIVE: STEPS TAKEN TO CREATE EMPLOYMENT OPPORTUNITIES FOR WOMEN IN ALBANIA

5.1 Measures taken by the government

It is important to review specific legal regulations on employment opportunities in Albania. One of the guiding questions of this research is: Do specific laws or regulations, government measures and/or local and international efforts really create employment possibilities for women in Albania?

DCM (Decision of the Council of Ministers) No. 632 is one of several legal provisions undertaken by the Albanian government to expand the employment opportunities for women.⁸² DCM No. 632, initiated in 2003, is an incentive program designed to help the most vulnerable find jobs by rewarding their employers. Based on interviews carried out with key informants, however, DCM No. 632 creates as many problems as it intends to solve.

⁸² See Order No. 394 (2004), Law No. 7995 (1995), DCM No. 69 (1999), DCM No. 73 (1999), DCM No. 74 (1999).

Under DCM No. 632, employers who offer a woman a one-year work contract are eligible to receive financing equal to 70 percent of the cost of her compulsory insurance (the employer's contribution). A two-year contract results in an 85 percent kickback. Employers who offer a three-year contract to woman are essentially free from compulsory payments, since 100 percent of the amount is paid to the employer. The benefits are even better when the woman is among high-risk groups (i.e., trafficked victims, Roma, disabled, single mothers, divorcees). In those cases, an employer can expect government subsidies up to eight month's worth of an employee's salary.

Currently, there are five private employment agencies in Tirana and Fier and 12 regional public employment offices operating at local levels in prefectures. The work of the private agencies has been mainly concentrated on employing a limited number of people, particularly abroad. Regional offices shape labour policy as well as act as employment agencies, with a total number of specialists reaching 183 (about 15 per office).

5.2 Steps taken by national and international NGOs

Based on an agreement with the National Employment Service in 2003 and 2004, IOM referred cases of trafficking to the service and mediated for their employment. There is no accurate data or specific information on the result of this agreement. The matter is further complicated by the lengthy and involved procedure required of registered job seekers

by the National Employment Service before the victims can be assisted.

According to an interview with the social worker of Different & Equal, Ms. Manushi, an official agreement exists between IOM and the National Employment Service to register trafficked victims for vocational training.⁸³ However, the complicated registration procedures delay their ever taking place. Besides, registration requires the submission of detailed personal information (including photographs), which is time consuming. The delays increase the risk that a trafficked victim will be re-trafficked.

Refleksione Association is an Albanian not for profit women's organization. Its programs in Tirana, Shkoder and Pogradec are focused on improving the economical status of Albanian women and families through provision of employment and vocational training. During 2004, it assisted 895 women and girls, of which only 170 were employed. Many women refused the jobs offered them due to different factors, including: low pay, long commute, lack of social services (i.e., day care), family or marital problems, and gender discrimination at the work place.⁸⁴ Often, the benefits of accepting formal employment did not outweigh the negatives, leading to informal market activity.

In rural areas of Shkodra (north of Albania), handicraft is a viable source of employment. But initiatives by international donors and NGOs to help women exploit this opportunity

⁸³ A. Manushi, interview.

⁸⁴ Monika Kocaqi, Refleksione Association, Executive Director, interview by research team August 30, 2005.

have been limited; few women have profited by them. A lack of business skills and poor access to start-up capital among rural women makes success in the traditional crafts business difficult. Further analysis of women's employment in rural Albania is difficult because, according to Albanian law, rural women are considered employed if their family owns property—even if that property is registered solely in the husband's name.

Businesswomen Association has established a network of services in 16 districts of Albania. It has trained, certified and employed a total of 600 women in fields such as marketing, planning, accounting and banking and human resources.⁸⁵ Unfortunately, accurate information regarding the number and sustainability of jobs created as a direct consequence of this program do not exist; nor is it known how many trafficked victims the association has helped.

The OSCE and the National Employment Service collaborated with GTZ (Deutsche Gesellschaft für Technische Zusammenarbeit) in 2005 to start an incentive program to encourage young women in Shkodër, Kukës and Peshkopi (north and northeast Albania) to start their own business. (The total grant is €1,000 to €2,000 for each applicant.) After eight months in operation, 80 job seekers in Shkodra applied, which is 50 percent fewer than were expected.⁸⁶

⁸⁵ Flutura Xhabija, Businesswomen Association, Executive Director, interview by research team September 5, 2005.

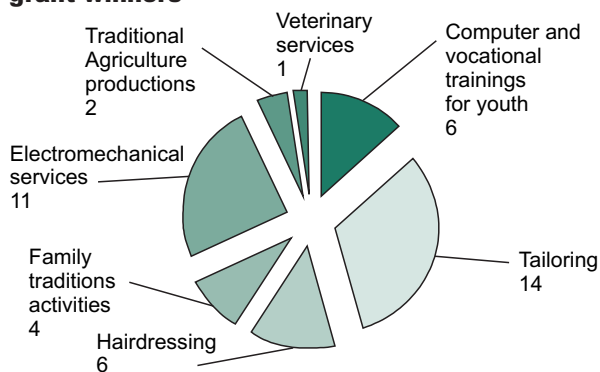
⁸⁶ Ledia Muço, OSCE–Democratization Department, Economic and Environment Unit, interview by research team August 29, 2005.

Table 6: Grant winners of the OSCE/NES/GTZ incentive program

Number and profile of grant winners					
District	Total of winners	Urban areas	Rural areas	Women	Men
Shkodër	23	15	8	13	10
Malësi e Madhe	1	1	0	1	0
Pukë	3	1	2	3	0
Kukës	5	5	0	5	0
Krumë	1	1	0	0	1
Peshkopi	9	3	6	9	0
Bulqizë	1	1	0	0	1
Burrel	1	1	0	1	0
Total	44	28	16	32	12

Source: GTZ Economic Development Program in Albania and OSCE Presence in Albania.

Chart 1: Business structure of OSCE/NES/GTZ grant winners



Source: GTZ Economic Development Program in Albania and OSCE Presence in Albania.

Partially funded by the Italian government and the International Labour Organization (ILO), and in close collaboration with the National Employment Service (NES), the Women's Centre of Albania offered the following seminars for two months in 2002: "Start and Improve Your Business" and "Techniques of Office Management". The seminars drew 100 women from different Albanian districts and cities, including: Puka, Tirana, Shkodra, Lushnja, Berati, Elbasani, Korça and Vlora. Training modules were based on ILO publications.

5.2.1 Reintegration process - difficulties and challenges

Concerning reintegration, Vatra cooperates with the School of Vocational Education, which offers courses in computing, hairdressing and tailoring. However, the low educational and skill level of trafficked victims is an obstacle to their success, and many women drop out.⁸⁷ Under the framework of another Vatra project (funded by the MSI with funds from USAID) four trafficked victims were employed between November 2003 and August 2004: two in Vatra's Prevention Centre, one in the shelter itself, and another in the CSDC Centre. Vatra's general failure to integrate more women into mainstream employment is attributed to poor strategy and the lack of a practical approach. The IOM, which helped with the reintegration of 141 Albanian victims of trafficking in 2002 and 2003 (compared to 586 women assisted at Vatra during that same time), also had difficulties placing women into jobs.

⁸⁷ Vatra Annual Report 2004, p. 46.

Obstacles faced by victims of trafficking

- > Scarcity of opportunities. Few employers want to hire trafficked victims. They face increased discrimination and stereotyping—especially the young victims under 18.⁸⁸
- > Lack of money. Victims lose interest in reintegration and are lured back into prostitution when they can't support themselves.⁸⁹ Our research discovered that out of 291 victims sheltered at Vatra, 141 had been trafficked at least twice previously. Seven of the victims were under continuous pressure from their perpetrators.
- > Lack of family support. Most families reject trafficking victims out of shock, shame and prejudice, making reintegration and rehabilitation difficult. Other family members are responsible for the trafficking, and are therefore a threat to reintegration.

5.3 Conclusions

The reintegration system of trafficking victims in Albania is inefficient and slow. The local labour market discriminates against women and girls in general, and trafficking victims in particular. The Ministry of Labour and Social Affairs and the Ministry of Education are virtually absent in the reintegration process. The stigma that victims of trafficking carry hinders all stages of returning to a normal life.

Services alone are not proof that reintegration is working. Returning victims of violent crimes to a normal life requires considerable amounts of time and support from various stakeholders. If these resources are missing, reintegration is less likely to succeed. Intervention is needed by:

- > Creating viable economic opportunities in both the private and public sectors to prevent trafficking as well as help the victims reintegrate into normal life.
- > Offering sufficient vocational training through general channels (not through trafficking shelters) to help victims avoid discrimination and minimize recidivism.
- > Extending institutional support.
- > Developing an integrated and strategic approach to reintegration programs so that victims have a better chance of returning to normal society.
- > Delivering ongoing psychological counseling to deal with the trauma of trafficking.

If one considers the benefits of successfully reintegrating trafficking victims from both economic and social points of view, efforts can be made more efficient.

⁸⁸ Ibid.

⁸⁹ Ibid, p. 58.

CHAPTER SIX: INTRODUCING EXISTING DATA AND INFORMATION ON POVERTY AND TRAFFICKING

6.1 Defining poverty

Poverty has various manifestations, including lack of income and productive resources sufficient to ensure sustainable livelihoods; hunger and malnutrition; ill health; limited or lack of access to education and other basic services; increased morbidity and mortality from illness; homelessness and inadequate housing; unsafe environments; and social discrimination and exclusion. It is also characterized by a lack of participation in decision-making and in civil, social and cultural life.⁹⁰

There are geographical, biological and social factors that amplify or reduce the impact of income on each individual. The poor generally lack a number of elements, such as education, access to land, health and longevity, justice,

⁹⁰ World Summit for Social Development Program of Action. Copenhagen: 2000, Chapter 2.

family and community support, credit and other productive resources, a voice in institutions, and access to opportunity.⁹¹

Being poor does not mean living below an imaginary poverty line, such as an income of two dollars a day or less. It means having an income level that does not allow an individual to cover certain basic necessities, taking into account the circumstances and social requirements of the environment. Furthermore, many of the factors that determine poverty are interconnected.⁹²

In this context, poverty should be viewed as the “deprivation of basic capabilities” rather than the result of low incomes. He argues that a strong link exists between income and capability due to a person's age, gender, location, education, and additional aspects that he or she may be unable to control, such as illness or disability.

The multi-dimensional nature of poverty is likely to draw upon concepts of vulnerability, social exclusion, safety nets, capabilities and freedom, absolute and relative deprivation, as well as upon the self-perception of poverty assessed by the poor themselves.⁹³

⁹¹ Quesada, Charo. Amartya Sen and the Thousand Faces of Poverty. Inter-American Development Bank: December 5, 2001, <http://www.globalpolicy.org/socecon/develop/2001/1205sen.htm>, accessed December 8, 2005.

⁹² Ibid.

⁹³ Gjika, Entela. A critical analysis of the Albanian growth and poverty reduction strategy. Institute for Development Policy and Management, University of Manchester: October 2002.

In the Albanian NSSD⁹⁴ poverty is described as a multidimensional phenomenon. Poverty is measured on income level, the level of capital and ownership, the failure to fulfill basic needs, and unemployment. Constraints to human development are recognized as a dimension of poverty as well. Human development is related to access and enjoyment of health and education among other resources, the level of risk exposure and the geographical distribution of poverty.

However, poverty is a worldwide and multi-dimensional phenomenon and is difficult to define. As Rahnama (1992) notices, each culture, each historical time and each community has a different idea of what poverty is and probably there are as many poor and as many perceptions of poverty as there are human beings. The multidimensional character of poverty can be demonstrated by variety of existing definitions (absolute, relative, multiplied deprivation, social exclusion, etc.) used by various authorities (UNDP, OECD, EU, World Bank as well as national definitions), but also by using a person's self-perception and/or referring to the several words or expressions adopted around the world and in the different historical periods for naming the poor (Rahnama, 1992).⁹⁵

⁹⁴ Albanian version.

⁹⁵ Gjika, Entela. A critical analysis of the Albanian growth and poverty reduction strategy.

⁹⁶ Coastal region districts: Lezhe, Kurbin, Kavaje, Mallakaster, Lushnje, Delvine, Sarande, Durres, Fier, and Vlore. Central region districts: Kucove, Skrapar, Kruje, Peqin, Gjirokaster, Permet, Tepelene, Devoll, Kolonje, Pogradec, Mirdite, Puke, Malesi e Madhe, Shkoder, Elbasan, Berat, Korce, Mat, and Tirana rural. Mountain region includes: Kukes, Has, Tropoje, Bulqize, Diber, Gramsh, and Librazhd.

6.2 The poverty situation in Albania according to the Living Standards and Measurement Survey 2002

The first round of the *Living Standards and Measurement Survey* (LSMS) was conducted by INSTAT in the spring of 2002 on a sample of 3,600 households. The survey provides an indispensable baseline for monitoring progress in the government's poverty reduction strategy. The 2001 pre-census listing provided a much-needed sampling frame. The sampling frame was stratified in four regions, which roughly reflects a partition of the country along agro-ecological as well as socio-economic lines. The final dataset from the LSMS 2002 includes 1,000 households for coastal and mountain regions; 999 for central regions; and 600 in Tirana.⁹⁶ A total of 1,640 households are rural; 1,959 are urban.

The first thing to note from Table 7 is that Albania is not particularly economically inequitable, as in all cases the GINI is a small number. On the other hand, the table does not show a direct relationship between GINI and the other indices that link increased poverty, inequality or relative poverty to the regions where most of the victims originate.

The LSMS survey also shows that **rural poverty** plays a significant role in this study. Our research indicates that trafficking victims mainly come from the rural areas, or belong to rural families that immigrated to urban centers.

Table 7: Poverty indicators for various Albanian regions

PREFECTURE	HEAD COUNT (%)	FGT(1) ⁹⁷	GINI ⁹⁸	CONSUMPTION BASED MEASURE (IN LEK)
1: Berat*	26.42	5.81	25.64	7,233.45
2: Dibër	42.77	11.88	28.31	6,125.03
3: Durrës	24.77	6.07	31.23	8,412.58
4: Elbasan	31.84	7.54	26.60	6,852.57
5: Fier*	29.71	7.05	28.83	7,365.17
6: Gjirokastrër	19.38	4.11	27.43	8,393.35
7: Korçë	26.95	6.09	27.03	7,405.28
8: Kukës	39.98	10.59	27.53	6,282.05
9: Lezhë*	36.68	9.83	30.74	6,898.25
10: Shkodër	32.77	8.43	28.60	7,025.02
11: Tiranë	23.44	5.51	29.48	8,201.84
12: Vlorë*	18.26	4.14	33.52	9,817.49

* Regions where most trafficking victims come from.

Source: LSMS 2002.

The LSMS data shows that 34.8 percent of the rural population is poor. If we analyze this percentage further, we see that 29.6 percent are poor and 5.2 percent are extremely poor.

6.2.1 Profile of the poor

Average household size in Albania is 4.3 members per household. The average household size among the poor is 5.7, of which two members are below the age of 15, compared to a non-poor household size of four, of which one member is below 15. The dependency ratio is consistently higher among the poor, irrespective of location. Heads of household in poor families are on average 3.6 years younger than their non-poor counterparts, and possess only six years of schooling, compared to eight years among the non-poor.

⁹⁷ Poverty index or FGT(1) quantifies the average income shortfall in relation to the poverty line.

⁹⁸ GINI measures inequality; it compares the Lorenz curve of a ranked empirical distribution with the line of perfect equality. It varies between 0 (perfect equality) and 1 (when one individual appropriates all the income, and the others have none).

Poverty rates are highest among large households with seven or more members (above 50 percent regardless of location). Households with four members or fewer represent about 43 percent of the population, but constitute only 15 percent of the poor. About 40 percent of the poor live in large households of seven or more (while only representing 17 percent of the population). Poverty incidence among younger people is above the national average, and is highest among rural children. In rural areas, four out of every 10 children under the age of five live in poverty. Almost half of the poor in Albania are below 21. Elderly people in Tirana exhibit some of the lowest poverty rates, constituting a headcount of 12 percent.

6.2.2 Labour market patterns

In order to present the situation regarding the labour market in Albania, this report draws from different sources, including the administrative records of the Ministry of Labour and Social Affairs and INSTAT, and the Population and Housing Census from LSMS data.

There is an unequal participation between men and women in the Albanian labour force. However, the 5 percentage point difference is better than in some EU member countries. According to administrative data from the Ministry of Labour and Social Affairs in 2004, the unemployment rate for women was 17.5 while for men it was 12.4 percent. However, data from the same source shows that in 2004,

Table 8: Main characteristics of the poor

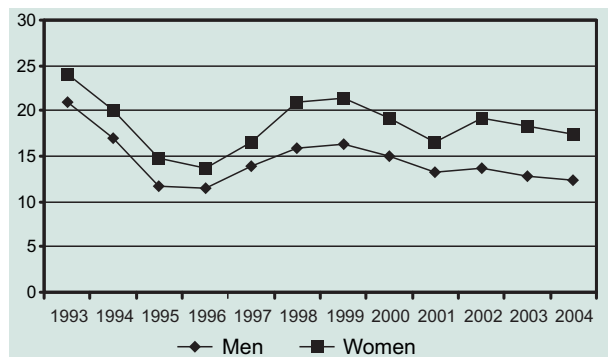
	Poor				Non-poor				Total			
	Tirana	Urban	Rural	Total	Tirana	Urban	Rural	Total	Tirana	Urban	Rural	Total
Mean household size	5.3	5.4	5.8	5.7	3.6	3.7	4.2	4.0	3.8	4.0	4.6	4.3
% 60 and over	13.2	9.7	10.0	10.2	19.4	19.5	19.9	19.7	18.6	18.1	17.6	17.8
# under 15	1.8	1.9	2.2	2.1	0.8	0.9	1.2	1.0	0.9	1.1	1.4	1.2
Dependency ratio	1.04	1.06	1.16	1.12	0.66	0.73	0.83	0.77	0.71	0.78	0.91	0.84
% Women-headed household	10.5	12.1	8.1	9.3	18.0	13.5	11.6	13.1	17.0	13.3	10.7	12.4
Age (head of household)	49.1	49.0	47.8	48.2	53.4	51.7	51.4	51.8	52.8	51.3	50.1	51.1
Schooling in mean years (head of household)	6.8	6.7	6.0	6.2	10.1	8.6	6.9	7.9	9.5	8.3	6.6	7.4
Mean # of workers in household	1.0	1.0	2.3	1.9	1.1	1.1	2.0	1.6	1.1	1.1	2.1	1.6

Mean number of workers includes workers 15 and over only. Mean years of school of household head assumes that the household head completed the maximum years possible in the second highest level of schooling completed. Dependency ratio = (number of children 0-14 + number of elders 60 and over) / number of household members age 15-59.

the labour force participation rate for men was 68.6 percent compared to 46.4 percent for women. This is where the higher vulnerability to being trafficked can be linked. Furthermore, total employment figures from the LSMS in 2001 show that fewer women are participating in the labour market (38.3%) than men (66.1%), and when they do, they encounter higher unemployment and reduced probability of finding a job. However, when male family members lack jobs it significantly increases a female member's risk of being trafficked.

Graph 1 shows the evolution of the unemployment rate for men and women from 1993 to 2004. Starting in 1998, the gap widened. After a convergence in 2000-2001, the gap widened again.

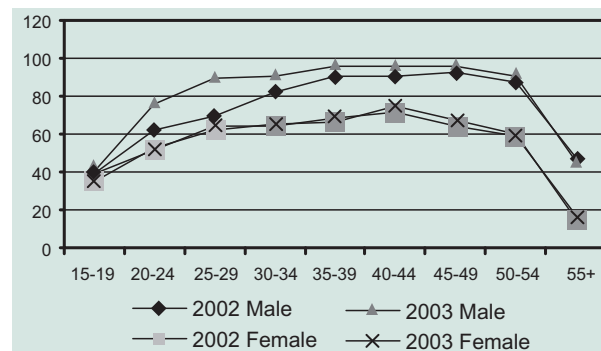
Graph 1: Unemployment rate by sex for the period 1993-2004



Source: Statistical Yearbook 1993-2001, INSTAT, Labour Market 2004, INSTAT.

Graph 2 shows the activity rate by sex and age for 2002 and 2003. The activity rate of women is lower than that of men in all groups. There was a slight improvement in male activity rate in 2003 but none for women, suggesting that it is harder for women to enter the labour market and that they have not benefited from recent economic improvements in Albania. However, women's participation does not drop but rather increases with age. The activity drop for both men and women over 50 reflects the lower retirement-eligible age that was only very recently increased. Activity rates for women may not reflect informal jobs, such as baby sitting, industrial home-working, and cleaning. Social security coverage is not taken into account.

Graph 2: Activity rate by sex and age, 2002-2003

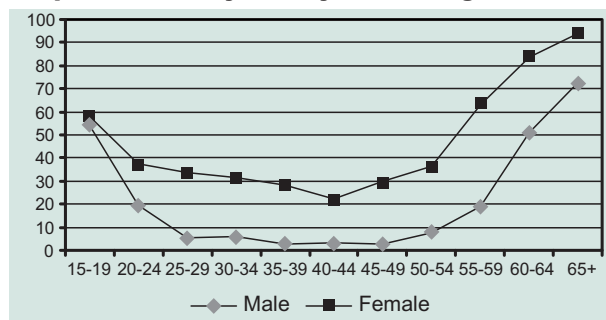


Source: LSMS 2002, 2003.

Graph 3 illustrates the inactivity rate by sex and age for 2003. Like the previous year, the inactivity rate for women is higher than that of men in all groups. The inequality reflects that it is harder for women to find work and that they have

not benefited from Albania's improved economic situation. Women's inactivity increases slightly after 40, while men remain almost stable. Both men and women from 25 to 54 experience low activity levels (below 10%). It is necessary to obtain more information about inactivity and the reasons for it to present a more complete picture of gender disparities.

Graph 3: Inactivity rate by sex and age



Source: LSMS 2002, 2003.

6.3 Situation of available data on trafficking

The data on trafficking victims, both women and men, is scarce. Even when data is available, it reflects information at a national level, or it cannot be disaggregated for deeper analysis. Take the data provided by the Ministry of Public Order, for example (See Table 9), which represents some of the best statistical information on human trafficking. The sheer number of cases reflects that trafficking is a problem, but there are no demographic details that would allow us

draw any conclusions about human trafficking, its causes or prevention.

Table 9: Human trafficking: Cases and discovery rate for 2002 and 2003

	Cases	Discovery %	Cases	Discovery %
	2002	2002	2003	2003
Human trafficking	544	529 97%	704	681 97%

Source: Ministry of Public Order, 2004.

Clearly there is a great need for more complete data on trafficking, not only at national levels but also disaggregated by districts to support in-depth research. Improved data sets are needed to reveal the exact trends in human trafficking and the regions with the highest risks. They are also needed to monitor the progress of the existing preventative strategies so that more effective models can be designed and developed.

6.4 Profiles: interviewed victims assisted by respective shelters since 2001 and criminals

Many factors (both push and pull) that lead to trafficking have been previously introduced in chapter two. The purpose of this section is not to repeat or overlap findings, but rather to compare the results of victims' interviews with those of key informants and available literature. The goal is to provide deeper insight into how existing policies (or the lack of them) impact human trafficking.

6.4.1 General data of the victims

According to our interviews with trafficking victims, their average age is 23. This age reflects the moment of their return to Albania, not the age at which they were initially trafficked. Average age seems to be dependent upon time frame. For example, 60 percent of victims assisted by Vatra for the period 2001-2002 were under 18. During 2002-2005, most victims were between 18 and 25.⁹⁹

The hottest geographic spots for trafficking are the rural areas of Shkodra, Tropoja, Kukësi, Peshkopia and Fieri. During 2001-2002, 68 percent of Vatra's victims were from rural areas. That number changed to 52 percent the next year, and the following year it rose again to 60 percent (See Tables 1 and 2).¹⁰⁰

Table 1: Geographical distribution of trafficking victims, Vatra, 2004:¹⁰¹

Region	Number
North (<i>Laç, Mirditë</i>)	4
Centre (<i>Tirana, Fier, Lushnje, Peqin, Durrës, Elbasan</i>)	104
South (<i>Sarandë, Delvinë, Vlorë, Skrapar, Gjirokastrë, Berat, Kuçovë, Përmet</i>)	119
Southeast (<i>Pogradec, Korçë, Librazhd</i>)	4
Total	231

⁹⁹ Vera Lesko, interview, July 2005.

¹⁰⁰ Vatra Annual Report 2004.

¹⁰¹ Ibid, p. 40.

Table 2: Geographical distribution of trafficking victims, Vatra, 2003:¹⁰²

Region	Number
North (<i>Laç, Lezhë, Tropojë, Shkodër</i>)	26
Northeast (<i>Peshkopi, Bulqizë</i>)	8
Centre (<i>Tiranë, Durrës, Lushnje, Fier, Cërrik, Kavajë, Krujë, Fushë-Krujë, Elbasan</i>)	142
South (<i>Vlorë, Berat, Kuçovë, Tepelenë, Gjirokastrë, Sarandë</i>)	89
Southeast (<i>Gramsh, Librazhd, Korçë, Pogradec</i>)	23
Total	288

Trafficking is often labeled as a “Roma” or “gypsy” problem. However, only 7 percent of the victims at Different & Equal (out of 200) admitted to having Roma origin; while just 40 percent (out of 1,270) at Vatra stated they were Roma.

Table 3: Geographical distribution of trafficking victims, Different & Equal, May 2004-September 2005:¹⁰³

Region	Number
North (<i>Tropojë, Pukë, Mirëditë, Lezhë, Shkodër</i>)	21
Northeast (<i>Peshkopi, Kukës</i>)	5
Centre (<i>Tiranë, Durrës, Elbasan, Fier, Kavajë, Peqin, Rrogozhinë</i>)	18
South (<i>Berat, Vlorë, Përmet, Tepelenë</i>)	15
Southeast (<i>Librazhd, Gramsh, Korçë, Pogradec</i>)	6
Total	65

¹⁰² Ibid, p. 23.

¹⁰³ Mariana Meshi, Different & Equal, Executive Director, interview by research team, Tirana, September 2005.

Table 4: Number of trafficked women and girls by regions

Region	2002	2003	2004 January - September
North (<i>Lezhë, Shkodër</i>)	12	7	9
Northeast (<i>Dibër, Kukës</i>)	3	1	7
Centre (<i>Durrës, Elbasan, Fier, Tiranë</i>)	86	66	32
South (<i>Berat, Gjirokastrë, Vlorë</i>)	15	9	7
Southeast (<i>Korçë</i>)	12	3	8
Total	128	86	63

Source: Ministry of Public Order, 2005.

The number of victims assisted by the respective shelters does not correspond with data provided by the Ministry of Public Order (See Table 4). The MPO does not give specific information on victims. We do not know where the victims are or whether they returned to Albania or are internally trafficked women. We also do not know whether they have initiated a trial against their captors.¹⁰⁴

Victims have an average of seven years of education. There does not appear to be a significant difference in education levels between the shelters.¹⁰⁵ Civil status seems to be of importance, however. Of the victims interviewed, 80 percent admitted to being single prior to being trafficked. All victims stated that they either lived with their families of origin or with their husband's family before becoming victims.

¹⁰⁴ Discrepancies were not discussed with the ministry due to lack of time.

¹⁰⁵ Amarilda Manushi, interview; Vera Lesko, interview.

6.4.2 Information on life prior to being trafficked

We were seven: my parents, my brothers and my sisters. The relationship with my father was not so good, and the same was with my brothers. The reason why my father, my brothers and I didn't get along was that when I was 15, I was raped and my family, especially my father, blamed me for that. In my city, if you get raped, it is considered a disgrace for the family. When I escaped from home I was unemployed and without a possibility to find a job or to live a decent life (I had only primary education—eight years). I went voluntary away from home, because I couldn't endure maltreatment by my father. He used to close me in my room, leave me without food, and in many cases my body was full of marks—signs of his violence on me.

E., 23 years old

According to the employment status of the victims interviewed, almost all of them (80%) were not employed prior to being trafficked. The same situation is reflected in

the shelters over a three year period, although key informants give a more drastic percentage. According to Vera Lesko at Vatra, only 2 percent of the total number of victims assisted was employed prior to being trafficked. Regardless of the precise figure, those victims with jobs prior to being trafficked were poorly paid and faced difficult working conditions.

Victims primarily reported coming from extended families with six to 10 members and an average household education level of eight. Generally, the victims reported high unemployment in their families, with the average monthly income at 10,000 lek (\$100) per month.

According to Vera Lesko at Vatra, domestic abuse is a widespread and ongoing problem for victims. She says that 60 percent of trafficking victims who receive help from Vatra are also victims of domestic violence. While we cannot conclude that domestic abuse is a cause of trafficking, it appears to be a correlation.

One day a young mother at the shelter slapped her newborn. The social worker who saw the scene scolded the young mother. “What did you do?” she said. Later, during a counseling session, the young mother said she would have preferred for the social worker to make her point by slapping or hitting her. Violence was what she was accustomed to.

Social worker, Different & Equal

¹⁰⁶ Reta Lika, Different & Equal, Social worker, interview by research team, Tirana.

Migration away from rural to urban areas also seems to be strongly correlated with human trafficking. About 30 percent of trafficking victims at Vatra (out of 1,270 women) immigrated with their families to cities after 1990. At Different & Equal, the numbers are even higher. Based on an interview with the vice executive director, 70 to 80 percent of the victims' families recently immigrated.

6.4.3 The trafficking period

Almost all the victims interviewed stated that their first stations have been the European countries: Italy, Greece, France, Belgium and Germany. In those instances in which victims do not leave Albania, they are kept in main cities like Tirana and Fieri.

Recruitment normally starts with promises of marriage or regular employment. For some victims, however, the reasons for “escaping” into prostitution are related to difficult and violent relationships with the relatives.¹⁰⁶

My father died several years ago. I used to live with my mother, sister and little brother. My mother worked as a cleaner and we were at school. I was 17 when I left my home, seeking a new and worthy life with my boyfriend. I thought he loved me, but after leaving home, he sold me. First we went to Tirana and then, together with two other people (a man and a woman), we went to Kukës (northeast part of Albania). Afterwards, I left Albania through Morina (the border with Kosovo) with a false passport. I didn't have any kind of information about the place or country I would go.

A., 19-years old

Almost all the victims interviewed declared they didn't have enough information on the country they were going to or what to expect. In addition, almost all confessed to not having been anywhere other than their hometown or city. Beside this, they unanimously said they were sure they would find a better life away from the place they were born and grew up. Among those interviewed the main means of escaping Albania has been illegal, especially with small boats.

At-a-glance profile of criminals

Sufficient and accurate data on the profile of human trafficking criminals does not exist. Based on 54 penal cases at the District Courts of Tirana, Shkodra and Vlora, we know the following: criminality prevails among 18- to 25-year olds, followed by those 26 to 35. Defendants have an average of eight years of education.¹⁰⁷ According to victim reports, there are cases in which women are involved in the recruiting and exploiting of other women, but little is known about their motivations.

6.4.4 Life after returning home—gaps in the reintegration process

Our primary sources all returned to Albania from their place of trafficking between 2000 and 2005. In all cases, the victims were obligated to leave because they were without adequate immigration paperwork. Most victims said they would have preferred to stay abroad despite the difficult

conditions of their lives because they knew their families would not welcome them back. In fact, none of the women interviewed were in contact with their families. Difficult relationships between victims and their families, plus the risk of being killed by their perpetrators, are among the main reasons why victims decide to stay in shelters.

I was caught by the French police and after staying in a camp for a month, I have returned to Albania. At the Rinas airport the Albanian policemen were waiting. They behaved nicely and I was not scared. On the contrary, my family was a problem; my relatives didn't accept me back into my home. Afterwards, a social worker picked me up and I was happy I could stay at the shelter. My relatives wanted to marry me to a man much older than me, but I didn't accept. I prefer to stay in the shelter in order to get support. I know they will not treat me as my relatives did. Here I am pursuing vocational training, tailoring, which I like very much. I feel good here. At least somebody is listening to me, instead of hitting and hating me.

K., 20 years old

Almost all victims interviewed expressed positive comments regarding their stay in the shelters; they feel emotionally, socially, and economically supported and safe. However, in the beginning they find it difficult to adapt themselves to the rules and conditions of the shelter, especially with the high security level which, in some ways, reminds them of their life when they were trafficked.

¹⁰⁷ Survey: Monitoring of District Courts' Decisions of Tirana, Shkodra and Vlora on Human Beings Trafficking (2001-2003), p. 39.

6.4.5 The future of the victims

Three of the victims interviewed plan to live outside Albania without support from their relatives. The others expressed a willingness to live inside Albania and establish their own lives with work and a family of their own. None have the means to live on their own yet, but they hope their future will be better than their past.

I have finished the tailoring, computer and English courses. I know these courses will help me out in the future, because I can work on my own. I have my sewing machine—a gift from the shelter. I haven't decided yet whether I will return to my family or if I will live on my own. For the moment, I intend to continue working in order to save some money and live on my own with a friend (another victim) and start a new life. It's about a year and a half that I have been staying at the shelter, and in the very beginning I faced a lot of problems. I am sorry for some girls, victims of trafficking, who do not have the chance or will to come to such shelters. When I step back and look at my former life—a year ago, for example—I realize how difficult my life has been. This helps me believe that I am living a new life.

I., 24 years old

CHAPTER SEVEN: GENDER ANALYSIS ON THE EXISTING RISKS OF TRAFFICKING IN THE FIER AND LEZHA REGIONS

After having reviewed the literature and existing documentation, and after having discussed with people involved in analyzing and studying of the trafficking of women and girls in Albania, we decided to analyze two regions of Albania in depth: Fier and Lezha. These two regions have some of the highest incidences of trafficking in Albania.

7.1 Fier region

According to *Living Standards Measurement Survey of 2002*, 29.71 percent of the population in the region of Fier lives under the poverty line and 66 percent is involved in agricultural activities. During the transition period in the 1990s, the local labour market underwent several changes. Due to state closures and privatization, approximately 93 percent of women and 23 percent of men lost their jobs during 1990-1993.

7.1.1 Violence against women and trafficking

The Department of Social Affairs in Fier registered 153 cases of prostitution and 210 cases of domestic violence in 2002. It is commonly known that most of the women—especially in rural areas where most of the cases take place—do not denounce the violence. There are no women's centers in the Fier region that offer counseling or support to potential and actual victims. According to the data provided by the Ministry of Public Order, Fier had the highest number of identified cases of trafficked women in 2004—16—compared to the country's other 12 regions for the same period.¹⁰⁸

Roma minority in Fier and the problem of trafficking

The Roma community represents the largest minority group in the Fier region, with an approximate population of 10,300 people concentrated in a few villages of Fier and Lushnja districts. According to surveys, malnutrition, poor housing, access to health and medical services, limited education and crumbling infrastructure are dire problems facing the majority of Roma families. Almost 80 percent of the Roma belong to the “very poor” and “poor” groups of families in the region. Approximately 52.7 percent of the population over seven years old is illiterate.

¹⁰⁸ Official information from the Ministry of Public Order, July 2005.

Human trafficking is a very severe problem among the Roma families of the Fier district. According to data from a survey carried out in 2003, 83.1 percent of Roma tribes in the Fier district recognized that trafficking of women was a problem in their community.¹⁰⁹ However, there is no accurate data on the number of victims, which limits the understanding of the problem. The most common entry into prostitution starts when Roma women migrate to Italy to find jobs or escape their difficult conditions in Albania.

Most interviewees and focus group participants agree that for the poor Roma in Fier, trafficking is essentially a way to fight poverty, equivalent to marrying off girls at a very young age (14-16 years old). Among extremely poor families, some girls and young women are sold or rented by family members. However, data shows that a majority of poor families will refrain from prostitution as a poverty-coping mechanism as long as other survival strategies are available.

Based on analysis of Fier in regards to human trafficking, it appears there is a link between poverty, lack of economic opportunities and increased risks of trafficking. This is more acute among the Roma minority, which is the poorest and therefore most vulnerable population. The risk of trafficking is also higher for women and girls from rural areas and where there are fewer economic opportunities.

¹⁰⁹ Fier MDGs Regional Report. UNDP, 2004, page 26.

7.2 Lezha region

According to the *Living Standards Measurement Survey of 2002*, 36.68 percent of the population in the Lezha region lives below the poverty line, making it the third poorest region among Albania's 12 regions. The MDGs regional report for the Lezha region shows similar findings: the 28 percent regional unemployment rate is about twice the national average, indicating the high level of poverty in the region. The town of Kurbin in particular stands out: its unemployment rate is three times higher than the national average. Women account for 39.1 percent of the employed inhabitants of Kurbin; the remaining 61.9 percent of women work outside the formal labour market as caretakers and housekeepers. In the Lezha region as a whole, about 17.4 percent of households receive economic aid. Poverty in the villages is about three times as high as in towns. Four out of five villagers are poor.¹¹⁰

7.2.1 Violence against women and trafficking

Abuse of women continues to remain problematic in the region of Lezha. Data supplied by the Regional Police Directorate shows that from 2001 to 2004, 148 women, mainly from rural areas, were trafficked by men for motives of profiteering through prostitution. Violence at its worst has been displayed in the period 2003-2004, during which male family members murdered their women kin, often for petty

¹¹⁰ Lezha MDGs Regional Report. Tirana: UNDP/REC, 2005.

reasons. The root causes of these phenomena can be found in the region's:

- > Low social-economic status;
- > Weak implementation of the law protecting the rights of citizens, particularly women;
- > Lack of women's rehabilitation and information centers.

One of the acknowledged targets off this region relates specifically to trafficking: *Rehabilitate trafficking victims through the establishment of rehabilitation centers and strengthening the law.*

Data provided by the Ministry of Public order in 2005, during the period January to September 2005, shows that the number of trafficked women and girls for the region of Lezha is 9—the second highest after Fier. This brief analysis of the Lezha region demonstrates a link between increased risks of trafficking and poverty. Poorer regions like Lezha also show higher rates of women's unemployment.

The analysis focused on the regions of Lezha and Fier confirms our hypothesis and the results of the interviews with the victims and the key informants: the risk of trafficking is higher in poor, rural areas and where the living conditions, education and health systems suffer from a lack of resources. Furthermore, there is a clear link between the increased risk of trafficking and access to the labour market, difficult social and economic conditions, region of residence, and low levels of education.

CHAPTER EIGHT: CONCLUSIONS AND RECOMMENDATIONS

In contrast with the situation at the beginning of the decade, Albania is generally no longer recognized as a significant country of transit or destination for human traffickers.¹¹¹ This is due to the enhanced efforts of the Albanian law enforcement, culminating in “Puna”, a mission carried out in Vlora, in June 2002, against fast-launch trafficking across the Adriatic. Another factor changing the situation is the opening up of alternative and more “attractive” trafficking routes through the former Yugoslavia after the end of the Balkan conflicts.

The Balkan cultural space to which Albania belongs combines a multidimensional cultural and historical environment that does not only make gender constructed paradigms more visible, but also strongly preserves patriarchal concepts. Moreover, the organization of gender roles in Albania should not be viewed as a barometer of its backwardness, but as a way to understand how ideas about nation, history, and tradition are constructed in the Albanian culture. Nowadays the priority of Albanian women is the acquisition of rights, which women in developed countries

take for granted. The cultural value system in Albania is still a paternalistic one, and it treats women differently from men, depriving them of social opportunities, denying their legal rights, and considering them primarily as the property of men. The trafficking of women has enhanced this cultural phenomenon, so that some men choose to pay in order to use women.

One of the most important aims of this report was to find out new ways of dealing with the problem of trafficking by emphasizing its prevention through economic and social policies rather than legal policies, which are having some effect but have not eliminated the problem. The report also shows that the social reintegration process is vital to prevent recycling into internal prostitution. It is clearly understood, and this report has aimed to show (from the existing information and the information gathered by interviews with the victims of trafficking as well as key informants), that the major causes of trafficking are poverty, the lack of economic opportunities, the low level of education, domestic violence (of which there is a high tolerance), inadequate law enforcement, place of residence or origin and low educational level. The interviews carried out under the framework of this report have also pointed out that the prevention and reintegration programs until now have not been fully effective.

The analysis from chapter seven, on the regions of Lezha and Fier, confirms our hypothesis and the results of the interviews with the victims and key informants. There is an obvious link between increased risk of trafficking and access to the labour market, difficult social and economic

¹¹¹ “Trafficking in Persons Reporting Questionnaire, March 2003-February 2004.” Albanian National Anti-trafficking Strategy. Tirana: Republic of Albania, Council of Ministers/Cabinet of the Minister of State for Coordination: February 23, 2004.

conditions, region of residence (women and girls from rural areas are more likely to be recruited), extended or one-parent families, and low levels of education. All of these issues need to be addressed in the NSSD and other economic and social strategies in a specific way in order to be effective in the prevention of trafficking.

Considering the legal framework, the positive amendments made in the Albanian Criminal Code on the trafficking of human beings, the endorsement of the Witness Protection Law, the establishment of new structures such as Grave Crime Court, Task Force Group (which investigates and prosecutes crimes such as human trafficking), have decreased the incidence of trafficking to levels lower than those in 2000-2002. Therefore, we can state that considerable steps have been taken to move forward to prevent and combat human trafficking on the policing and law-enforcement side. However, the fact that human trafficking flourishes from time to time means that the government should take restrictive measures and provide tight control and supervision in order to suppress the exploiters (as well as those leaders and corrupted individuals who help/support this phenomenon), and bring them to justice. In this context, this report highlights a number of positive developments in the area of victim assistance and protection in Albania during 2001-2005.

In general, we can summarize the following improvements:

> **Government of Albania's increased involvement.** The government's political commitment

to combating human trafficking from the senior levels was shown by the establishment of an apparatus—Minister of State (formerly Minister of State for Coordination) in the Office of the Prime Minister. This institution was directly responsible for implementing the National Strategy and for coordinating anti-trafficking activities in seven ministries and institutions through an Inter-Ministerial Steering Committee. This governmental body ceased to exist after the Parliamentary Elections of July 2005; however, a specific seat was allocated for a National Coordinator for Anti-trafficking Actions in Albania, which is now headed by a woman, who is also vice minister of the Ministry of Interior.

- > **National Plan of Action.** The National Plan of Action regarding Fighting Trafficking of Human Beings in 2005-2007 was developed based on the previous experience and best practices of all national institutions that helped implement the National Anti-Trafficking Strategy (2001-2004) and the National Plan of Action (2003-2004).¹¹²
- > **The government's acknowledgement that human trafficking is a problem.** The government of Albania acknowledged human trafficking as a serious national, social, and law enforcement problem, with damaging implications for Albania's international reputation and its Euro-Atlantic integration aims. In 2001, the government designed the current National Anti-Trafficking Strategy, composed of a comprehensive

¹¹² Ibid.

range of prevention, protection, and prosecution measures to address the phenomenon.¹¹³

- > **National referral mechanisms.** An issue to be taken into consideration has been the government's efforts to develop and implement national referral mechanisms. For example, a considerable number of victims of trafficking in the shelters of Tirana and Vlora have been referred by the state police structures, especially the Albanian National Borders Patrol.
- > **Improvements in government and civil society collaboration.** In the last few years, the collaboration of the Albanian government with local and international NGOs dealing with human trafficking has increased. In this regard, in the Vatra shelter, the state police offers security services 24 hours a day. Closer collaboration has been noted also with the shelter in Linza (a joint effort between the IOM and the Albanian government).
- > **Geographical distribution of shelters for victims of trafficking.** Currently there are three shelters that assist victims of trafficking in Albania (one in Vlora; two in Tirana). This geographical positioning of the shelters is a key strategy to assist victims as close as possible to their home towns.

However, in all the strategic plans for economic development, reduction of poverty, and employment, more can be done to prevent the incidence of trafficking.

¹¹³ Ibid.

Recommendations have been identified through the preparation of this report.

In this context, prevention of trafficking and the repatriation of victims under the existing conditions in Albania are conditioned by many social problems, which have had, and will continue to have, grave consequences on the society in the future, such as:

> **Repatriation of the victims:**

- Lack of long-term programs for victims of trafficking, in particular:
 - i. Lack of donor exit strategies when they support service structures;
 - ii. Instability of NGO finances, which run the shelters;
 - iii. Insufficient existing measures by employment offices;
 - iv. Lack of mediation services for the victims' families, which contributes to the reinforcement of the existing stigma of victims of trafficking.
- Lack or inadequate implementation of existing legislation:
 - i. The Witness Protection Law needs a long time to be implemented due to several factors, such as: the high financial cost of protecting victims' lives; and since Albania is a small country, it cannot be assumed that the victim is safe and has a normal life among the community within Albanian territory;
 - ii. Therefore, the victims, in order to feel safe, have to live hidden in shelters established by NGOs or the

government, deprived of social life, economic and education opportunities; or in police stations of the Police Directorates in the country;

- iii. Corruption among certain civil servants within some state institutions related to trafficking fuels recidivism and is a “hot topic”;
- iv. Lack of implementation mechanisms is one of the biggest shortfalls when considering adequate implementation of the existing legislation;
- v. The punishment from prosecutors and courts against the exploiters has not only been very mild, but in many cases has conflicted with the law. Therefore, the shortcomings of judicial decisions have had a negative impact on the fight to reverse the exploitation of human beings in Albania.

> **Recidivism:**

- Recidivism/recycling of victims back into trafficking is a big concern, a recent phenomenon thriving mostly in the urban and more developed cities in Albania. The recycling of victims inside the country has flourished due to a lack of economic and employment opportunities (or low-paid jobs) in the country; existing stigma and discrimination against victims from society; disowning or abandonment from their families; the lack of, or inadequate policies and measures on, the social reintegration process; the lack of adequate mechanisms to implement existing laws; etc.;
- The growth of trafficking networks operating inside the country, thus, hampering the work of the Albanian government along with NGOs and the efforts of the

United Nations to prevent and combat the trafficking of human beings;

- The lack of state control over the recidivism (especially in day prostitution) allows sexually transmitted diseases such as HIV/AIDS to flourish, contributing to several health problems that directly affect the well-being and the life of the population;
- The lack of institutions and services dealing with the treatment and prevention of STDs; the population is not adequately informed (especially in rural areas where such information is often inexistent) on the risks and consequences of these diseases.

> **Lack or failure of prevention measures thus far:**

- The lack of nationwide awareness-raising campaigns—so far they have been sporadic in terms of time and geographic distribution;
- The lack of coordination between the government, NGOs and donors;
- Inadequate coordination between the Ministries of Defence, Education, Labour and Social Affairs and Equal Opportunities in terms of the social reintegration process of repatriated victims;
- The refusal by Albanian society to recognize human trafficking as a social problem (it is still considered a family matter);
- Regarding the creation of employment opportunities by helping women manage their own businesses, there are several obstacles that lead to the businesses being run informally: poor information on

the possibilities; a lack of access to credit and low interest rates; and little information on fiscal law.

> **Gender stereotypes and strong patriarchal concepts:**

- High tolerance for violence against women;
- The media's role in treating human trafficking as sensationalist; unethical reporting is of great concern in the Albanian media and probably derives from the sensitivity of the issue. Also, the media is particularly fond of organized crime and the feminization of crime (women being judged as guilty and described as criminals);
- After reviewing a considerable number of policies and measures in the previous chapters, we conclude that, at the moment, legislation is blind to gender-based needs and strategic interests, thus limiting lawmaker's ability to address the immediate causes that lead to the trafficking of women and girls;
- Gender-blindness is still prevailing among public servants, prosecutors, legal system representatives, and police officers;
- The lack of measures to address the reasons for school dropout by girls, particularly in rural areas, among Roma people and the migrant population.

Based on our study and its conclusions, we believe that the following recommendations can strengthen ongoing efforts as well as provide suggestions for the introduction of changes by the Albanian government, UN institutions, and Albanian NGOs focused on prevention, combating and the reintegration process of the victims of trafficking:

First, the establishment of one central entity to oversee processing, protection, prevention and reintegration of human trafficking victims in Albania is necessary. Responsibilities include data compilation and dissemination, educational trainings, and case tracking.

Second, branch offices of this responsible entity should be created and placed on each border. Responsibilities of these offices will include enforcement of standard data collection on victims, case tracking, meeting transitional needs of victims, and placement of victims for reintegration. In addition, each office will be responsible for conducting annual trainings for border patrol officers, which will include current information about victim trends, protocols, and international standards.

Lastly, the central branch of this entity will be responsible for setting data collection standards, collecting such data, and then maintaining a national database and website inclusive of these quarterly reported data.

While not all ideal solutions are feasible under certain conditions, this recommendation is included out of an obligation to provide the most professional and comprehensive information possible, and in hopes that it will assist national efforts toward advancement. Also included in the below matrix are recommendations for change based on the current organizational structure. These are broken down into four categories: data, collaboration, education, and initiatives.

Further Recommendations

1. Data

Recommendation	Details	Entities Involved	Primary Responsible
1.a. Available data on the poverty level and living conditions should be used when designing new prevention policies and programs.	The lack of economic opportunities and poverty together with violence and unequal division of gender roles are considered the major causes of trafficking. Therefore, available data on the poverty level and living conditions should be used when designing new prevention policies and programs. By using labour market or poverty indicators as mentioned above, it is possible to design more accurate policies to prevent human trafficking by focusing more on sensitive areas with specific programs on employment or other activities. This has the potential to become a very efficient tool for prevention and could also help throughout the social reintegration process. By creating new economic opportunities for the possible victims of trafficking, the risk of re-trafficking can be minimized as well.	Albanian government; NGOs tasked with creating economic opportunities; civil society; media.	Organization Ministry of Labour, Social Affairs and Equal Opportunities; INSTAT; National Employment Offices; Local government.
1.b. Establishing data collection standards.	Data on trafficking should be substantially improved quantitatively and qualitatively. It is crucial to find ways to improve the quality of data on trafficking and have it be disaggregated by regions and also by urban and rural areas, since a clear link has been shown between risks of trafficking and rural areas or rural origin.	Albanian government; foreign institutions and NGOs working in Albania; civil society.	Ministry of Interior; Albanian and foreign NGOs dealing with anti-trafficking issues in Albania.

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<p>1.c. Instate indicators for prevention program monitoring and evaluation.</p>	<p>The other very important indicators for monitoring prevention strategies would be those related to the labour market and social and economic conditions. In this regard, we suggest the following indicators for monitoring prevention strategies: 1) women participation rate in the labour force by rural/urban and districts areas; 2) unemployment rate of women by rural/urban and district areas; 3) poverty headcount by rural/urban and district areas; 4) enrolment rates by sex, rural/urban and district areas; 5) years of schooling by sex, rural/urban and district areas; 6) low paid work by sex, occupation and sector.</p>	<p>Albanian government; INSTAT.</p>	<p>Ministry of Labour, Social Affairs and Equal Opportunities; Ministry of Education, Ministry of Interior; INSTAT.</p>
<p>1.d. Research and analyze the condition of women in the labour force.</p>	<p>The increasing participation of women in the labour force is also mentioned in the actual progress report of the NSSD. It is recommended that this issue ought to be analyzed in-depth and addressed in the next new NSSD. These two issues, prevention of trafficking and increasing women's participation in the labour market, should be closely linked together. Besides this, the type of employment (low paying jobs and difficult working conditions) are other factors that should be taken into account.</p>	<p>Albanian government; civil society.</p>	<p>Ministry of Labour, Social Affairs and Equal Opportunities; Ministry of Finance; Ministry of Interior; INSTAT; Faculties of social sciences.</p>
<p>1.e. Evaluation and monitoring of current women's employment programs.</p>	<p>After reviewing considerable literature on existing data about creating employment opportunities for women, we turned our attention to the issue of poor coordination between the NES, local NGOs and international institutions. There are sporadic</p>	<p>Albanian government; local and international NGOs.</p>	<p>Ministry of Labour, Social Affairs and Equal Opportunities; NGOs tasked with creating economic opportunities as well as women's NGOs.</p>

	efforts in different regions, but there are no sustainable follow-up attempts to monitor the performance of women's employment relating to the above-mentioned efforts and programs.		
1.f. Create national database of trafficking victims.	Establishing a national database of the victims of trafficking would be of considerable interest, help and support to the involved stakeholders. After several contacts and ongoing correspondence with different stakeholders and key informants, and after considerable research needed in acquiring anonymous data on victims of trafficking, we faced many difficulties in retrieving data from different sources.	Albanian government; international organizations; local NGOs.	Ministry of Interior; IOM-Albania; NGOs which are running shelters for victims of trafficking.
1.g. Conduct needs assessment of victims to inform current and future programs.	Considering the victims' young age and their low level of education, needs assessment initiatives should be undertaken. Based on their feedback, specific vocational trainings should be offered by the main actor: the government.	Albanian government; NGOs.	Ministry of Labour, Social Affairs and Equal Opportunities; Ministry of Education; NGOs running shelters for victims of trafficking.
1.h. Improve international data gathering and recording.	It is important to improve information and data given from destination countries. The lack of data from destination countries limits understanding of the scope and nature of trafficking. With more victims staying in destination countries due to residency options, the lack of data from destination countries can decrease the number of victims, giving rise to the misperception that trafficking has been addressed.	Albanian government; destination countries' governments.	Ministry of Interior; Albanian and foreign police of state and borders.

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<p>1.i. Make program budgets available to the public.</p>	<p>Although the Annual Budget 2006 is available on the internet, the budgets for The National Anti-Trafficking Strategies (2001–2004 and 2005–2007) or other programs that we have mentioned throughout the report must also be available to the public (online or through other approaches). This would help Albanians to be informed where and how the government is spending their taxes on this specific issue.</p>	<p>Albanian government.</p>	<p>Ministry of Finance; Ministry of Interior.</p>
<p>1.j. The NES should facilitate the registration process of job seekers and adapt the registration form to ex-victims of trafficking.</p>	<p>The NES should facilitate and hasten the registration procedures in its employment offices. The current registration process is time consuming and requires a lot of personal information including photographs. This creates an unnecessary burden for victims and violates their confidentiality as victims.</p>	<p>Albanian government.</p>	<p>Ministry of Labor, Social Affairs and Equal Opportunities.</p>
<p>1.k. Based on the Right To Information Law, all trafficking data should be made easily available to the public.</p>	<p>The data on trafficking is still not considered a public issue. Therefore, improvements should be made in providing data for all interested organizations, institutions as well as individuals. We are aware of the fact that this information would be limited due to ethical, security and privacy concerns, but in order to advance the current system, at the very least primary statistics must be provided.</p>	<p>Albanian government.</p>	<p>Ministry of Interior; shelters for victims of trafficking.</p>
<p>1.l. Special care with Roma victim data.</p>	<p>NGOs have to be careful when getting and reporting data about Roma victims. The high number of victims given from NGOs and other sources of information can be considered as a risk to their continuous discrimination.</p>	<p>Civil society and NGOs.</p>	<p>Albanian NGOs running shelters for victims of trafficking.</p>

2. Coordination/Collaboration Efforts

Recommendation	Details	Entities Involved	Primary Responsible Organization
2.a. Coordination efforts should be made by state, local, and international institutions.	Additional coordination efforts should be made by state institutions and local and international NGOs in order to provide better, more professional and sustainable programs, not only regarding victims' assistance, but also prevention measures. This could be made possible with participation in an annual international conference or the creation of a regularly updated website that lists all the current efforts being made by various entities.	Albanian government; Albanian and international NGOs.	Ministry of Interior; Ministry of Labour, Social Affairs and Equal Opportunities; Ministry of Education; Albanian and international NGOs dealing with anti-trafficking issues (prevention and reintegration efforts).
2.b. Establish concrete and visible indicators in terms of employment of the victims.	The collaboration between the shelters and the National Employment Service is not visible and must be strengthened. For example, creation of record keeping and case tracking of victims employment.	Albanian government; local and international NGOs.	Ministry of Labour, Social Affairs and Equal Opportunities; Albanian and international NGOs dealing with anti-trafficking issues (prevention and reintegration efforts).
2.c. Strengthen the coordination efforts between the Ministry of Interior, Ministry of Education and the Ministry of Labour, Social Affairs and Equal Opportunities.	With current and updated information by the Ministry of Interior, the Ministry of Education could offer appropriate vocational trainings (based on the victim's needs assessments). The well trained victims, in accordance with the requests of the existing labour market, should therefore be suggested to the regional employment offices for employment. This chain of efforts would create an adequate and sustainable approach for reintegration of the victims of trafficking in Albania.	Albanian government; Gender Equality Committee.	Ministry of Interior; Ministry of Education; Ministry of Labour, Social Affairs and Equal Opportunities; Gender Equality Committee.

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<p>2.d. Establish standard forms that must be completed on every victim, for all countries in South East Europe.</p>	<p>After reviewing considerable reports by local and international NGOs and institutions, we conclude that while cooperation and communication among stakeholders in South East Europe has improved substantially recently, some service providers within transit and destination countries lack full and updated information regarding the availability and extent of reintegration services within Albania. Moreover, the information they provide to the Albanian border police regarding victims' data, situation and other relevant information is lacking or incomplete.</p>	<p>Albanian government; Albanian and international NGOs; South East European governments.</p>	<p>Ministry of Interior; Albanian and boundary countries' border and state police.</p>
<p>2.e. Create an office or NGO for transition at the borders.</p>	<p>Often victims and perpetrators are held in the same space while awaiting transition to their country of destination. This creates an environment of re-victimization and inefficiency. For these reasons, an office should be established to oversee border transitions and provide safe services.</p>	<p>Albanian government; international (state borders) governments.</p>	<p>Ministry of Interior; police of state; police of border states.</p>
<p>2.f. Establish a broader network for sharing information and coordinating anti-trafficking efforts between local and international NGOs.</p>	<p>More coordination is needed between NGOs, in order to share their experiences, case studies, lessons learned as well as best practices in this regard. A network of collaborators, experts and services would be a considerable step forward.</p>	<p>Civil society.</p>	<p>Local and international NGOs dealing with gender issues and anti-trafficking initiatives.</p>

2.g. The government should support local NGOs offering social services by tax incentives.	In order to be eligible for tax incentives the specific NGOs should meet the predetermined required standards. Those standards would include things such as educational staff trainings, data reporting, conference attendance, etc.	Albanian government; civil society.	Ministry of Finance; local NGOs offering adequate social services.
2.h. The government should promote local and international business sectors which support NGOs offering social services by tax incentives.	In order for business institutions (local and international ones) to be eligible for tax incentive, the government should establish monitoring and evaluation mechanisms.	Albanian government; business sector; local NGOs.	Ministry of Finance; business sector; local NGOs offering social services in general and running shelters for victims of trafficking in particular.
2.i. Reorganize the current system by allocating specific tasks to specific organizations.	It is important to better coordinate activities and initiatives between shelters, women’s NGOs and business NGOs , in order to offer better mediating to employment possibilities and other services in order to reintegrate women in the society.	Albanian shelters for victims of trafficking; Albanian NGOs dealing with gender issues and creating economic opportunities for women in Albania.	Albanian government; Gender Equality Committee.

3. Education/Awareness Raising

Recommendation	Details	Entities Involved	Primary Responsible Organization
3.a. Trainings on human trafficking for police officials.	The police officers of the Albanian borders need to be more informed and aware not only about the definition of trafficking, but also trained to offer first assistance as the victims repatriate through the Albanian borders.	Albanian government; civil society.	Ministry of Interior; Ministry of Education; Albanian and international NGOs offering trainings on gender issues (especially how to deal with and treat victims of trafficking).
3.b. Initiate media campaigns related to gender inequalities.	There is a fundamental challenge when trying to change traditional gender inequalities in Albanian society as a whole. Therefore, it is important to initiate media campaigns on raising Albanian society's awareness through ads or national and public TV where civil servants must be invited as well.	Media institutions; local and international NGOs.	Public and private TV and radio stations; daily newspapers; magazines; Albanian and international NGOs dealing mainly with women's and children's issues as well as media organizations.
3.c. Integrate gender and trafficking issues into school curricula.	Gender issues should be involved in school curricula by introducing specific classes in this context. NGOs and institutions working in gender and education issues must invite Albanian state institution to their activities in order to make visible their efforts and initiatives.	Albanian government; NGOs.	Ministry of Education; Gender Equality Committee; NGOs (local and international) dealing with gender and education issues in Albania.
3.d. Introduce positive role models into media campaigns.	We recommend the promotion and encouragement of positive models in the media , not only of women but also of men by spurring positive attitudes and behaviors as well as efficient ways of communication.	Media institutions; local and international NGOs.	Public and private TV and radio stations; daily newspapers; magazines; Albanian and international NGOs dealing mainly with women's, children's issues as well as media organizations.

3.e. Broadcast programs sensitive to domestic violence.	It is worthwhile to recommend broadcasting programs related to domestic violence in Albania. For example, those programs can be addressed to specific target groups, like children, young people, and men and women.	Media institutions; local and international NGOs.	Public and private TV and radio stations; local and international NGOs dealing mainly with women's, children's issues as well as media organizations.
3.f. Reformat business/work place policies to include gender prejudices.	Gender issues should be incorporated into editorial policies, ethical codes and marketing policies. An example of a policy may be the non-application of sexist language and the elimination of gender stereotypes.	Media institutions; local and international NGOs.	Public and private TV and radio stations; daily newspapers; magazines; Albanian and international NGOs dealing mainly with women's, children's issues as well as media organizations.
3.g. Inform media of current legal framework and international policies related to Albanian human rights.	Media representatives should have appropriate knowledge on the Albanian legal framework and international conventions ratified by Albania relating to human rights in general and women's rights in particular, as well as devote media coverage to the way in which these conventions are enforced in practice.	Media institutions; local and international NGOs.	Public and private TV and radio stations; daily newspapers; magazines; Albanian and international NGOs dealing mainly with women's, children's issues as well as media organizations.
3.h. Inform media and the general public that victims of trafficking should be accepted and rehabilitated.	Media representatives should have appropriate knowledge on trafficking and use the appropriate language (sensitive to the issue), as well as promote positive ways to treat victims of trafficking in a fair manner in such a way that the general public could accept and help them to be rehabilitated and reintegrated into the society.	Media institutions; local and international NGOs.	Public and private TV and radio stations; daily newspapers; magazines; local and international NGOs dealing mainly with women's, children's issues as well as media organizations.

4. Initiatives

Recommendation	Details	Entities Involved	Primary Responsible Organization
4.a. Evaluate and reform current Women's Employment Program.	The Women's Employment Program needs further review and reconsideration. There is a risk to further discriminate victims when they are employed according to this program. Besides this, victims can be at higher risk of re-trafficking when they are identified as such.	Albanian government and parliament.	Ministry of Labour, Social Affairs and Equal Opportunities; Sub-commission of the Albanian Parliament on Women and Minorities.
4.b. Support NGO efforts to prevent trafficking.	It is important to support (financing or voluntary efforts) Albanian NGOs, which are really dealing with anti-trafficking efforts (prevention and reintegration initiatives) in Albania.	Albanian government; international NGOs; donors; the general public.	Ministry of Labour, Social Affairs and Equal Opportunities; Sub-commission of the Albanian Parliament on Women and Minorities.
4.c. Create national strategy to support women entrepreneurs.	A national strategy to support businesswomen is fundamental and must be drafted in order to help women who intend to run their own businesses. Special measures should be taken in order to increase women's participation in the business sector, by promoting vocational trainings, technical assistance, lower interest rates and longer loan terms.	Albanian government; Albanian parliament; international NGOs; donors; Albanian NGOs; civil society; local and international banks.	Ministry of Labour, Social Affairs and Equal Opportunities; international and Albanian NGOs as well as donors supporting Albanian NGOs tasked to create economic opportunities for women in Albania; Sub-commission of the Albanian Parliament on Women and Minorities; local and international public and private banks established in Albania.
4.d. Promote development projects in order to create employment opportunities as an active preventative to trafficking.	We recommend promoting development projects across multiple sectors, such as education, health, employment, decision-making, etc.	Albanian government; NGOs; civil society.	Ministry of Education; Ministry of Health, Ministry of Labour, Social Affairs and Equal Opportunities; Gender Equality Committee; local and international NGOs.

4.e. Establish more comprehensive protection rights for victims of trafficking.	Passing legislation against trafficking does not help if the legislation targets the victims, or if it is used in such a way that prostitutes are further harassed. Evidence suggests that remedies offering more protection to victims of trafficking are those which address the economic factors leading to migration, and those which allow prostitutes (whether trafficked or not) full rights. This includes protection under labour laws and the right to choose whether to return or to remain in their chosen country with full citizenship rights.	Albanian government; Albanian parliament; international NGOs; donors; Albanian NGOs; civil society.	Ministry of Labour, Social Affairs and Equal Opportunities; international and Albanian NGOs as well as donors supporting Albanian NGOs dealing with gender and anti-trafficking issues for women in Albania; Sub-commission of the Albanian Parliament on Women and Minorities.
4.f. Create and mandate standards and protocols for victim services.	It is necessary to provide standards and protocols for victims' service and assistance. There are no formally agreed upon regional standards outlining a minimum level of care and a necessary package of services for victims of trafficking.	Albanian government; NGOs.	Ministry of Labour, Social Affairs and Equal Opportunities; local government; Gender Equality Committee; local and international NGOs.
4.g. Establish long-term victim assistance programs.	Despite the plausible efforts made by shelters accommodating victims of trafficking, there is evidence about short-term reintegration assistance. According to the interviews with the key informants and with the victims of trafficking, there is a need for long-term assistance as well as for additional mechanisms to apply it.	Albanian government; international organizations; donors.	Ministry of Labour, Social Affairs and Equal Opportunities; local government; Gender Equality Committee; international NGOs.
4.h. Incorporate employment assistance into vocational trainings for victims.	Reintegration efforts must address not only the vocational training needs of victims, but also mediate for their employment.	Albanian government; international NGOs; donors; Albanian NGOs; civil society.	Ministry of Labour, Social Affairs and Equal Opportunities; shelters international NGOs.

ANNEX 1: SEMI-STRUCTURED INTERVIEW WITH VICTIMS OF TRAFFICKING

1. General data
 - a. Age
 - b. Place of Birth
2. Questions on the familiar situation prior to be trafficked
 - a. Habitation (housing situation)
 - b. Personal economic situation—employed/unemployed
 - c. Educational level
 - d. Marital status
 - e. Size of the family prior to trafficking (how many members lived together) and the relationship between the family members
 - f. Parents/husband economic status and other family members
 - g. Parents/husband educational level and other family members
3. Questions related to trafficking
 - a. When did you leave Albania?
 - b. To which country did you go?
 - c. Did you go by choice or did others force you to escape? What's the role of the family/husband/fiancé in this moment?
 - d. What are the main reasons that forced you to escape?
 - e. What information did you have about the country you were going?
 - f. What information did you have about the type of job and the country you were going?
 - g. Who helped you escape?
 - h. Can you describe the way you went to the other country?
4. Questions on the reintegration process in Albania
 - a. Where have you returned to Albania?
 - b. Can you briefly describe the returning moment in Albania? What happened? Were you scared? How was the relationship with the police (how did they behave)?
 - c. Which were the reasons you returned to Albania? Which were the reasons you didn't return home?
 - d. Do you think of returning home afterwards? If not, what are the reasons?
 - e. What do you think about the shelter/living conditions/activities?
 - f. Did you follow vocational trainings? If yes, what kind? Do you think they have been of worth to you?
 - g. What do you think about your future? Would you like to leave the shelter and live on your own? Do you think you have the possibility to live on your own, to find a job and rent a house?
 - h. Do you have anything else to add?

ANNEX 2: GLOSSARY OF TERMS

Discrimination against women

Based on Article 1 of the CEDAW Convention,¹¹⁴ "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

Employment and unemployment

The "employed" comprise all persons at a specific age who, during a specific period, either one week or one day, were in the following categories:

- (a) "paid employment";
- (b) "at work": persons who during the reference period performed some work for wage or salary, in cash or in kind.¹¹⁵

"The unemployed" comprise all persons of a specific age who during the reference period were:

- (c) "without work";
- (d) "currently available for work";
- (e) "seeking work".¹¹⁶

¹¹⁴ <http://www.un.org/womenwatch/daw/cedaw/protocol/sigop.htm>, accessed January 9, 2006.

¹¹⁵ People and Work in Albania: Labour force, employment in the transition. Tirana: INSTAT, 2004, page 18.

Feminization of poverty

The gap between women and men caught in the cycle of poverty has continued to widen in the past decade, a phenomenon commonly referred to as "the feminization of poverty". Worldwide, women earn on average slightly more than 50 percent of what men earn.

Girl child

According to the UN Convention on the Rights of the Child, Article 1, a child means every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier.¹¹⁷ Since this Convention is signed and ratified by Albanian government,¹¹⁸ a girl child is any woman who is unmarried, even over 18 years of age. In this report, "girl" or "child" always refers to UN as well as Albanian legislation context.

¹¹⁶ The Labour Market in Albania. Tirana: INSTAT, 2002, p. 6.

¹¹⁷ The Convention on the Rights of the Child was adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989. It entered into force 2 September 1990, in accordance with article 49.

¹¹⁸ Signature: September 27, 1990; Ratified: February 27, 1992, <http://www.unicef.org/crc/fulltext.htm>. Last accessed: November 5, 2005.

Sex trafficking

Sex trafficking means the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act.

Sex industry

Refers to activities which legally or illegally market and/or sell sexual services/products in organized form and which make profits from sexual exploitation of people - children, women and men.¹¹⁹

Smuggling

The Trafficking and Smuggling Protocols make a distinction between trafficked persons and smuggled migrants, defining migrant smuggling as “the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State party of which the person is not a national or permanent resident”.¹²⁰

In principle, the smuggling of persons constitutes an illegal border crossing and is therefore a violation against the state. In contrast, trafficking a human being is a violation of the rights of the individual; the victims of the crime are the trafficked persons themselves. Therefore, the term “victim” is used throughout the anti-trafficking protocol whereas it is not mentioned in the protocol against smuggling.¹²¹

¹¹⁹ “Report on sex industry in the European Union.” Brussels: European Parliament, April 15, 2004.

¹²⁰ UN protocol against smuggling in migrants, December 2000.

Trafficking

The trafficking of women and girls into forced prostitution and other slavery-like or exploitative conditions is increasingly recognized as one of the world's fastest growing crimes and most significant human rights violations. The United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children defines trafficking as:

*“the recruitment, transportation, transfer, harboring or receipt of persons by means of the threat or use of force, of other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or the giving and receiving of payments, or benefits, to achieve the consent of a person having control over another person for the purpose of exploitation. Exploitation shall include, at minimum, the exploitation of prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”*¹²²

¹²¹ Limanowska, Barbara. Trafficking in Human Beings in South-Eastern Europe, p. 3.

¹²² United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons. Supplement to United Nations Convention against Transnational Organized Crime.

The Trafficking Victims Protection Act defines “severe form of trafficking in persons” as:¹²³

(a) **sex trafficking** in which a **commercial sex** act is induced by force, fraud, or **coercion**, or in which the person induced to perform such an act not attained 18 years of age; or

(b) the recruitment, harboring, transportation, provision, or obtaining of a person for labour or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

Unemployment¹²⁴

Registered unemployed are those who are looking for work through the public employment service who may or may not be receiving benefits, in other words it is an administrative register. As we explain below, the registry procedure in Albania is complex and is one of the reasons why women may put off being registered as unemployed persons, but also maybe many men. In any case, in most countries registered unemployment is usually lower than unemployment measured through survey methods as well as incidence by sex.

¹²³ Trafficking in Persons Report, p. 24.

¹²⁴ Unemployment in the Albanian context is based only on registered unemployed. Figures for unregistered unemployed are not provided in the Albanian legal framework.

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