



**International Convention on the
Protection of the Rights of
All Migrant Workers and
Members of Their Families**

Distr.: General
7 February 2019

Original: English
English, French and Spanish only

**Committee on the Protection of the Rights of All
Migrant Workers and Members of Their Families**

Thirtieth session

1–12 April 2019

Item 6 of the provisional agenda

**Consideration of reports submitted by States
parties under article 73 of the Convention**

**List of issues in relation to the second periodic report of
Albania**

Addendum

Replies of Albania to the list of issues*, **

[Date received: 22 January 2019]

* The present document is being issued without formal editing.

** The annexes may be consulted in the files of the secretariat.



I. General information

Reply to question 1

1. Pursuant to the Labor Code, two Council of Ministers' decisions regulating the activity of private employment agencies were approved: DCM No. 101, dated 23 February 2018, "On the Organization and Functioning of Private Employment Agencies" regulates the functioning of private employment agencies in terms of providing information, counseling and mediation services to citizens in the Republic of Albania, including those returning from emigration as well as those who want to emigrate for employment. This DCM reflects the obligations of ILO Convention No.181, "On Private Employment Agencies", ratified by our country contains provisions on the functioning of these agencies, promotion of employment, protection of Albanian citizens during their employment process.

2. DCM No. 286, dated 21 May 2018 "On Certain Rules for Temporary Employers Employed by Temporary Employment Agencies", aims at regulating the employment of employees from/through temporary employment agencies and their protection during this process. It enables monitoring and oversight of agency activity in order to avoid various abuses during employment.

Reply to question 2

3. Mission of the State Minister for Diaspora is to represent, promote policies of cooperation and interaction with all Albanians, promoting, strengthening cooperation with Albanians outside the borders of the Republic of Albania (RA) and the countries where they live. The areas of responsibilities are:

(a) Organizing, designing, implementing the state policy for Albanians outside the state borders, and in their countries of residence, in cooperation with the Ministry of Europe and Foreign Affairs;

(b) Encouraging and assisting the development of communication and interaction between diaspora and Albanians outside the borders with the diplomatic representations of RA in the countries where they reside;

(c) Promotion and assistance in enhancing the development of Albanian values and traditions of Albanian nationals outside the state borders;

(d) Cooperation with international organizations for protection of the interests of Albanians outside the state borders;

(e) Preservation and cultivation of national identity, as well as undertaking initiatives to promote language, culture, traditions and all national values, in cooperation with the Ministry of Education, Sports and Youth and the Ministry of Culture;

(f) Coordination of the process to guarantee the registration, the right of diaspora participation in the polls, in cooperation with the Ministry of Interior and the Ministry of Justice;

(g) Organization and management of the establishment of the State Agency for Diaspora;

(h) Organization of the National Diaspora Summit, other national and international conferences for enhancing the cooperation between the Diaspora and Albania;

(i) Cooperate with responsible ministries to encourage foreign investment in Albania.

The program "Engaging the Albanian Diaspora in the Social and Economic Development of the country"

4. This program aims to increase the diaspora engagement in the development of the country by supporting members of the Albanian diaspora to promote investment in Albania. The Program aims to carry out mapping, analysis of profiles of Albanian diaspora members

in 5 pilot regions of Italy. The program is funded by the Italian Agency for Development (IACS) under the political commitment of the Ministry for Europe and Foreign Affairs (MEFA) and implemented by the International Organization for Migration (IOM). This project was initiated by the MEFA but afterwards was led by the State Minister for the Diaspora.

5. The mapping will be carried out through Albanian immigrant and diaspora associations that will be selected in Italy. Data collection will be carried out through specific questionnaires. The selected associations after collecting the data will send them to the Project Management Unit at IOM Tirana:

- The first component: focuses on supporting the Government of Albania and a comprehensive approach to diaspora engagement for sustainable development. A number of activities such as technical assistance and capacity building, development will support diaspora institutions and relevant officials to provide, appropriate means to enable diaspora engagement;
- The second component: focuses on creating facilities for diaspora engagement in developing the country through the transfer of knowledge, skills by providing for diaspora members the possibility of fellowships in Albanian institutions that will serve to increase the capacity of institutions involved in the diaspora engagement;
- Third Component: Creates the ease of diaspora engagement in the development of the country through the promotion of investments. This will be achieved through an innovative platform called “Connect Albania”, which will serve to increase investments.

Reply to question 3

6. Ministry of the Interior (MOI) including the State Police (Border and Migration Department), Asylum and Citizenship Directorate, Anti-trafficking and Migration Directorate is the main responsible authority for the management of migration and integration. The Border and Migration Department attached to the State Police, as the authority responsible for the treatment of aliens who enter, transit or stay in the territory of the Republic of Albania, organized at national and local level, is responsible for:

- The control of aliens, taking of decisions in relation to the visa application procedures by the aliens who apply to enter into the Republic of Albania;
- Border control by applying the conditions and criteria of entry, stay and transit in the Republic of Albania;
- Provision of aliens with residence permits or extended stay etc. The MOI maintains an electronic register for Aliens Part of the TIMS (Total Information Management System).

7. Ministry of Finance and Economy and its structures (National Employment Service (NES), Regional Employment Directorates (RED)) are responsible institutions for examining, issuing the employment authorizations (work permits, employment declaration certificates, registration certificates).

8. State Inspectorate of Labor and Social Services through inspection visits to the subject and the control of documentation, verifies:

- The regulation of labor relations, safety, health conditions at work for employees;
- Verification of employment contracts for each domestic and foreign employee, where information is also obtained on the identity of employees, on citizenship, place of residence and in any case of finding of foreign employees, the work permit/exemption thereof is verified, in accordance with the provisions of law no. 108/2013 “On foreigners”. This inspection process is carried out on-line via the e-inspection portal where real-time findings are ascertained as well as the statistical data obtained for employers as well as for foreign workers in relation to labor relations and conditions of the work they are expected to work on.

9. In the context of improving data collection for the whole employee, where foreigners are included, and especially in the protection of vulnerable groups, such as under-18 employees, requires more detailed information on age, gender, citizenship, the type of activity where they are employed or will be employed (in case of a work permit application), the number of working hours they will work. No employees under 18 years of age were found.

Data on the number of inspections, number of established employees, number of foreign employees

<i>Inspection data</i>	<i>Total Inspections (Private)</i>	<i>No of employees</i>	<i>Foreigners</i>
Year 2011	13 956	137 447	1 156
Year 2012	15 961	159 323	1 954
Year 2013	14 427	157 809	103
Year 2014	10 817	167 603	2 236
Year 2015	7 627	144 288	1 739
Year 2016	11 235	210 320	2 572
Year 2017	7 923	176 744	1 746
Year 2018 (until now)	7 698	193 465	1 215

10. Data disaggregated by sex, age, nationality/ethnicity and migration status, on unaccompanied children and Albanians abroad can be founded in the Migration Profile 2017 published by the Ministry of the Interior.¹

Reply to question 4

11. Regarding the ratification of the ILO Domestic Workers Convention, 2011 (No.189), there is still no initiative to ratify it.

Reply to question 5

12. In order to facilitate the regular employment of Albanian nationals in Albania and abroad, the first 6 (six) months of 2018 were approved two Council of Ministers' decisions regulating (DCM) on the activity of private employment agencies.

13. DCM No. 101, dated 23 February 2018, "On the Organization and Functioning of Private Employment Agencies" regulates the functioning of private employment agencies by providing information, counseling and mediation services to citizens, including those returning from emigration as well as those who want to emigrate for employment. This DCM reflects the obligations of ILO Convention No.181, "On Private Employment Agencies", the promotion of employment and the protection of Albanian citizens during their employment process.

14. Employment of persons in the RA is carried out directly by the employer or the latter may use the services of the state employment offices or private employment agencies. The Council of Minister Decision stipulates that an entity is classified as an agency and may exercise the activity of mediation at work only if it is registered as a private natural/legal person with the Commercial Register and is equipped with the license of category X.2.A "Mediation in the labor market", in accordance with domestic legislation on licensing.

15. The private agency after its registration as a natural/legal person performs the activity of mediation through:

- Information consultation, assessment of demands and applications for employment mediation. Jobs vacancy;

¹ Please find Annex 1.

Mediation between the employer and jobseeker on the applicable terms and conditions, execution of employment arrangements.

16. This decision states that the costs of mediation, carried out by agency, are borne by employers and jobseekers and are excluded from any direct or indirect financial obligation. Mediation services for jobseekers are provided free of charge and the latter pays only the necessary expenses for completing of the administrative file.

17. DCM No. 286, dated 21 May 2018 “On Certain Rules for Temporary Employers Employed by Temporary Employment Agencies”, provides the employment of employees from/through temporary employment agencies and their protection during this process. It enables monitoring and oversight of the agencies’ activity by avoiding various abuses during employment.

II. Information relating to the articles of the Convention

A. General principles and part II of the Convention

Reply to question 6

18. Immigrants, depending on their legal status, have the same status as Albanian citizens in accessing government-funded health services. Economically active permanent residents are treated as economically active Albanian citizens – meaning that they have compulsory health insurance and are required to pay contributions. However, in the event of a medical emergency, and in cases where the lack of medical care may endanger life, all immigrants, irrespective of their legal status, have access to health care.

19. Immigrants may apply for permanent residence if they have continuously resided in Albania for at least five years and they meet certain additional conditions. The path to citizenship through naturalization begins after an immigrant has lawfully resided in the territory of Albania for no less than five consecutive years, according Law “On Albanian Citizenship”. Permanent residents and those on family reunification permits have the same access to employment and self-employment as nationals. Equal employment rights are granted to refugees through a special work permit. Migrants with temporary residence permits, however, have the obligation to work on the specific position for which the work permit was issued. All migrants employed in Albania have the same employment rights, pursuant to the Labour Code, as nationals.

20. Law no.108/2013 “On Foreigners”, amended, creates the possibility for foreign nationals who have been denied the issuance of a work permit to submit their complaint to the Minister responsible for labor immigration. The legal framework regulating the employment of foreign nationals in the territory of the RA is published on the National Employment Service website. Any foreigner or his employer or the person authorized by him may obtain from this site all the information about employment procedures.

21. Migrant workers and members of their families enjoy equal rights with Albanian citizens as regards the right to social benefits such as economic aid or social care. Law “On Protection from Discrimination” aims to ensure the right of every person to equality before the law and equal law protection, equality in opportunities and opportunity to exercise the rights, to enjoy freedom and to participate in public life. The Gender Equality Strategy, the National Plan on Roma and Egyptian Communities and the National Plan for Persons with Disabilities contain measures addressing discrimination.

22. Immigrants have access to primary and secondary education in Albania, irrespective of their legal status, as per the Law “On Pre-University Education (2012). Registration of a child in a public school requires a document of residency that is issued by the municipality. Foreigners with irregular status cannot obtain such a document, and consequently are not able to register their children at school.

23. The draft Migration Action Plan of the new National Strategy on Migration Governance 2019–2022 envisage measures on the information of foreign nationals working in Albania for their rights as well as the Albanian legislation that regulates their

employment in the country.² Measures are also envisaged relating to the information in the language of immigrants, and training.

24. During January 2016–December 2018 are organised training by the School of Magistrates related to non-discrimination:

- September 2016 – “Drafting new Curricula on Gender Equality and Non-Discrimination and Positive Practices related to Judge’s Needs Assessment and Prosecutors on Gender Equality and Non-Discrimination Issues”;
- November 2016 – “Direct Implementation of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). The role of the judiciary and the justice system”;
- October 2017 – “European Standards on Equality and Non-Discrimination” – the importance of their recognition and enforcement by the justice system. Institutional Framework on Equality and Non-Discrimination Issues;
- December 2017 – “Prohibition of discrimination; prohibition of discrimination of disabled communities; of minorities; discrimination against Roma; discrimination of the LGBTI community”, including non-discrimination of migrant workers.

Reply to question 7

25. The following information is provided on:

(a) The judicial bodies and/or administrative structures authorized to examine complaints from migrant workers and members of their families, including those who are undocumented or in an irregular situation, who feel that their rights have been violated;

(b) The number and type of complaints examined by those bodies since 2010, and the decisions taken;

(c) The legal assistance provided to migrant workers in a regular or an irregular situation and the measures taken to inform them and members of their families about the remedies available to them for violations of their rights;

(d) The reparation awarded to victims of such violations, including in the form of compensation.

B. Part III of the Convention

Article 11

Reply to question 8

26. Law No. 121/2016 “On Social Services in the Republic of Albania”, defines specialized services for all categories as children in conflict with the law, disabled persons, abused, abused or trafficked women and girls, and all categories that need such services.

27. Regarding free legal aid, legal definitions for persons who benefit from free legal aid are those individuals who are part of social protection programs or meet the conditions to be included as well as cases that are victims of domestic violence or victims of trafficking in human beings.

28. Ministry of Health and Social Welfare (MHSP) develops comprehensive health and social protection social assistance and social care policies as part of social protection and inclusion. Gender issues and equal opportunities, child protection, and anti-discrimination policies due to sexual orientation, responsible for the development, implementation and monitoring of health promotion, prevention policies, ensuring access to medical and health services for all citizens.

² On the occasion of International Migrants Day, on 18 December 2019 it was presented the draft National Strategy on Migration Governance (2019–2022).

29. The Law No. 18/2017 “On Child Protection” provides for the establishment of effective mechanisms and functioning of the institutions, establishing an integrated and functional system of child protection. This Law provides for the right to move from the place of residence or to provide for return to the country of origin with provisions for the relocation of the child in or out of the country in accordance with the best interest of the child. It refers to the unaccompanied child from the parent or guardian and their return near them as well as the return and its repatriation.

30. During 2018, have been inspected 7698 subjects, where 1215 foreign employees were found, of which 20 were not provided with work permits. For 2017, as a result of unsafe work conditions, 4 foreign employees have been injured in work, 3 of whom have died as a result of mining in the area of Dibra. During 2018 an accident case was investigated in the work of a foreign employee in a construction activity. There was a company irregularity where a foreign citizen would work and therefore no renewal of the work permit was granted. Administrative measures have been taken in compliance with labor inspection law.

Data about the number of foreign employees ascertained with and without work permits, in compliance with law “On foreigners”

<i>Inspections data</i>	<i>Total Inspections (Private)</i>	<i>No of employees</i>	<i>Foreigners</i>	<i>Foreigners without work permit</i>	<i>In % without work permit</i>
Year 2011	13 956	137 447	1 156	145	12.5%
Year 2012	15 961	159 323	1 954	203	10.4%
Year 2013	14 427	157 809	103	15	14.6%
Year 2014	10 817	167 603	2 236	27	1.2%
Year 2015	7 627	144 288	1 739	15	0.9%
Year 2016	11 235	210 320	2 572	47	1.8%
Year 2017	7 923	176 744	1 746	7	0.4%
Year 2018 (until now)	7 698	193 465	1 215	20	1.6%

Classification of foreign employees, identified during 2018 according to 12 Regional Branch of State Labor Inspectorate and Social Insurance (SLISI)

<i>Inspections data/2018</i>	<i>Total Inspections (Private)</i>	<i>No of employees</i>	<i>Foreigners</i>	<i>Foreigners without work permit</i>
Berat	351	4 842	25	-
Dibra	203	7 521	134	1
Durres	803	34 277	33	4
Elbasan	604	5 777	5	-
Fier	453	10 604	103	-
Gjirokastra	329	1 783	-	-
Korça	430	5 014	294	-
Kukes	186	1 610	3	-
Lezha	278	3 755	132	1
Shkodra	477	10 375	-	-
Tirana	2 866	93 268	437	1
Vlora	710	12 550	48	13
Center	8	2 089	1	-
Total	7 698	193 465	1 215	20

Classification of foreign employees, identified during 2017 according to 12 Regional Branch of (SLISI)

<i>Inspections data/2017</i>	<i>Total Inspections (Private)</i>	<i>No of employees</i>	<i>Foreigners</i>	<i>Foreigners without work permit</i>
Berat	388	5 527	41	1
Dibra	272	8 965	177	-
Durres	746	22 342	86	-
Elbasan	649	4 517	182	1
Fier	565	10 131	8	-
Gjirokastra	296	1 923	-	-
Korça	668	10 663	991	-
Kukes	284	1 237	-	-
Lezha	313	6 281	69	-
Shkodra	455	9 423	2	-
Tirana	2 551	84 094	142	4
Vlora	736	10 741	48	1
Center	-	-	-	-
Total	7 923	175 844	1 746	7

31. Albania ratified ILO Convention No. 105, ILO Abolition of Forced Labor Convention, 1957. Its ratification was registered in 1997. The latest report to this convention was sent to the ILO in the year 2017. ILO Forced Labour Convention, 1930 (No.29). The latest Report on Convention Implementation was submitted in 2017.

Articles 16–18

Reply to question 9

32. Albanian and foreign nationals returning from the police of other countries at the border are subject to special procedures of waiting, being interviewed and after that the selection. One of the purposes of the selection process is the assessment of vulnerabilities and needs or indicators of trafficking in human beings.

33. Pre-screening process, aims at differentiating among categories of undocumented foreigners, such as asylum seekers, unaccompanied minors, victims or potential victims of trafficking and undocumented migrants, by providing the needed assistance as relevant.³ Hence, it is imperative that pre-screening specialists are aware of the legal basis that provides the *criteria* for differentiation among categories and the *rationale* for such differentiation.

34. Albanian Constitution clearly envisages that foreigners have the right to asylum in Albania.⁴ Albania has also ratified the Refugee Convention (1951) and its Protocol, which are binding and override the national laws. The Law on Asylum adopted in 2014 regulates the procedures for asylum, respective authorities, the rights of asylum seekers and refugees, their subsidiary and temporary protection.

35. The enactment of the Law on Asylum was followed by the adoption of several Decisions of Council of Ministers (DCM), orders, and instructions. Instruction “On the entry and treatment of undocumented foreigners” and the Order of the Minister of Interior “On the Procedures and Rules for transferring a case from the Responsible Authority for the Border and Migration to the Authority Responsible for Asylum” and Refugees no. 611 (2015).

³ Needs Assessment of the Front-Line Officers Involved in the Pre-Screening Process, OSCE, 2017.

⁴ Article 40 of Constitution, envisages that Foreigners have the right to asylum in Albania.

36. Law on Foreigners in Albania based in the Albanian Constitution, which clearly lays down that foreigners enjoy the rights and obligations envisaged by the Constitution, unless the constitution explicitly reserves the right to citizens⁵. Albania has also ratified all international conventions in migration area, which override the national legislation. The main legal act in the area of migration is Law on Foreigners 108/2013, as amended in 2016. A series of Decisions of Council of Ministers regulate issues such as visa, work permit and residence permit.

37. Law on Asylum and the Law on Foreigners, is based principle of non-refoulement, the best interest of the child and the right to family life. In addition, Law on the Rights and Protection of Children no. 18/2017, and Law on Social Services no.121/2016 envisage specific protective measures for children and persons in need of protection/vulnerable categories.

38. Order 1146/2014 of Minister of Interior “On some additions and amendments to the Order 851/2009” “On the Approval of the Standard Operational Procedures (SOP) for the border and Migration” includes technical details on the procedures for pre-screening of irregular foreigners, during their operations. The SOPs are underlined by the objective of Albanian Police “to use a migrant rights’ approach, to comply with the EU Acquis, to conduct objective, impartial and individual assessment of the asylum request, without discriminating on the basis of race, origin, religion”. The migrant rights’ approach and the obligation for an objective, impartial and individual assessment of asylum request are very relevant for the recent flows of undocumented foreigners.

Illegal migration

39. A sustainable policy has been developed to combat illegal migration and trafficking in human beings. Law “On Foreigners”, (as amended) provide for treatment conditions for foreign nationals from third countries seized at the border and territory, imposing measures against undeclared work and illegal employment, for the protection of victims of trafficking. Most voluntary withdrawal procedures have been applied and partially dealt with in Kareç Detention Centre, following the return procedures on the basis of bilateral agreements between Albania and the countries of origin/transit.

40. The foreigner to whom a detention order has been issued to the detention center has the right to appeal to the district court for this measure at any time after the written notice of the prohibition or prolongation of the detention. The deadline for the voluntary execution of the removal order is not less than 7 days and not more than 30 days from the date of notification. The voluntary execution of the removal order may be postponed for an appropriate period (more than 30 days), taking into account the specific circumstances, referring to the categories:

(a) Children who attend schools and the term of the school year is less than 3 months until the end of the child’s/children school year;

(b) A foreigner who has a financial obligation and must liquidate this obligation up to 3 months from the date of notification;

(c) To foreigners with health problems, according to a decision by state authorities.

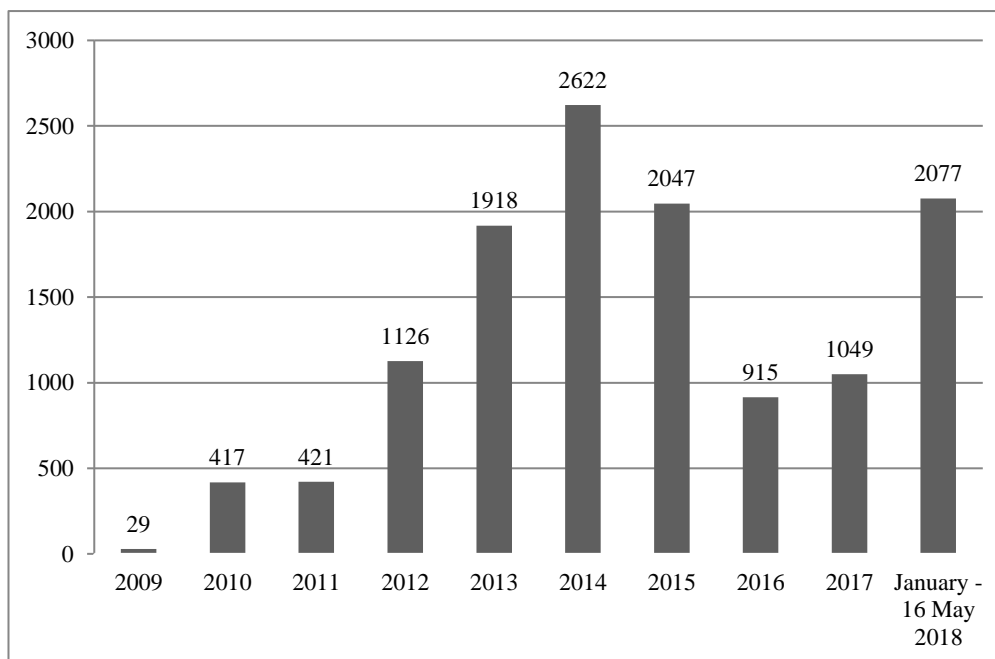
41. Law “On Foreigners” (article 127) provides for the rights of a foreigner in a detention center, to be informed of any action taken by the responsible authorities to keep him in the center, in the language he understands.

Actual situation

42. In Western Balkan countries (including Albania), illegal immigration of African and Asian descent (from MENA countries – Middle East and North Africa) trying to use the

⁵ Article 16 of Constitution. This provision does not differentiate between regular and irregular foreigners. Certain rights such as the right to move freely in the territory and procedural guarantees against expulsion are envisaged only to foreigners lawfully in the territory.

countries of this region to reach European Union countries, has been identified as a phenomenon for many years. This phenomenon has increased significantly during the period January to May 13, 2018, when their number reached 2077, or about twice as much as during the whole year 2017, or about 18 times more than the same period last year, when only 153 irregular immigrants were caught. 9.12. The chart below gives an overview of the number of irregular immigrants captured over the years. As shown by the graph, 2015, 2016 and 2017 recognized a decline in the number of irregular immigrants, but 2018 marks an upward trend, with rapid steps, indicating that Albania continues to be an attractive country for transit from Greece towards European Union countries.



43. Of 1049 irregular immigrants caught in our country during 2017:
- 513 are caught on the green border;
 - 515 foreign citizens, irregular immigrants are caught in the territory;
 - 21 are caught in the Border Crossing Point.
44. In accordance with the standard working procedures, after being subject to the selection process:
- 74 are being transferred in the Center for the foreigners;
 - 289 have been transferred to the Asylum Center in Babrru;
 - 683 left voluntarily with voluntary departure orders.
45. Whereas of 2077 irregular immigrants caught in our country during the period January–13 May 2018:
- 830 are caught on the green border;
 - 1194 are caught in the field;
 - 53 are caught in the Border Crossing Point.
46. In accordance with the standard working procedures, subject to the selection process:
- 42 are transferred to the Kareç Detention Center;
 - 1456 are transferred in the Asylum Center in Babrru;
 - 577 left voluntarily with voluntary departure orders;
 - 2 unaccompanied minor children are transferred to the Social Care Center.

47. The highest number is occupied by Syria, followed by those who come from Pakistan and the Kashmir region, then those who come from Iraq, Iran, Algeria and Morocco. The growing influx of irregular immigrants towards Albania is due to:

- Closure of the Northern Balkan Road (Macedonia-Serbia-Hungary);
- Continued growth of the number of immigrants arriving in Greece;
- Inability to control the situation by the Greek authorities;
- Activation of immigrant smuggling networks in Greece and Albania;
- Good atmospheric conditions at the end of the last year and beginning of this year.

48. Main point of entry into Albania is the territory of Gjirokastra. Few cases have been recorded in the territory of Korça or Saranda. All irregular immigrants openly express their intention to travel to Germany, Austria, Sweden or other EU member states. During 2017, 21 cases of aid to cross the border illegally (smuggling of persons) were hit or 31% more than in 2016, where 16 cases were hit.

49. Regarding the phenomenon of irregular immigrant's special attention is paid to the two indicators:

- Identification of potential victims and victims of trafficking among citizens who come as irregular immigrants;
- Identification of different individuals who, by getting involved with the crowd of irregular immigrants, may be terrorists – (FTF – foreign terrorist fighters).

50. Since irregular immigrants travel without identification documents, the main difficulty lies in their exact identification. Often they do not carry with them the registration documents in Greece either. The Border and Migration Police has taken a number of measures, namely:

- Establishment of a contact point for reporting;
- The contact point with FRONTEX is set and functions by using the JORA reporting system. Through this system a report from FRONTEX is received on the migration situation in the Balkans every day;
- Information is regularly exchanged with the diplomatic missions in Tirana, mainly of neighboring countries affected by influx and accredited international liaison officers in our country, in particular with those of potential destination countries;
- Strengthening the technical capacities of Border Police services with special equipment such as: installation of SMARTDEC equipment in the green border line; 15 lifecycle livescans at Border Crossing Points and Border Police stations are installed in the possible directions of migration of irregular immigrants and 7 livescanner-stationary for the purpose of real-time transmission of papillary tracks to enable identification of possible elements of terrorist tendencies or foreign terrorist fighters;
- Exchange information with migration services of neighboring countries affected by the influx;
- In cooperation with CARITAS, it has been possible the creation of an entertaining environment for the children in the Closed Center for Foreigners, in Kareç, the camera surveillance system and the system of drinking water filtration in the Center was re-established in all the premises of the Center;
- Install some SMARTDECs (surveillance devices that transmit real-time images to the control room) in the hottest areas;
- Strengthening the border surveillance through the Border and Migration Unit "DELTA" and that of the Immediate Intervention Teams;
- Strengthening of the territory control by the local Police Directorates on possible road axes based on risk analysis;

- Training of Border and Migration Police officers to provide adequate humanitarian service even security;
- Cooperation with Organized Crime Structures, Anti-Terror structures to prevent and crack criminal groups involved in smuggling human beings and prevent penetration of potential terrorist elements;
- Strengthening services across the blue border in close cooperation with Italian partners.

51. Total Information Management System TIMS, interlaced with that of INTERPOL, provides the BMP (Border and Migration Police) with a very good opportunity to control and verify the registered foreigners with records in the INTERPOL database. Special attention has been paid to strengthening regional cooperation. The Joint Information Exchange Center with Macedonia and Kosovo has been set up and functions. It is soon expected the operation of the Tripartite Information Exchange Center Albania-Mal i Zi-Kosovo, while progress has been made in opening such a center with Greece.

52. In order to cope with a possible influx, host capacities have been strengthened by establishing, in cooperation with IOM, with the financing of the Council of Europe Development Bank's Fund, and the Gjirokastra Municipality, the Provisional Center for Registration and Accommodation of Irregular Immigrants in Gërzhë, Gjirokastra (29 km from the border with Greece) with a capacity of 60 people. In cooperation with UNHCR, IOM and Gjirokastra Municipality, a reception center for vulnerable groups.

Reply to question 11

Removal of foreigners

53. According to the Law on Foreigners (LoF), a foreigner may be removed only by means of a removal order which is an administrative act issued and communicated to the foreigner based on the Code of Administrative Procedures (article 106.9). As such, it must explain the grounds for removal, the date of the effectiveness of the order, as well as the appeal procedures (article 106.9 and article 107). The LoF foresees that the order shall be communicated in writing to the foreigner, in a language that he understands (or English).

54. The removal order must foresee even the possibility of voluntary return within a given time period, which in principle must be from 7–30 days (Article 106 of LoF).

Subjects of the removal order

55. Law on Foreigner (Article 106) stipulates that the removal order is issued against the foreigner who does not fulfil conditions for stay in the Republic of Albania, who has served a sentence imposed by the Albanian courts for a criminal offence punished by a minimum of 2 years of imprisonment according to the Criminal Code and who, regardless of regular stay, is apprehended while working contrary with the criteria defined by the legislation in force. (Article 106)

Expulsion

56. Law "On foreigners" refers to the expulsion order. "Expulsion" is defined as the execution of the obligation to return the foreigner, under an expulsion order, the person declared undesirable, as well as the removal of the foreigner by the authorities foreseen by the law.

Detention

57. The law on foreigners defines detention as the last administrative measure taken and enforced, by the responsible state authority at regional level for the treatment of aliens, against the alien who is subject to an expulsion order, (not removal order) following exhaustion of all the possible alternative measures or where following an assessment it is considered that such measures may not be enforced against the foreigner, or against the foreigner readmitted based on the readmission agreements.

58. LoF foresees as a category of foreigners detained in the closed centre, even foreigners readmitted based on the readmission agreement. No detention will be executed unless an expulsion order is issued. Article 121.3 foresees that “the responsible state authority for the treatment of aliens at regional level may, for public security reasons, detain in the closed centre the alien, whose identity or purpose of stay is unclear”.

Detention order

59. The law on Foreigners in article 121 reads that detention shall be taken and enforced by the responsible state authority at regional level.⁶ Detention shall be enforced only following the issuing of a detention order.

60. The Border and Migration Police at regional level has the authority to issue and execute the removal order, thus deprivation of liberty of the foreigner. Such competence, which generally falls under the discretion of the court, in the case of detention of foreigners must be mandated at least to the central authority competent for immigration, i.e. Border and Migration Department.

Appeal against the detention order

61. Law on Foreigners guarantees the right to appeal against a detention order in the judicial district court on this measure, at any time, following the written notification of detention or extension of the detention. The law foresees: the possibility to appeal through the lawyer chosen by him, or assigned ex officio (article 121 LoF); the right of the detained person to inform the consular or the diplomatic representative concerning detention.⁷ Notification must be done only upon request of the foreigner, once the latter is informed of this right.

Article 27

Reply to question 13

62. Immigrants, depending on their legal status, have the same status as Albanian citizens in accessing government-funded health services. Economically active permanent residents are treated as economically active Albanian citizens. They have compulsory health insurance and are required to pay contributions. However, in the event of a medical emergency, and in cases where the lack of medical care may endanger life, all immigrants, irrespective of their legal status, have access to health care.

63. Immigrants also have access to primary and secondary education in Albania, irrespective of their legal status, as per the Law on Pre-University Education i (2012). However, the registration of a child in a public school requires a document of residency that is issued by the municipality. Foreigners with irregular status cannot obtain such a document, and consequently are not able to register their children at school. Immigrants may apply for permanent residence if they have continuously resided in Albania for at least five years and they meet additional conditions, according to the law on Citizenship.

64. Permanent residents and those on family reunification permits have the same access to employment and self-employment as nationals. Equal employment rights are granted to refugees through a special work permit. Migrants with temporary residence permits, however, have the obligation to work on the specific position for which the work permit was issued. All migrants employed in Albania have the same employment rights, pursuant to the Labour Code, as nationals.

65. Pursuant to Law “On Foreigners” during January–December 2017, from the General Directorate of National Employment Service and Employment Offices, 1,705 Work Permits and 1,417 Declaration of Employment were issued. During January–September 2018, 1,549 work permits and 1,218 Employment Declaration certificates were issued.

⁶ Article 12 of LoF.

⁷ Article 126 LoF. The consular or diplomatic representative is not notified when the detained foreigner is an asylum-seeker. This is obvious for the asylum process itself.

Article 33

Reply to question 14

66. SILSI controls the implementation of labor legislation by the employer on equal terms for all employees regardless of their nationality. Labor inspectors control the implementation of the maximum length of work, the duration of the paid annual leave, the minimum wage and salary supplements for the work performed on the second and third rounds, the additional hours, the creation of safe and secure conditions healthy workplace where foreign workers should enjoy on equal terms with domestic workers.

67. Inspection visits are oriented towards entities that carry higher risk for informal employment or occupational accidents and occupational diseases, depending on the type of activity they perform and the number of employees employed in them.

Data on foreign employees evidenced during 2018 by the type of activity of subjects, subject to inspection

<i>Activity type/2018</i>	<i>Total Inspections (Private)</i>	<i>No of employees</i>	<i>Foreigners</i>	<i>Foreigners, without work permit</i>	<i>In %</i>
Agriculture, forestry, fishing	31	435	-	-	-
Mines	124	7 479	145	-	0.0%
Manufacturing Enterprise	1 619	78 328	137	2	1.5%
Electricity, gas, water	36	1 479	-	-	-
Commerce, hotel-bar-restaurants	3 526	32 064	204	17	8.3%
Construction	786	17 277	310	1	0.3%
Transport, storage, telecommunications	143	3 306	-	-	-
Finance, Insurance Services	63	2 286	9	-	0.0%
Other activities	1 370	50 811	410	-	0.0%
Total	7 698	193 465	1 215	20	1.6%

Data on foreign employees evidenced during 2017 according to the type of activity of subjects, subject to inspection

<i>Activity type/2017</i>	<i>Total Inspections (Private)</i>	<i>No of employees</i>	<i>Foreigners</i>	<i>Foreigners, without work permit</i>	<i>In %</i>
Agriculture, forestry, fishing	42	1 007	5	-	0.0%
Mines	122	8 702	209	-	0.0%
Manufacturing Enterprise	1 663	76 295	119	4	3.4%
Electricity, gas, water	22	467	10	-	0.0%
Commerce, hotel-bar-restaurants	4 217	33 604	45	2	4.4%
Construction	553	16 502	1 194	1	0.1%
Transport, storage, telecommunications	123	2 856	1	-	0.0%
Finance, Insurance Services	72	2 314	4	-	0.0%
Other activities	1 109	34 997	156	-	0.0%
Total	7 923	176 744	1 743	7	0.4%

C. Part IV of the Convention

Article 40

Reply to question 15

68. All migrants employed in Albania have the same employment rights, pursuant to the Labour Code, as nationals.

69. Albanian has ratified Convention No.87, "On Freedom of the Union and the Protection of the Trade Union Law", 1948, which was registered on 3.06.1957.

70. Domestic legislation:

- Albanian Constitution stipulates that foreigners in the RA enjoy the same rights as Albanian citizens, (Articles 16/1, 46/1 and 50) fully guarantee the rights of foreigners;
- Law no. 136, date 5.12. 2015 "On some additions and amendments to law no. 7961, dated 12.7.1995, "Labor Code of the Republic of Albania", as amended;
- Law no. 152/2013 "On civil servants" as amended;
- Law "On Foreigners", provides that: "The foreigner shall apply the Constitution, the laws in force and the decisions of the state authorities upon entry, residence and departure from the territory of the RA." This law provides promotion and implementation of foreign integration programs in society.

Article 41

Reply to question 16

71. Foreign residents are not permitted to vote in local elections. However, they can be consulted based on procedures set forth in the law Nr. 146/2014 "On public notification and consultation". Only foreign natural persons with permanent residence in the Republic of Albania can be part of the consultations.

Article 44

Reply to question 17

72. Law "On Foreigners" respects the right to family life, and the right of the foreigner to family reunification. It recognizes the right of the foreigner to family reunification with an Albanian national, family reunification of a foreigner who has the residence in Albania with his/her family members. The right to family reunification is recognized to every foreigner who has:

- (a) Been issued with a residence permit for a validity period of at least one year and has the possibility to renew the permit;
- (b) Sufficient and sustainable means and adequate accommodation to receive the family members;
- (c) Health insurance for himself and the family.

73. The law foresees the possibility of appeal by the foreigner or his/her family in case of refusal of the residence permit for family reunification (article 56). It is not foreseen the possibility of appeal against the cancellation of the permit for family reunification (article 60). Considering the general rules about the application for residence permit, work permit or any other administrative act, the right to appeal against any refusal or cancellation must always be foreseen.

74. Cancellation of the residence permit for family reunification (article 60) because of dissolution of marriage is problematic, if the foreigner has children. Cancellation of the

residence permit and deportation of the foreigner, without consideration of the right to family life (where children are involved) and the best interest of the child, contradicts the fundamental constitutional principles – the right to family life and specific protection of the child. Permanent residents and those on family reunification permits have the same access to employment and self-employment as nationals.

75. Law “On Foreigners”, as amended, guarantees the right of foreigners living legally in the RA to create or maintain family life, defines the rules for exercising this right, the rights of family members accepted under these rules. Specifically:

- Article 3/15, makes the definition of “family reunion” according to which is the entry and stay in the Republic of Albania of family members of an Albanian citizen who do not have Albanian citizenship or a foreigner resident in the Republic of Albania with the aim of preserving the family, regardless of whether the family relationship is established before or after the entry of a foreigner into RA, in cases of family reunification of the foreigner’s family;
- Article 3/14 of this law provides that: “Family members” of a foreigner are their spouse, cohabitant/cohabitant, whose cohabitation has a stable and proven character; minors, unmarried children, part of the family composition, including those in custody and who are in custody of him or her or adopted by a court decision or a decision that is enforced directly, according to the international obligations of RA or to be recognized in accordance with international obligations;
- Article 55: A foreigner who is a family member of an Albanian citizen is granted a residence permit for a term of no more than one year for the first time, unless it is determined otherwise in agreement or in this law. The residence permit is then renewed for a two-year period. This designation for the spouse of an Albanian citizen also applies to a minor who is not married and for whom a foreigner is a legal guardian;
- Article 56 regulates the family reunification of a foreigner with family members.

76. The residence permit for family reunification is granted for the first time for a period of one year with the right of renewal. Unmarried children, as well as the predecessor of the applicant (s), who are objectively unable to meet their needs, may, for health reasons, be granted a residence permit as an exceptional case. Unmarried children may apply for a family reunification residence permit up to the age of 30, provided that the foreigner (the applicant) guarantees the coverage of all living expenses for them. If a residence permit for family reunification is refused, the foreigner or his/her family members have the right to appeal, according to the legislation in force.

77. Law on Foreigners sets out the criteria for obtaining an autonomous residence permit, this permit is issued if the spouse or cohabitant, as well as the children who have reached the age of majority, have a residence permit for family reunification, have been permanently resident for at least five years in the territory of Albania with a residence permit for family reunification and provided that they have not been granted a residence permit for reasons other than that of family reunification during this period of residence. (Article 61)

78. A foreigner is not granted a residence permit or a residence permit is revoked if it is proved that marriage is fictitious, according to Article 59 of this law. Fictitious marriages, according to this law, are marriages related to the purpose of avoiding the fulfillment of conditions for entry and stay of foreigners in the Republic of Albania. Article 60 provides for cases where a residence permit is issued due to family reunification.

79. Law “On Foreigners”, provides for cases where the local border and migration authority issues a removal order for a foreigner. This is when the foreigner no longer meets the conditions of staying in RA, when he has served a sentence imposed by the Albanian courts for a deliberately committed crime, for which the Criminal Code provides for a minimum sentence of not less than 2 years of prison.

80. Deadline for the voluntary execution of the removal order is not less than 7 days and not more than 30 days from the date of notification. The foreigner, who has been granted

the extension of the period of application of the voluntary removal order, has the right to stay with his family members who are in the territory. It is not subject to an expulsion order the foreigner, who is a member of the family of a foreigner who is recognized the refugee status in RA.

Statistics

Table 2

Foreigners who have been issued a residence permit on the grounds of family reunification

<i>Viti 2012</i>	<i>Viti 2013</i>	<i>Viti 2014</i>	<i>Viti 2015</i>	<i>Viti 2016</i>	<i>Viti 2017</i>
1 348 residence permits issued	1 345	1 610	1 671	1 699	1 944

81. Law 108/2013 “On Foreigners”, amended, Article 86 “Types of Work Permits” defines as one of the types of work permits and “A/AF” Work Permit for family members who come to the territory of RA within the framework of family reunification. Also, Article 94 “Work permit for family members of type” A/AF “of this law determines:

(a) Every major member of the family of a foreign worker with a residence permit in RA with the intention of family reunion has the right to be granted a work permit for one year on the basis of an employment contract with an employer or an employment certificate in the family business;

(b) Work permit for family members of a foreign worker is issued on condition that this member has resided with foreigners, regularly and without interruption, for at least three years;

(c) 2017: 3 work permits of type “A/AF” were issued. During January 2018–September 2018 no work permit of type “A/AF” was issued.

Article 47

Reply to question 18

82. Albania has been involved in the Greenback 2.0 initiative as a receiving country of remittances (initiative of World Bank) for the promotion of cost effective and accessible payment instruments for sending and receiving remittances.

83. Albania has agreements with several countries on social protection, portability of social benefits, and better regulation of the legal status of Albanian migrant workers and negotiations are ongoing with several other countries.

84. Agreement on Social Protection between the Republic of Albania and the countries where Albanian citizens work and live does not foresee the export of social contributions but the transfer of benefits, the union of periods of insurance made in the territory of both countries and equal treatment of persons with regard to rights and obligations under the legislation of each state. The transfer of benefits granted in accordance with Albanian legislation (benefits for old age, family pension or disability) means that the payment is to be made to the beneficiary where he resides, in the territory of the other Contracting State or in a third country where he has the permanent residence.

85. To Albanian citizens in different countries of the world where they work and live, the Albanian state has been assisting for social protection, through Law “On Social Insurance in RA” provides for voluntary insurance, as a right recognized to citizens to be insured in a voluntary scheme. Regulation “On voluntary insurance at SII” was approved. In this regulation, a considerable deal of agreement was signed between the insurance agent and SII, whose activity was exercised in different countries, especially in Greece and Italy, because of the largest influx of immigrants in these two states. Within the cooperation protocols that SII (Social Insurance Institution) has with several Patronates operating in both countries, Albania and Italy are offered the provision of a voluntary insurance contribution payment to Albanian citizens who live and work in Italy.

D. Part V of the Convention

Article 59

Reply to question 19

86. Migrants employed in Albania have the same employment rights, pursuant to the Labour Code, as nationals. Migrant workers, benefit from social and health care rights, according to the provisions of the legislation in force.

87. Law “On Foreigners”, (Article 83), defines the typologies of work permits. One of them is the “A/SW” Work Permit, for which specifies:

(a) “The foreigner is granted a working permit as a seasonal worker, up to six months, for each calendar year, for regions, employers, occupations and work contracts, with a fixed timeframe;

(b) If the foreigner’s contract/job offer determines that the activity to be exercised is a regulated occupation, the foreigner must meet the conditions laid down in accordance with the national right to exercise regulated professions;

(c) In the following calendar year, the employer may apply for a work permit, as a seasonal worker, for the same foreigner, provided the completion of a compulsory 6 month break;

(d) The work permit for seasonal work is not been awarded more than 5 consecutive times;

(e) Upon termination of the employment contract, the foreigner must be returned to his/her country of origin, unless he/she meets the criteria in accordance with the legislation in force for obtaining a residence permit;

(f) Upon the termination of the employment contract, the foreigner must be returned to his/her country of origin, unless he/she meets the criteria in accordance with the legislation in force for obtaining a residence permit;

(g) Number of “A/SW” work permits for the period January 2018–September 2018 is 7 work permits “A/SW”. The highest number of work permits was issued for work permit type “A/P”, with 986 work permits issued in this period.

E. Part VI of the Convention

Article 64

Reply to question 20

88. Concerning bilateral agreements in the field of social security in 2019, it is envisaged to follow the implementation of the social protection agreement between the Republic of Albania and Austria. This agreement is approved by law no. 14, dated 29.03.2018 and enters into force on 01.12.2018.

89. The agreement between the Republic of Kosovo and the Republic of Albania is expected to be in the process of implementation of the insurance periods for gaining the right to pension (approved by Law No. 20, dated 12.04.2018 and is waiting to enter into force).

90. Signing of the Social Protection Agreement with Canada (approved by the Decision of the Council of Ministers no.236, dated 22.04.2015 and is in the process of signing).

91. Signing of the agreement with the Swiss Confederation is expected. It is undergoing the technical procedures for signature.

92. It is envisaged the opening of negotiations for bilateral agreements with Montenegro.

93. With Bulgaria it is agreed to start negotiations for the drafting of a new agreement replacing the old one. Negotiations at the expert level on social security systems and cooperation opportunities.

Article 65

Reply to question 21

94. Albanian Government is in the process of developing a new migration policy. The strategy formulation process is supported by the International Organization for Migration (IOM) – UN Migration Agency, funded by the IOM Development Fund.

95. The establishment of the Inter-Institutional Working Group for the drafting of the National Strategy on Migration and its Action Plan was approved by the Prime Minister's Order no. 54, dated 19.3.2018. National Strategy on Migration Management and its Action Plan are being drafted. Comments from the institutions are gathered. These two documents are in the process of finalization and are expected to be approved. This process is coordinated by the Ministry of Interior. The International Organization for Migration in Tirana (IOM) by providing national and international expertise.

96. The strategy and action plan is guided by the International Framework for Migration Governance (otherwise known as MiGoF), which was introduced and welcomed by all IOM Member States (including Albania) in November 2015. This framework defines the essential elements to support planned and well-managed migration. It is a benchmark for governments in developing and evaluating "well-managed migration policies" according to Indicators (10.7.2) of the Global Sustainable Development Goal (SDG).

97. Albanian Government in 2018 participated in the process of assessing the Migration Governance Indicators (MGI), carried out by IOM in cooperation with the Unit of Economic Intelligence (EIU), a process that provided insights into policy areas where Albania could act to strengthen the governance of migration. National Strategy for Migration Governance, is inspired by the global migration processes as much as the process of Albania's integration into the European Union. It aims at provide comprehensive response to challenges and opportunities for migration in the context of the EU. Objective of the strategy:

- "Effective governance of migration in Albania to address the challenges arising from migratory movements and to increase the impact of migration on development for the benefit of migrants and Albanian society";
- Need to build a sustainable legal and institutional framework for governance of migration;
- Need to continue to strengthen the response to irregular migration from, through and through Albania towards the European Union;
- Challenges arising from mixed migratory flows and the need to provide adequate protection for migrants;
- Need to improve the governance of labor migration;
- Need for further promotion of the links between the emigration of Albanian citizens to the national and local development of the country;
- Challenges and opportunities for building a sustainable framework for the integration of foreign migrant workers and members of their families in Albania.

98. National Strategy on Migration Governance focuses on:

- (a) Ensuring the Strategic Governance of Migration in Albania;
- (b) Ensuring safe and secure migration from, through and towards Albania;
- (c) Effective policies for labor migration by increasing the positive impact of migration on national/local socio-economic development;

- (d) Promoting and protecting the rights of migrants and their integration.

Reply to question 22

99. In relation to vulnerable groups such as Roma and Egyptians, there is awareness of their rights in the framework of the National Plan for the Integration of Roma and Egyptians in cooperation with civil society organizations. Within the MHSP policies, the Emergency Transit Center has been opened for R/E communities for which social reintegration services are provided. MHSP has undertaken interventions to vaccinate vulnerable groups for Roma and Egyptian children according to mandatory vaccine schedules to ensure access to healthcare services and care.

100. Albanian returnee citizens are facilitated in their reintegration through the migration counters located in all regional and local employment offices. The Migration Counters interview the returning Albanian citizens who appear at the counter, provide information on public and private services, in accordance with the needs identified and refer to public and private services as well as specific civil society projects, in accordance with the needs of the returned Albanian citizens. Only a part of Albanian nationals returning from emigration appear to the Migration Counters (MC).

101. During 2016, 289 Albanian returnees appeared to the MCs. They are provided with information. According to the data 53% of the returnees are registered for employment, 31% for vocational training, 16% for income support and 22% for medical service information. Referring the data of MCs, to 48 returned Albanian citizens, is given professional training for free, whereas to 142 returned Albanian citizens is given a job.

102. During January–December 2017, 291 returnees, appeared to register and benefit services from the Migration Counters. According to reintegration support, 62% of returnees were advised for employment, 24% were professionally orientated in vocational training courses, 7.5% were supported with income and 12% were informed for the medical services. During 2017, returnees are included in active labor market programs and in professional training courses provided by Regional Directorates of Professional Training. According to MCs, 47 Albanian returnees were trained, whereas 97 citizens got hired.

103. During the period January–September 2018, 285 returned Albanian citizens were registered in these offices. They were informed and advised, 165 for employment, 126 for vocational training, 47 for income support, 53 information for medical services. According to their preferences, have been professionally educated free of charge and have been helped to get hired.

Professional training

104. In order to facilitate the reintegration of Albanian nationals returning from emigration, it is established the legal framework for the certification of previous formal and informal learning knowledge. Many emigrants craft a professional set of skills based on their work experiences abroad, this without making a formal course.

105. Instruction of Minister of Finance and Economy “On the procedures for the recognition and unification of vocational training and qualifications of Levels 2 to 5 of the Albanian Qualifications Framework, including those obtained abroad”. This Instruction sets out the procedures, documentation and structures that will make the recognition of the professional qualifications and the unification of professional qualifications certified abroad of other authorized by the legal framework of the respective country for their release.

106. On September 20, 2018, was ratified by the Albanian parliament “Agreement between the Republic of Albania, represented and the German Agency for International Cooperation (GIZ), was related the project “Migration Counseling in Albania” (2018–2020). The object of this project is the fight against irregular migration by providing information on legitimate labor migration routes and by informing about vocational education and training as well as the prospects of the labor market in Germany and Albania. Through this project, 2000 people will be consulted each year on migration and employment at counseling centers.

107. With the support of IOM Albania a training module has been developed on how to run the migration counters, how to compile and update information, how to identify needs of returned migrants and provide relevant reintegration support or referral services.

108. The IOM Handbook “Running an effective migrants services centre” has been translated in Albanian and has been distributed to provide appropriate authorities with the necessary skills, knowledge and tools to assist returnees effectively. In order to increase the visibility IOM has supported printing and dissemination of information leaflets providing the general public with more information. Updated country destination guides for potential migrants in Belgium and Netherlands have also been prepared and distributed.

109. Currently IOM is supporting the Albanian Government to review the law on migration of Albanian citizens for employment purposes. It is foreseen that the reviewed law will refine the services offered from the MCs and in turn improve their function especially towards pre-departure counselling, reintegration services.

Reply to question 23

110. Reintegration of Albanian returnees and their family members has been in the focus of the Albanian institutions that have continued to implement the Action Plan of the Reintegration Strategy for Albanian Returned Citizens 2010–2015. The strategy sets out reintegration mechanisms that apply and address voluntarily Albanian citizens who return. Its vision is to ensure a sustainable return for migrants through the support of the reintegration process, regardless of the form of return.

111. Measures on the reintegration of Albanian returned citizens:

- Improvement of the existing legal basis with regard to reintegration support;
- Institutional framework for supporting the reintegration of Albanian returnees;
- Increase the capacities of the structures involved in the reintegration of returnees.

112. Albanian citizens returned in the border have at their disposal transport service from Border Crossing Points (BCP) to nearest urban centers as well as vulnerable groups to the nearest residential centers. During 2010–2015, around 100,000 Albanian returnees have benefited. Distribution of information on reintegration of returnees at Border Crossing Points and interviewing readmitted persons from other countries. During 2013–2015, around 80,280 leaflets were distributed. Conditions in the BCPs facilities adopted for the readmission of citizens returning from the police of other countries have been fulfilled. Providing food, water and medication needs for returnees to BCPs. During 2010–2015, some 86,500 Albanian returnees have received these services. During 2010–2015, billboards were prepared to be placed at the border crossing points. About 100 large posters and 350 small posters with orientated information for returned Albanian citizens are placed.

Data for the year 2018

113. According to the State Police during the period January–August 2018, a total of 10,663 Albanian citizens were treated. Divided by gender 9,914 males and 748 females. The conditions have been adapted in such a way as to provide returnees with the most immediate needs and minimum treatment during interviewing procedures.

114. In order to facilitate the reintegration of Albanian nationals returning to the country and to safeguard the rights acquired during regular employment in the host countries there are also bilateral social security agreements. Following the agreements with Belgium, Hungary, Macedonia, Luxembourg, Romania, the Czech Republic and Germany, which have already entered into force.

Reply to question 26

115. Annual Statistics of Victims and Potential Victims of Trafficking (VT/PVT) for the period January–December 2017:

- 105 Victim of trafficking VT/Potential Victim of Trafficking (PVT), of which 26 VT and 79 PVT;

- 25 males and 80 females;
- 49 adults and 56 children;
- 96 Albanian citizens and 9 foreigners (1 Filipino, 3 Afghans, 1 Kosovo, 1 Italian, 1 Biorhythm, 1 Romanian and 1 Macedonian).
- For 2017 there are registered 2 cases returned in Albania voluntarily assisted by: 1 case returned from Norway and 1 case from Dutch.
- Whereas it is 1 case the citizen returned from Albania to England together with her child.

116. Annual Statistics of Victims and Potential Victims of Trafficking (VT/PTV) for January–September 2018: 59 VT/PTV of which 3 VT dhe 56 PTV:

- 16 males and 43 females;
- 21 adults and 38 children;
- 58 Albanian citizens and 1 foreigner;
- For the period January–September 2018, there are registered 3 cases of returnees: 1 case from Germany, 1 from Portugal and 1 from the United Kingdom.

117. There are registered 4 cases of assisted voluntary return from Albania: 1 Belarus citizen to Italy and 3 Afghan children to Sweden to their mother.

118. Regarding the question of assistance to victims and potential victims: All victims and potential victims of trafficking are provided with:

- Direct assistance to women and men victims of trafficking/potential victims;
- Health care;
- Psychological services;
- Psycho-social services;
- Legal assistance;
- Education and tuition;
- Child Benefit Assistance;
- Employment training;
- Professional courses;
- Mediating with the family;
- Social and cultural activities;
- Contribution to Assisted Voluntary Return of Victims or Potential Victims of Trafficking.

119. Victims of trafficking are included in the employment promotion programs. For 2018, 8 employment promotion programs are foreseen for groups with difficulties in entering the labor market. These programs are: “Workplace Training”, “Women and Girls’ Heads of Employment”, “Employment of People with Disabilities”, “Employment of vulnerable groups”, “Employment of Young Graduates in Education university degree”, “Professional Practice for New Graduates “and “Encouraging Employment for Orphans”. In 2018 is implanted the program “On the payment of participation in vocational training courses” dedicated to unemployed persons coming out of the economic aid scheme.

120. Participants in the direct employment program in 2017 accounted for 5.8% of the total number of unemployed jobseekers. Some of the characteristics of the beneficiaries are as follows:

- 62% of the participants are women and young girls;
- 51% are young from 15–30 years old;

- 598 newly graduates attend professional practices;
- 2% are persons with disabilities;
- 8% of total participants are unemployed jobseekers from income support schemes;
- Long-term jobseekers are 47% of the total number of participants;
- 4% are job seekers unemployed by Roma and Egyptian communities;
- 2% are returned migrants;
- 3% are victims of trafficking and domestic violence;
- 0.1% of unemployed orphaned jobseekers.

121. The School of Magistrates during January 2016–December 2018 has conducted training on the protection of migrants who fall victim to criminal organizations involved in trafficking in human beings:

“2 March 2017” Trafficking in human beings and exploitation of work. The features that specific subjects present. Proactive investigation techniques. Victim rights during criminal proceedings – December 2018, the School of Magistrates in cooperation with OSCE provided for the implementation of a training course on: “Juvenile Victim in the Criminal Process”.
