

Voluntary Review Report

of the status of implementation of the GCM in Albania during 2019-2020 period

I. Methodology

1.1. Scope of the Voluntary Review Report

The Voluntary Review Report assesses the status of implementation of the GCM in Albania during 2019-2020 period.

The review is focused on the status of implementation of the 23 GCM objectives, with particular focus on innovative policies and promising practices related to these objectives; measures and institutional changes; barriers and challenges; synergies with regional development; lessons learned and how these will be “translated” into recommendations.

The Report is focused on the following topics: i) How the GCM vision, common understanding, shared responsibilities and unity of purpose regarding migration guide the work of the stakeholders; ii) How the guiding principles of the GCM (people-centered: international cooperation; national sovereignty; rule of law and due process; sustainable development; human rights; gender-responsiveness; child-sensitiveness; whole-of-government approach; and whole-of-society approach) are implemented; iii) How Albania has developed follow-up responses for the implementation of the GCM and the effort of country’s stakeholders to implement these responses.

1.2. Techniques

The Report is prepared using the following techniques: i) Desk review for examining the efforts of the institutions and agencies of the Albanian Government in implementing GCM objectives; ii) Semi-structured interviews with some of the most relevant stakeholders; iii) The information collected through the above techniques is compared with the status of implementation of GCM objectives.

1.3. Limitations and obstacles

Some of the limitations and obstacles during the preparation of the Report were:

- i) The structures responsible for migration issues are dispersed among several ministries. Thus, collecting quantitative information from all the structures, organizing and analyzing the information given in order to make the most of the data collected was a challenging process.
- ii) The COVID-19 pandemic has posed a challenge to the process of collecting the required data and conducting face to face interviews with relevant informants. Due to these restrictions, institutions have temporarily limited their unessential services and are working with a limited number of employees.

1.4. Stakeholders contacted

The following stakeholders, involved in the work for achieving the GCM objectives, provided information for the review, including governmental institutions, civil society organizations and other international contributing partners as presented below.

Governmental institutions:

- Ministry of Interior
- Ministry for Europe and Foreign Affairs
- Ministry of Finances and Economy
- The State Minister for Diaspora
- Ministry of Education, Sport and Youth
- Ministry of Justice
- Ministry of Health and Social Protection
- Bank of Albania
- Institute of Statistics
- Department of Border and Migration
- National Employment Service
- Albanian Investments Development Agency (AIDA)
- The Commissioner for Protection from Discrimination
- State Inspectorate for Labor and Social Services
- Social Insurance Institute
- Agency of Integrated Public Services Delivery

Civil society organizations:

- The Center for Economic and Social Studies;
- Albanian Center for Economic Research;
- Albanian Institute for International Studies

International partners:

- UNHCR;
- OSCE.

II. Policy and enabling environment for implementation of the GCM objectives in Albania

The issue of migration is very important for Albania's development as well as for the country's EU accession process. For many years, the country is affected by several migration dynamics, most important being the outmigration of the active labor force, combined with brain drain, as well as directly linked to misuse of the visa free regime to the Schengen area and high number of asylum seekers to the EU. The migration of unaccompanied minors is also an important issue as it is the reintegration of returnees, in particular those in vulnerable situation.

On the other hand, with almost one third of the population living abroad and a well-integrated Diaspora, the impact of migration on the country's development is significant if properly managed. The importance of Diaspora engagement to the development of the country is also shown in being one of the government priorities and also being supported by International Organization for Migration (IOM) through a dedicated program.

Like other Western Balkan countries, Albania has been affected by mixed migration flows, the reasons for which are not only socio-economic conditions but also various conflicts taking place around the world. The categories of foreigners arriving in the country include, inter alia, refugees

and asylum seekers, migrants, victims of trafficking, unaccompanied and separated minors, and stateless persons. Continuous support has been provided to the government for increasing the capacities for migrants' registration and temporary accommodation, as well as relevant training and development of contingency planning.

In 2019, the Government approved the new National Strategy on Migration and the Plan of Action, approved with Council of Ministers Decision no. 400/19.6.2019, prepared with IOM assistance through IOM Development Fund.

Albania adopted the GCM during the Marakesh Intergovernmental Conference, on 10-11 December 2018. The GCM has been incorporated into migration policies and migration management in the country. The Ministry of Interior (MoI), through the Department of Anti-trafficking and Migration, as the main governmental institution in charge of the migration policy, has made numerous efforts to inform relevant stakeholders for the GCM context and objectives. MoI and Ministry of Finances and Economy, as principal governmental institutions for the implementation of the National Strategy for Migration (2019-2022), are regularly consulting governmental and non-governmental actors involved in the process.

The Ministry of Interior and The Ministry of Finance and Economy are leading institutions for Strategy implementation. The Ministry of Interior is responsible for 31 measures of the Action Plan and 28 measures are jointly implemented by the Ministry of Interior and Border and Migration Department, and The Ministry of Finance and Economy (MFE), is responsible for 28 measures. The level of information and engagement of MoI and MFE is higher compared to other stakeholders.

In 2018, the Ministry of Interior, with the support of the IOM Development Fund, led the work of the Inter-Institutional Working Group for the preparation of the National Strategy on Migration (2019-2022) and its Action Plan. The Strategy was prepared through a whole of government approach, informed as well by the Migration Governance Indicators assessment that preceded the development work. The development of the strategy is a very important milestone for Albania, which contributed to addressing a major policy gap with the completion of the previous migration strategy of 2010.

The goal of the Strategy is to effectively manage migration in Albania, to address challenges resulting from migratory movements and to enhance the development impact of migration to the benefit of migrants and the Albanian society.

The National Strategy on Migration centres on four strategic priorities, as follows:

- Ensure strategic governance of migration in Albania
- Ensure safe and orderly migration from, through and to Albania
- Develop an effective labor migration policy while enhancing the positive impact of migration in the national/local socioeconomic development
- Promote and protect migrants' rights and their integration

The implementation of the measures of the Action Plan of the Strategy is a priority for the Government of Albania when it comes to migration management and governance. It will, in turn, contribute to the achievement of the GCM objectives as relevant.

The GCM objectives have been incorporated into the objectives of the National Strategy on Migration (2019-2022), approved by the Government of Albania in June 2019. The Strategy was a direct response to start the implementation of GCM objectives and its vision is to give inclusive and cohesive response to migration challenges and opportunities by 2022. The Strategy is aligned with the GCM and makes clear reference to it, and the decision of the Albanian Government to renew the cross-cutting strategy on migration represents a key step in realizing Albania's international commitments in the field of migration, embedded in the GCM.

The Strategy and Action Plan are guided by the International Framework on Migration Governance, MiGoF, introduced in 2015, as well as by GCM objectives. The goal of migration policy is to cope with the challenges of migratory movements and to increase the impact of migration on development for the benefit of migrants and society.

Albania is one of the countries that has set the Agenda 2030 as part of its national priorities and has welcomed the Global Compact on Migration and its objectives. Albanian migration policies are in compliance with the Sustainable Development Goals (SDG) Indicator 10.7.2¹ (well-managed migratory policies). The National Migration Strategy is linked and contributes to the implementation of nine goals of SDG.

The measures included in the Plan of Action of the National Migration Strategy of MoI, more specifically, D.2.2.a² and D.2.2.b³, define the obligation for gender equality in migration and employment policies and management and require the respective state institutions to publish and deliver the information in Albanian and foreign languages.

The most important policy related development in Albania was the incorporation of GCM objectives into the new National Strategy on Migration (2019-2022). The Strategy mentions the GCM objectives as an important reference for the formulation of its strategic objectives. Strategic Objective A intends to improve the migration management, linked with GCM Objective 1, 3, 6, 7, 14, 18, 20, 21, 22, 23⁴, Strategic Objective B intends to create the conditions for safe and regular migration⁵, linked with GCM Objective 5, 9, 10, 11, 12, 14, 23; Strategic Objective C intends to create better synergies between migration and development⁶, linked with GCM Objective 16; 18, 19, 20, 21, 22, Strategic Objective D intends to protect migrant rights and promote their integration⁷, linked with GCM Objective 8, 13, 14, 15, 16, 17, 23.

¹ "Number of countries with migration policies to facilitate orderly, safe, regular and responsible migration and mobility of people".

² Treatment needs for migrants - to evaluate the existing legal acts, administrative procedures and schemes of job assistance in order to identify the obstacles related to employment and protection of women's rights in the job market (with a specific focus on immigrants).

³ Based on the results of review, it is necessary to develop and implement targeted measures to promote access of migrants in the labor market in Albania. To be considered training of female assistants that will develop consultation with immigrants that will publish leaflets in the major languages used by immigrants in order to inform them about the contacts of the state institutions and NGOs that help in finding employment.

⁴ Strategic Objective A: Ensure strategic governance of migration in Albania

⁵ Strategic Objective B Ensure safe and orderly migration from, through and to Albania

⁶ Strategic Objective C: Develop an effective labor migration policy while enhancing positive impact of migration in the national/ local socioeconomic development

⁷ Strategic Objective D Promote and protect migrants' rights and their integration.

In order to ensure the compliance of national legislation with the EU standards, during the last three years, the Government has passed the Law on Citizenship (No. 113/2020), amended the Law on Aliens (No.13/2020), and approved the Extended Migration Profile (2015-2018, No.222/12.3.2020).

In October 2018, Albania signed the Agreement on Border management with FRONTEX and since 22 May 2019 along to the Albania-Greece border is a joint operational presence of Albanian border guards and FRONTEX.

The Government has improved the procedures of travel documents, visa issues, employment, residence, family reunion, and protection of the rights of migrants and their families in Albania. These were implemented through improving legal framework, establishing new institutions and agencies, restructuring and re-engineering existing state institutions related to these competences, such as National Employment Service, State Inspectorate for Labor and Social Services, Border and Migration Police etc.⁸

In 2018, the Ministry of Interior established the Migration Unit, as part of Department of Anti-Trafficking and Migration, which coordinates and follows the implementation of GCM objectives as well as the preparation of country's annual reports on the implementation of conventions ratified by Albania and the standards of EU integration process.

One of the most significant institutional changes was the reorganization of the governmental institutions dealing with emigration and immigration issues, when the new Government was in place, in 2017. These changes affected the Ministry of Finances and Economy, the former Ministry of Welfare, the Ministry of Interior, the National Employment Service, and the State Inspectorate of Labor and State Social Services.

In 2017, the Government established the new ministry: State Minister for Diaspora and several agencies under this structure, responsible for addressing Diaspora issues.

Also, AIDA is collaborating with the Diaspora entrepreneurs and their perception on business climate in Albania.

The National Strategy on Migration (2019-2022) and its Action Plan are partly implemented, as it was the first year of implementation and because of Covid-19 pandemic the implementation process became more difficult and complicated.

In regards to the implementation process, the Technical Secretariat for Migration at the MoI has coordinated monitoring activities with leading/responsible institutions, has collected regularly information reports on situation, activities and trends and has offered technical assistance to contact points at ministries and agencies.

Three monitoring reports have been prepared (June-December 2019, January-March 2020 and June 2019-June 2020) on the Strategy and Plan of Action implementation.

The MoI prepared the Council of Ministers decrees on Technical Committee on migration and Steering Committee on Migration. The Technical Committee has been established in July 2020, PM Decree no.99/2020. The Government has not developed a specific implementation plan for GCM objectives. Instead, Government monitors achievement of GCM objectives through

⁸ Information provided by the Ministry of Interior, September 2020.

monitoring the achievement of the National Strategy on Migration management (2019-2022).⁹ An in-depth assessment of institutional capacities and roles for effective migration governance at various levels of management within government institutions is being carried out by IOM with funding from the IOM Development Fund.

The Government has not identified any discrepancy in regional collaboration for migration issues.¹⁰ The MoI reports that its representatives have been active in all regional migration initiatives.¹¹

III. Progress of implementation of GCM objectives in Albania

Objective 1: Collect and utilize accurate and disaggregated data as a basis for evidence-based policies

All public institutions and private organizations collect and administer disaggregated data on foreigners in Albania. The data are included in the National Electronic Register for Foreigners and in the specific related documents and are available to national and regional institutions dealing with migrants and foreigners. The Law on Foreigners, no. 108/2013, defines the obligation of foreigner permanent residents in Albania to register in the local Civil Status offices and the criteria of being granted the Albanian ID. The foreigners can also be registered through e-Albania, Service Code AL012048, in order to be registered in the National Electronic Register for Foreigners, in order to be entitled to several services.

In order to support the use of data as a basis for migration policies, the Law on Foreigners, no. 108/2013, which defines the format of data collected, has been amended.

Also, MoI prepares and publishes the Country's Migration (annual and extended) profiles, reflecting the Findings of the European Commission (2007) on Extending and Improving the Global Migration Approach in the South-Eastern Regions bordering with EU. MoI has finalized the Extended Migration Profile, 2015-2018.

Albania is yet one of the countries that faces issues in producing adequate migration statistics. The measurement of migration flows in the country is still based on surveys on a representative sample of households. INSTAT projects the annual number of migrants (immigrants and emigrants) based on the integrated migration module in the Labor Force Survey since 2015. INSTAT collects, processes, analyses and publishes migration data based on international standards on statistics. Statistics on foreigners with residence permits and asylum seekers are included for the first time in the Official Statistics Program 2017-2021. INSTAT has made available and publishes these data since 2017. The source for data on foreigners is the Department of Border and Migration, which collects and processes in real time and continuously immigration data through foreigners' electronic system, FER, while the source for data on asylum seekers and citizenship is the Ministry of Interior.

⁹ Information provided by the Ministry of Interior, September 2020.

¹⁰ Information provided by the Ministry of Interior and the Ministry of Finance and Economy, September 2020.

¹¹ Information provided by the Ministry of Interior, September 2020.

The statistics on migration are being collected in compliance with the Regulation 862/2007 of the Council and European Council as a guideline for unification of collection and analysis of national statistics on migration and asylum.

Albania, in collaboration with countries of the region and international partners, has established the Regional Platform for Exchanges of Personal Data on Migration, developed by MARRI, Regional Initiative for Migration, Asylum and Refugees, and supported by EU Program “Regional Support for Migration Management with focus on Protection of Western Balkans and Turkey”.

MoI is working for the regional format of exchanges of non-personal statistics on migrants smuggling, supported by IOM project “Improving Capacities and Mechanisms for Identification and Protection of Migrants in Western Balkans. Albania and countries of the region exchange non-personal data to prevent and reduce the risk of smuggling.

Support for the improvement of migration data was provided through GIZ funding for carrying out a Household Migration Survey in the entire country, with more than 20 thousand households and more than 70 thousand respondents, the biggest of this kind ever carried out in Albania.¹²

INSTAT, in collaboration with IOM and CESS, and supported by GIZ, conducted the first Survey on Migration in Families, in 2019. INSTAT designed the household survey whose main objective was to provide information on net migration rates between 2011 and 2019 and the characteristics of the involved population. The survey produced for the first time statistics on the households’ change of residence. It was an innovative study different from the Labor Force Survey, a regular survey which describes the population of household members with a partial migration profile. The key characteristics of Albanian households by migration profiles obtained through HMS were as follows: Number of households with no migrants, both internally and out of the country, since 2011 was 493,841 in 2019; The population of these households was 1,872,974 persons; In terms of outflow: 171,482 households fall under the partial migration profile (at least 1 member of the household has migrated since 2011 abroad or elsewhere in Albania); In terms of inflow: 64,740 households fall under the partial immigration profile (at least 1 member of the household has returned or immigrated since 2011); The number of whole migrant households, both internally and outside the country, was 84,434 in 2019, with 311,194 people.¹³

Objective 2: Minimize the adverse drivers and structural factors that compel people to leave their country of origin

IOM has given continuous support to the Government of Albania for the prevention of irregular migration and promotion of regular alternatives, through countrywide information and awareness raising campaigns.

Albanians emigrate mainly for economic and labor purposes. From all households of Albanian residents identified in 2011 Census, in 2019, at least 22.1 per cent (165,946) had at least one member abroad. Of these, 29.8 per cent were whole emigrant households, while the remaining 70.2 per cent were partial emigrant households, with at least one (but not all) household member emigrating.¹⁴ Therefore, the main push factor of their emigration is unemployment and lack of opportunities to have a decent work, career and wellbeing in the country.

¹² National Household Migration Survey in Albania, IOM, 2020

¹³ National Household Migration Survey in Albania, IOM, 2020

¹⁴ National Household Migration Survey in Albania, IOM, 2020

The most sustainable way to reduce emigration flows is promoting economic development and job creation. Therefore, employment and labor force development are a priority of Government.¹⁵ In 2019, the Government approved the National Strategy for Employment and Skills, 2019-2022 and its Plan of Action. At the core of these documents are employment opportunities and education and skills for all, decent work, social inclusion and cohesion.

The Covid-19 pandemic imposed a rapid growth of unemployment all over the world.¹⁶ It caused a sudden growth of unemployed people in Albania and among Albanian emigrants in the destination countries, as sectors where migrant workers are mainly employed, such as food services, tourism, textile, and retail, experienced the hardest hit by the pandemic. Migrants are vulnerable to loss of employment and wages due to the negative economic impact of the pandemic.

Despite Government efforts to save jobs, INSTAT reports that the private sector lost 23,5005 jobs from January 2019 to June 2020. Government made efforts to create jobs in the public sector and consequently the number of public employees in Albania grew 1% (1,483 new jobs were created) during the same time period.¹⁷ Also, efforts have been made to maintain the level and quality of public services, health, education and social services to vulnerable groups of population. Around 2,500 families were added to Social Assistance Program.¹⁸

The Government offered two packages of financial assistance, the first dedicated to small businesses and citizens and the second dedicated to entrepreneurs and employed, in the form of subventions for employees and former employees who lost their job in the firms with more than 14 million ALL revenues, subvention for tourism sector; two financial packages for social assistance to citizens and businesses; and additional budgetary funds for health services. Unemployment and social assistance benefits were doubled. MFE reports that until 3 September 2020, 86,667 businesses, 383,627 citizens employed in enterprises closed down or affected by COVID-19 pandemic, benefitted a disbursed fund of 12,742,627,298 ALL or 121 million USD.¹⁹

Objective 3: Provide accurate and timely information at all stages of migration

Albania has a stable legal framework on protection of Albanian emigrants in destination countries and immigrants in Albania. Information is offered during all stages of migration from, through and towards Albania, informing Albanian migrants on rights, obligations and penalties of violating Schengen rules. Activities to raise awareness are organized in all regions of Albania, assisted and supported by IOM and form Albanian consular services in EU member states and Schengen countries.

Return migrants are informed in border crossing points on the existing reintegration services in the country and assisted with transportation services, food and medicaments.

Regarding work permits, the online platform, National Employment Service website and E-Albania, offers information on documentation and procedures on how to obtain work permits.

¹⁵ Government of Albania, Governing Program 2017-2021.

¹⁶ <https://www.alternet.org/2020/07/economist-paul-krugman-a-roaring-pandemic-will-keep-us-unemployment-in-double-digits-for-a-long-time/> (Retrieved on October 24, 2020)

¹⁷ Employed by administrative source and agriculture sector, Q.2.2017-Q.2.2020, INSTAT, 2020

¹⁸ Ministry of Health and Social Protection, 2020.

¹⁹ Paketat financiare anti – covid/Anti-Covid Financial Packages, <http://financa.gov.al/raporte-per-covid-19/>

Returned migrants can obtain information services on employment opportunities from the regional and local employment regional offices.²⁰

In order to inform the potential emigrants to Germany, the Government (MFE) signed an agreement with German Government, (GIZ) for implementing the project “Counseling on migration in Albania”, Law no.59/2018. German Information for Migration, professional education and Career, DIMAK, are actually functioning in regional employment offices in Tirana and Shkodra. The need to formalize and capacitate the Migration Counters in the regional and local employment offices is also visible.

Objective 4: Ensure that all migrants have proof of legal identity and adequate documentation

The introduction of online services and simplification of procedures have facilitated the process of obtaining employment permits. The MoI is working to distribute biometric IDs to all foreigners legally residing in Albania.²¹

Objective 5: Enhance availability and flexibility of pathways for regular migration

In order to enhance the regular migration, Government has improved the legislation on private employment agencies, based on ILO standards. More specifically, three Council of Ministers decrees have passed recently, regulating the functioning of private employment agencies (101/2018), specific rules on temporary workers employed by private employment agencies (286/2018 and 555/2019).

In addition, the Government is currently negotiating a bilateral agreement on work mobility with Kosovo.²²

Objective 6: Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work

Employment of foreigners in Albania is regulated by the Labor Code. The Law on Foreigners, no 108/2013, doesn't address this issue. The Labor Code defines that the foreign workers in Albania enjoy the same rights as Albanian citizens.

The secondary legislation on Private Employment Agencies has introduced some provisions aimed at improving fair and ethical recruitment of migrant workers. Their enforcement need to be strengthened.

The 98 inspectors of Inspectorate of Labor and Social Services inspect and monitor the working conditions of foreign workers in the country and their chances of having a decent employment. During 2019, the Inspectorate controlled the working conditions and working contracts of 1,106 foreign workers and discovered 18 workers without working permission and 2 workers who had had a work accident. In 2020, the Inspectorate visited 217 foreign workers and discovered 10 workers without working permission and 2 workers who had had a work accident.²³

Objective 7: Address and reduce vulnerabilities in migration

²⁰ Information provided by the National Employment Service, September 2020

²¹ Information provided by the Ministry of Interior, September 2020.

²² Information provided by the Ministry of Finance and Economy, September 2020.

²³ Information provided by the State Inspectorate of Labor and Social Services, September 2020.

As underlined in the Joint Statement on the Impact of COVID-19 on Migrants, the COVID-19 pandemic heralds a human crisis of unprecedented scale, causing devastating impacts on the health, livelihood and wellbeing of people across the world. Migrant workers often face specific challenges during the COVID-19 pandemic due to a variety of factors, including inadequate living and working conditions, limited local knowledge and networks, xenophobia, discrimination, lack of access to health and related services, and exclusion in host countries' responses to the pandemic

There is a gap between efforts to reduce vulnerabilities of emigration of Albanians and immigration to Albania. Albania continues to be vulnerable in the global migration system, as the country lacks levers to impose on receiving countries the implementation of specific programs and measures for improving the conditions of emigrants. However, the Government is trying to reduce vulnerabilities of immigration in the context of managing regular and irregular immigration flows to Albania. Particular attention is given to immigrants with special disability needs, sick, women, children and those who need interpretation, offering them access to services in the territory.

Unaccompanied minors are one of the most vulnerable categories of Albanian emigrants, with a significantly growing share during the last years.²⁴

Objective 8: Save lives and establish coordinated international efforts on missing migrants

Government of Albania does not have a set of specific rules and procedures on missing migrants. However, Government is collaborating regularly with international organizations and other countries services to search and identify all cases of missing migrants. Albania is a signatory of the search and rescue at sea convention.

Objective 9: Strengthen the transnational response to smuggling of migrants

IOM has supported the Government of Albania to protect vulnerable migrants and reduce vulnerabilities, locally and regionally, including efforts to fight smuggling of migrants. Ongoing support is also provided to the efforts to prevent and counter violent extremism.

Albania is a country of origin of Albanian economic emigrants smuggling in EU countries, UK and US and Canada. The offences of illegal border crossing and assisting illegal border crossing are increased during the last years.²⁵

Albania is a transit country of smuggling of migrants coming from Middle East and enter Albania through the Albania-Greece green border, following their way to Montenegro and Kosovo with final destination EU countries.²⁶

During January-June 2020, there were 383 criminal offenses of illegal trafficking; 377 criminal offenses and 572 authors were identified; 156 persons were arrested. There were 107 criminal offenses of assisting illegal border crossing and 276 criminal offenses of illegal border crossing.²⁷

²⁴ Successful re-integration paths of Albanian returnees and provision of the related advocacy services towards Albanian and EU stakeholders and policy makers-SRIPAR, AIIS and GIZ, 2018.

²⁵ Information provided by the Ministry of Interior, September 2020.

²⁶ Information provided by the Ministry of Interior, September 2020.

²⁷ Information provided by the Ministry of Interior, September 2020

The Albania's Penal Code provisions on assisting illegal border crossing are in compliance with Directive 2002/90 / EC, 28 November 2002, which defines assisting to enter and unauthorized transit and residence.

Objective 10: Prevent, combat and eradicate trafficking in persons in the context of international migration

IOM has given continuous support to the Government for the fight against trafficking of human beings, including policy support, capacity building of stakeholders, trainings, and direct support to victim's reintegration.

There are foreigners of different categories arriving in Albania: migrants, refugees, asylum seekers, victims of trafficking, unaccompanied and separated minors, and stateless persons.

All anti-trafficking activities: prevention, protection, assistance to victims and prosecution of traffickers, are coordinated by MoI National Coordinator Office, in partnership with local and international institutions.

The Government has ratified international conventions, signed agreements and protocols, exchanges information and communicates directly with other state agencies.

The Plan of Action against Human Trafficking 2018-2020, is approved by the Government in 2018 (nr.770/2018) and is monitored by the National Coordinator.

The Law on Foreigners, no.108.20134, defines the conditions for treatment, measures against informal work and illegal employment and the protection of victims of trafficking. Albania is applying mainly the procedure of voluntary return. The cases of VoTs/PVoTs are treated by the National Coalition of Anti-Trafficking Shelters and the State Shelter.

MoI was part of the UN Conference against Transnational Crime, the WG on Migrants Smuggling (8-9 September 2020), in and the session 10 of WG on Trafficking of human beings.

Objective 11: Manage borders in an integrated, secure and coordinated manner

IOM has given support to the Government for the monitoring of the mix migration flows across the region and related contingency planning.

Because of its geographic position, Albania is a transit country for migration flows from Middle East and North Africa. 7,029 irregular immigrants have been captured during January-June 2020, or 85% more than during January-June 2019. Most of them, 2,189 were from Syria and 2,206 were admitted as asylum-seekers.²⁸

Government has taken all measures to cope with increasing irregular immigrants and asylum-seekers flows. All related institutions have increased and strengthened their capacities. The Government regularly updates the Contingency Plan for massive mix migration flows, giving particular attention to vulnerable people: unaccompanied minors, victims of trafficking, asylum-seekers, and disabled. The Contingency Plan intends to guarantee asylum-seekers and immigrant rights and their safety, through identifying and processing data, delivering services and assist them during displacement, evacuation, communication, accommodation in emergency situations, providing food, healthcare and psycho-social services.

²⁸ Information provided by the Ministry of Interior, September 2020

Government is exchanging information with countries of the region and their diplomatic missions in Tirana as well with contact officers of potential sending countries.

On 5 October 2018, Albania signed and the European Union signed an agreement on cooperation on border management between Albania and the European Border and Coast Guard Agency (FRONTEX). The activities included by the agreement are aimed at tackling irregular migration, in particular sudden changes in migratory flows, and cross-border crime, and can involve the provision of increased technical and operational assistance at the border.

The Government, supported by FRONTEX, is working to prepare a new Strategy of Border Integrated Management, which will follow the existing Strategy (2014-2020).

A joint patrolling along to the green border is functioning with North Macedonia, Kosovo and Montenegro. The Joint Center for exchange of information with North Macedonia and Kosovo is also functioning.

Objective 12: Strengthen certainty and predictability in migration procedures for appropriate screening, assessment and referral

IOM has given continuous support to Government of Albania related to capacity building and training of Border and Migration Police, through local and regional projects and increase of reception capacities at the border with Greece, for the registration and temporary accommodation of irregular migrants in the context of mix migration flows, and information and counselling for AVRR from Albania is provided to irregular migrants. Two centres, fully furnished, with the capacity of 60 persons each, were built in Gerhot (Gjirokaster) and Kapshtice (Korce).

The MoI has issued the Guidelines (no. 293/2015) for treatment of foreigners illegally residing in Albania. In all Border Crossing Points and Border Police station is recruited a qualified staff for screening, assessment and referral of irregular immigrants, following the best practices offered by IOM, UNHCR, CARITAS etc.

Objective 13: Use migration detention only as a measure of last resort and work towards alternatives

Actually, the Albanian legislation defines detention as a measure of last resort for irregular immigrants entering Albania. In order to limit the flow of irregular immigrants, they are sent to the Foreigner Detention Center in Karec, near Tirana, where they stay until their departure in the origin or transit country.

Objective 14: Enhance consular protection, assistance and cooperation throughout the migration cycle

Albania has actually 72 consular officials in all diplomatic and consular missions. To ensure a gender approach, 38 of them, 53%, are females. Consular officers are trained in migration issues before starting their job in Albanian consular services. Officials who deal with sensitive information and data, are provided with the Security Certificate by the Government.

Data on visa applicants are processed and maintained through TIMS system, which is accessible from related government institutions. When consular official discovers false documentation, he or she proceeds with refusal of applicants without handling it to other competent structures.

The website of the Ministry for Europe and Foreign Affairs contains information about the rights and obligations of Albanians and the deadlines of their stay in Schengen countries. In addition,

Albania's consular services in Schengen countries inform their nationals in their countries for the above regulations and orient them to contact the border and migration services in respective countries.

Objective 15: Provide access to basic services for migrants

The delivery of services to emigrants is regulated by the Law no.9668/2006, "Labor migration of Albanian citizens".

The delivery of services to immigrants is regulated by the Law no.108.2013 "On Foreigners", changed in 2020. The typology of services offered depends on their purpose of stay in Albania.

Employment services offer information, counseling and referring services as well as employment and vocational training services to Albanian potential emigrants.

Employment services offer also the following services to immigrants in Albania: information, provide work permission, certificate of registering at workplace, proof of employment as well as employment and vocational training services stemming from work contract.

MoI and Border and Migration Police are regularly offering basic services to Albanian potential emigrants: opportunities and conditions for migration in destination countries (before and after return), provide the necessary documentation, monitoring the system of registering and border control, exchange of information on the number, countries and length of legal stay in each country. MoI and Border and Migration Police are regularly offering to return migrants the following free of charge services: information on reintegration opportunities, transportation, interpretation, food, clothing and accommodation for vulnerable returnees, emergency health aid etc.²⁹

Every returned children enjoys the right to be enrolled in the school. The local education offices and schools assist returnees' children to enroll in the schools during all year and they report periodically to regional education offices, in January and June. Returned children are admitted to the schools even with uncompleted documentation. 220 returned children were admitted to pre-university education during 2019-2020 academic year. The schools offer social-psychological services to returned children who need these services. The schools which serve also as community centers offer additional courses in Albanian language or other subjects as well as alternative after school programs and courses, such as the project "Doing homework". Education offices and schoolwork closely with local government authorities and IOM to facilitate their re-integration and prevent re-emigration.³⁰

Tirana Local Education Office has been charged with specific responsibilities to assist the re-integration of returned children, by the Order of Ministry of Education, Sport and Youth, dated 10 November 2015. Consular services to immigrants entering Albania are offered online. The applicants have a face to face interviewed by Albanian consular services in order to prove what they have declared in their application.

Objective 16: Empower migrants and societies to realize full inclusion and social cohesion

Migrants enjoy the same rights as other groups of labor force in Albania. They receive employment services, qualitative vocational training and enjoy education, health and social rights and services.

²⁹ Information provided by the Ministry of Interior and from the Border and Migration Department, September 2020

³⁰ Information provided by the Ministry of Education, Sport and Youth, September 2020.

The National Strategy on Migration foresees some actions to ensure migrant integration, such as guarantying an inclusive non-discriminating framework which protects effectively migrants rights; identification of migrants as a vulnerable group entitled to receive social assistance; improvement of social, cultural and economic integration; a clear roadmap towards sustainable policies such as citizenship and guarantying the legal status to family members etc.

Objective 17: Eliminate all forms of discrimination and promote evidence-based public discourse to shape perceptions of migration

Two measures of Plan of Action of Migration National Strategy address the prevention of discrimination in employment: Measure D.2.2.a. foresees the review of antidiscrimination legal framework with particular focus on migrant women; Measure D.2.2.b. foresees the implementation of specific measures to assist migrants and women in the labor market.

Efforts have been done to create and promote equal opportunities for migrants to eliminate and reduce the discrimination of migrants. Based on the specific legal framework, the Commissioner for Protection from Discrimination recommended the inclusion in the Law of the principle of nondiscrimination because of gender, religion, race, color and ethnic and national origin in obtaining, re-obtaining and renunciation the Albanian citizenship.

However, the number of complaints from immigrants addressed to Commissioner is still irrelevant as they do not possess the legal documents and the lack of instruments to follow up them after leaving the Commissioner regional offices.³¹

The Department of Border and Migration monitors the situation of female immigrants and foreign workers in Albania and protective measures from exploitation and violence.³²

Special attention was recently given to change public perception as a cause of Covid-19 infection as well as preventing stigmatization and discrimination of immigrants during the implementation of limitations because of Covid-19 pandemic, offering them access to health services, information on infecting prevention measures.³³

The Department of Border and Migration regional offices are working with health services to consider and afford the particular risks of infection for immigrants, because of their conditions of movement inside the country, difficulties in ensuring proper food, potable and clean water, accommodation, physical tiredness and mental stress. Immigrants are included into the plan of action of the Contingency Plan.

Based on the Council of Ministers normative acts on the pandemic, the applications for renovation of staying permits from foreigners outside the territory of Albania and the new applications for obtaining residence permit are admitted and proceeded through E-Albania platform. The documentation requested has been reduced, considering that some parts of documentation was unable to be provided by applicants.

During the entrance of irregular migrants undergoing pre-screening. The Department of Border and Migration identifies the vulnerable people who need special services during the pre-screening process.

³¹ Information provided by the Commissioner for Protection from Discrimination, September 2020

³² Information provided by the Department of Border and Migration, September 2020

³³ Information provided by the Ministry of Health and Social Protection, , September 2020

Objective 18: Invest in skills development and facilitate mutual recognition of skills, qualifications and competences

The National Strategy for Employment and Skills, 2019-2022 and its Plan of Action has set skills development as a priority of labor force and labor market development. INSTAT reports that in 2019 18,102 students were enrolled in professional schools or 17% of the total number of high schools students; 3,807 students graduated from professional schools, compared to 3,499 in 2015; and 34,981 students graduated from universities, compared to 33,654 in 2015.

Albania recognizes: i) skills, qualifications, and competences obtained in foreign countries, starting from level 2 (qualifications obtained by training courses) to level 5 (qualifications obtained by two years study programs) of Albanian Qualification Framework; ii) diplomas and transcripts obtained from pre-university schools in foreign countries; iii) BA, Master and PhD degrees obtained from foreign universities.³⁴

Objective 19: Create conditions for migrants and diaspora to fully contribute to sustainable development in all countries

IOM has supported the Government to engage diaspora to the development of Albania, mostly with focus on the Diaspora in Italy, through capacity building and support to government entities dealing with diaspora engagement, transfer of social capital (fellowships) and financial capital (investments).

Bank of Albania has signed a MoU with the Ministry of Finance and Economy and the State Minister for Diaspora, with the purpose to increase the awareness, facilitate the dialogue and promote the collaboration between Diaspora and public and private sector in Albania for increasing the contribution of Diaspora to Albania's development.

AIDA has prepared a list of most important and most interested Diaspora businesses in destination countries which are willing to invest in Albania and has prepared a questionnaire which will be distributed to them, to test their interest and identify the sectors of investments.

An MoU has been signed between AIDA and Diaspora Chamber of Commerce which intends to increase the services of the Chamber to Diaspora entrepreneurs and communities, in order to promote and increase their investments in Albania.

AIDA has prepared a Plan and is also working to identify the successful return migrants in Albania and explore their potentials and help them to create their business in the country. The Program "Engage the Albanian Diaspora to the Social and Economic Development of Albania" is the biggest diaspora programme in Albania contributing to enhance the contribution of Albanian diaspora to the development of the country through the engagement of high skilled and talented Albanian diaspora. The Program is implemented by the International Organization for Migration (IOM) in Albania, with funding from the Italian Agency for Development Cooperation (AICS), in coordination with the State Minister for Diaspora, Ministry for Europe and Foreign Affairs, and Ministry of Finance and Economy.

Objective 20: Promote faster, safer and cheaper transfer of remittances and foster financial inclusion of migrants

³⁴ Qendra e Shërbimeve Arsimore- Center for Educational Services, Tirana, 2020.

The Bank of Albania is working to increase the legal channels of remittances transfer, which facilitates financial inclusion of population, increases savings and promotes the productive investments which contribute to sustainable development.³⁵

Bank of Albania is working to implement the National Strategy for the Market of Small Payments, 2018-2023, which facilitates the promotion of electronic payments to increase the financial inclusion of population, including migrants and their families. One of the objectives of the Strategy is to create a modern, safe and efficient national market supported by a safe and efficient infrastructure which will contribute to faster, cheaper, and safer transfer of remittances.³⁶

Implementation in practice of the Law 55/2020, “On the payments services in the Republic of Albania”, is expected to contribute to the promotion of innovation, competition, transparency and reduction of costs of payments. It will also contribute to the increase of usage of legal channels of remittances transfer from migrants.

Bank of Albania, in collaboration with the World Bank office in Albania, have organized several activities to increase the education of families receiving remittances in the country.

Greenback Academy in Berat, in December 2019, organized training activities on increasing the access of citizens to financial and payments system.

The World Bank office in Albania organized in June 2020 a training session on impact of COVID-19 on remittances and promotion of digital revolution in Albania.

As public awareness activities, Bank of Albania published the Newsletter “A look on Remittances” and the journal “Diaspora and Payments”, both in 2019

Objective 21: Cooperate in facilitating safe and dignified return and readmission, as well as sustainable reintegration

IOM has given continuous support to Government of Albania related to the assisted voluntary return and reintegration of Albanian migrants; to increase of capacities to the assisted voluntary return and reintegration of foreign irregular migrants from Albania to their country of origin.

The Government has signed Readmission Agreements with several EU member states and EU Commission and respective implementation protocols and is collaborating with international partners to facilitate the voluntary return. These agreements include a clause on citizens of third countries.³⁷

The Readmission Agreement with EU is being implemented in a satisfactory level and Albania examines with priority the readmission request from EU member states. The readmission from third countries is challenged by the need of fast and effective identification and referring to asylum system or detention center, returning to transit country.³⁸

MoI follows with priority the obtaining of necessary documentation to Albanian potential emigrants, monitors the registration system and border control, and delivery of information on rules and procedures of staying in different foreign countries.

³⁵ Information provided by the Bank of Albania, September 2020.

³⁶ Information provided by the Bank of Albania, September 2020.

³⁷ Information provided by the Ministry of Interior, September 2020

³⁸ Information provided by the Ministry of Interior, September 2020

In order to contribute to a sustainable integration of Albanian returnees, the following measures are implemented: improving the legal framework, improving the institutional framework, and increasing institutional capacities.

Free of charge information, transportation, and food assistance is offered to vulnerable returnees.

The Commissioner for Protection from Discrimination organized several activities; focus-group meetings, seminars, training sessions, round tables and facilitated activities of public awareness and dialogue between regional authorities and migrants in the regions of Korce, Fier and Shkoder. The Commissioner has also requested regional migration authorities to publish and distribute information in Albanian and foreign languages as well as usable for persons with disabilities.³⁹

The exchange of information and re-admission operations between Albanian authorities and FRONTEX, especially with countries of increasing flow of Albanian asylum-seekers, are increased.

Objective 22: Establish mechanisms for the portability of social security entitlements and earned benefits

The Government has coordinated the social security schemes and has established mechanisms for the portability of social security benefits through signing bilateral agreements with most of destination countries, based on the Article 48 of Stabilization and Association Agreement.⁴⁰

Objective 23: Strengthen international cooperation and global partnerships for safe, orderly and regular migration

MoI collaborates intensively with the Secretariat of Prague Process and with the Budapest Process, Migration Partnership of the Silk Road, to ensure the participation of Albanian officials in their regional and international activities.

Albania is actively participating in the MARRI Initiative, founded in Tirana in 2004, and between June 2017-June 2018 had its Presidency. The Government is working to implement a joint regional approach with Western Balkan countries on its activities.

Albania has a successful collaboration with Europol and its representative in Tirana.

Albania has its contact person in the Network of Contact Persons for Migration of the Council of Europe, which intends to facilitate the exchange of information and best practices on addressing migration issues.⁴¹

The collaboration with IOM and UNHCR is also increased during the last years.

IV. Means of implementation of GCM objectives in Albania

The Government has used several instruments to implement the GCM objectives.

Changing and improving migration and migration related issues legal framework: The Parliament passed the Law No. 113/2020 on Citizenship and amended the Law no.13/2020 on Foreigners. The Parliament passed the Law no. 55/2020, “On the payments services in the Republic of Albania”.

³⁹ Information provided by the Commissioner for Protection from Discrimination, September 2020

⁴⁰ For further details see the section IV of this Report: Means of implementation of GCM objectives in Albania

⁴¹ Information provided by the Ministry of Interior, September 2020

The Council of Ministers passed two decrees on Technical Committee on migration and Steering Committee on Migration.

Publishing and delivering Albania's migration profiles and other information on migration: The Extended Profile of Migration, 2015-2018, was developed and approved (no.222/12.3.2020); INSTAT started publishing migration data since 2017. As mentioned previously in this Report, INSTAT, in collaboration with IOM and CESS, and supported by GIZ, conducted the first Survey on Migration in Families, in 2019. ⁴²

Developing strategic policy documents: In 2019 the Government approved the new National Strategy on Migration and the Plan of Action, developed with IOM support through the IOM Development Fund. (no. 400/19.6.2019). The support includes an institutional assessment on migration governance as well as the development and piloting of a training on migration governance for government officials. (Before the development of the strategy, Albania participated to the third round of the Migration Government Index (MGI) assessment, which created a baseline for the policy development.)

The Plan of Action against Human Trafficking 2018-2020, is approved by the Government in 2018 (no.770/2018).

The National Strategy for Employment and Skills, 2019-2022 and its Plan of Action was developed.

Bank of Albania is implementing the National Strategy for the Market of Small Payments, 2018-2023.

A new Strategy of Border Integrated Management is at the preparation stage.

Restructuring the governmental institutions dealing with emigration and immigration issues: In 2017, when the new Government was in place, the responsibility of addressing labor migration was transferred to the Ministry of Finance and Economy. Consequently, the Government changed the institutional responsibilities and the governmental authority for treatment of foreigners passed from the former Ministry of Welfare to the Ministry of Finance and Economy.

The new Government established the State Minister for Diaspora and several agencies under this structure, responsible for addressing Diaspora issues: National Agency for Diaspora, Diaspora Development Fund, Diaspora Commerce Chamber, Center for Studies and Publications for Arberesh, and Publishing Center for Diaspora.

The Parliamentary Sub-commission for Diaspora and Migration, State Committee for Diaspora, Diaspora Coordinative Council and the Nation's Ambassadors Network have also been created in the past years. The Technical Committee on Migration was established in July 2020, PM Decree no.99/2020.

National Employment Service was restructured in order to deliver online services to migrants and was added functions and structures addressing professional training as well as well as simplification of services procedures and online services to migrants.

Renovation of residence permits for foreigners out of Albania and new applications for residence permit during the Covid-19 Pandemic were offered online. Because of the Covid-19 Pandemic

⁴² National Household Migration Survey in Albania, IOM, 2020

even uncompleted applications were accepted, as the applicants had difficulties to ensure all the documentation.⁴³

The State Inspectorate of Labor and Social Services reports to have established a Monitoring Unit for the achievement of GCM objectives.

Signing bilateral agreements: The Agreement on Border management with FRONTEX was signed in October 2018.

In order to ensure the portability of social security benefits of migrants, ten Government, based on the Article 48 of Stabilization and Association Agreement, has signed and is implementing bilateral agreements with the following destination countries: Bulgaria (4 cases followed in 2019, 1 in 2020), Turkey (28 cases followed in 2019, 9 in 2020), Belgium (96 cases followed in 2019, 18 in 2020), Luxemburg (15 cases followed in 2019, 6 in 2020), Northern Macedonia (13 cases followed in 2019, 8 in 2020), Hungary (3 cases followed in 2019), Czech Republic (104 cases followed in 2019), Germany (669 cases followed in 2019, 164 in 2020), Austria (161 cases followed in 2019, 24 in 2020), Romania. The agreement with Canada was ratified by the Parliament in 2016 and the Government is in process of signing the agreement with Switzerland.

Signing agreements between country institutions: Bank of Albania signed a MoU with the Ministry of Finance and Economy and the State Minister for Diaspora, for increasing the contribution of Diaspora to Albania's development.

The UN Network on Migration is being established in Albania. IOM presented the UNMN to the UNCT in March 2019 and is coordinating actions with the UNRC for activating the Network at national level.

Exchange of information: Albania exchanges information on non-personal data to prevent and reduce the risk of smuggling with countries of the region.

Providing online information: E-Albania offers online information on documentation and procedures on obtaining work permission from foreigners.

Mobilizing additional financial resources: The necessary financial resources had been allocated to support the functioning of new ministries and agencies established by Government. Starting from 2019 the Law on the State Budget allocated budgetary resources from the State Ministry for Diaspora and the Diaspora Agencies: National Agency for Diaspora, Diaspora Development Fund, Diaspora Commerce Chamber, Center for Studies and Publications for Arberesh, and Publishing Center for Diaspora.

Awareness activities: such as those organized by Bank of Albania and jointly by Ministry of Interior and IOM with financial support from Government of Netherlands, to increase the education of families receiving remittances in the country.

Training activities: such as those dedicated to development of human resources of government institutions and to increasing the access of citizens to financial and payments system and on impact of COVID-19 on remittances.

Preparing monitoring reports: Three *monitoring reports* on the implementation of the National Strategy of Migration, 2019-2022 and Plan of Action were issued.

⁴³ Information provided by the Ministry of Interior, September 2020.

V. Next steps

The implementation of new policies and measures to better manage migration have encountered several challenges linked with the needs for better coordination, development of human resources, increasing of governmental institutions capacities, strengthening monitoring capacities, completing legal framework, affording the impact of Covid-19 pandemic, strengthening labor market institutions and regional collaboration on employment mobility etc.

Therefore, during the two first years of implementation, the Government needs (and has also planned) to better incorporate GCM objectives into the policies, programs and measures of MoI, MFE and State Minister for Diaspora, three ministries which address migration.

The GCM objectives need also to be better “translated” into detailed and well-defined responsibilities for each institution and agency under the above ministries. Several agencies suggest that this should be a responsibility of the Ministry of Interior and of the Technical Secretariat for the coordination of Migration Strategy and its Plan of Action.

In particular, Border and Migration Department needs to be more actively involved into the implementation of GCM.

Government must undertake steps to better inform Albanian citizens prior to their emigration, especially for the documentation, procedures and working conditions in projected destination countries.

The collaboration of Albania with destination countries is recommended to follow the successful model of collaboration with Germany, in labor force and skills development, information and awareness, promotion of regular emigration and discouraging asylum-seekers flows.

The Government needs to strengthen the collaboration with embassies and border and migration police services of the countries of origin for a faster verification of irregular immigrants in order to proceed with returning procedures.

The Government needs to resolve the return of third countries citizens in Greece. The next step should be signing the Protocol for the implementation of Albania-EU Readmission Agreement with Greece.

The Government needs also to conclude as soon as possible the readmission negotiations with several origin countries of irregular immigrants entering Albania, in particular with countries such as Bangladesh, Sri Lanka, Ghana, Cameroon, Pakistan, Syria, Egypt, and Yemen.⁴⁴

The Government should increase the limited capacities and infrastructure for unaccompanied minors in border crossing points, the skills and qualifications of human resources, the financial resources for assisting the return in the country of origin as well as translation services.

In addition to providing more information, it is necessary to develop and implement targeted measures to promote access of migrants in the labor market in Albania.

⁴⁴ Information provided by the Ministry for Europe and Foreign Affairs, September 2020.

The State Inspectorate of Labor and Social Services needs to improve and increase the control of working conditions and working contracts of foreign workers in Albania, in order to fulfil the gap between monitoring Albanian workers and monitoring foreign workers.

Albania needs to create the statistical registers in order to complete the analysis of migration data and avoid that INSTAT uses proxy data on migration.

This step should be proceeded by the establishment of the Register of Population and INSTAT, as suggested by INSTAT.

As Albania is on the eve of the first intergovernmental meeting with EU Commission for opening the accession negotiations, it should consider that EU negotiation chapters relevant for migration are: Chapter 18. Statistics, Chapter 19. Social Policy and Employment Chapter, 21. Trans-European Networks, Chapter 22. Regional Policy and Structural Instruments Coordination Chapter, 23. Justice and Fundamental Rights and Chapter 24. Justice, Freedom and Security.