

Trafficking of migrant workers from Albania: Issues of labour and sexual exploitation

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Special Action Programme to combat Forced Labour

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**In cooperation with
International Catholic Migration Commission
Centre for Refugee and Migration Studies**

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Foreword

In June 1998 the International Labour Conference adopted a Declaration on Fundamental Principles and Rights at Work and its Follow-up that obligates member States to respect, promote and realize freedom of association and the right to collective bargaining, the elimination of all forms of forced or compulsory labour, the effective abolition of child labour, and the elimination of discrimination in respect of employment and occupation.¹ The *InFocus Programme on Promoting the Declaration* is responsible for the reporting processes and technical cooperation activities associated with the Declaration; and it carries out awareness raising, advocacy and knowledge functions – of which this Working Paper is an example. Working Papers are meant to stimulate discussion of the questions covered by the Declaration. They express the views of the authors, which are not necessarily those of the ILO.

This Working Paper was prepared by a team of researchers from the International Catholic Migration Commission (ICMC) and ILO consultants. It is part of a major research project on the forced labour outcomes of trafficking and irregular migration, implemented by the ILO Special Action Programme to Combat Forced Labour (SAP-FL). Initial studies have focused on European source and destination countries, demand and supply factors, the vulnerability of migrants to forced labour and trafficking as well as concrete forms of coercion they experience. The results of these studies will inform SAP-FL's growing knowledge base on the modern forms of forced labour as well as country-based and sub-regional technical cooperation activities.

The authors of this study pioneered a difficult field of research. Research on trafficking is a sensitive issue because of its criminal and “hidden” nature. In this case moreover the authors were also exploring a relatively new subject, namely trafficking for forced labour exploitation. In recent years, trafficking for sexual exploitation from Eastern to Western Europe has raised the attention of the media and policy makers. Political instability in the Western Balkans has also been a major pull factor for trafficking of mainly women and minors into the growing sex industry of the region. This paper argues, however, that the incidence of trafficking for labour exploitation is an important aspect of labour migration from Albania. It also promotes a holistic approach to the eradication of trafficking with the active participation of labour market institutions in national action plans.

The results were first discussed during a tripartite workshop in Tirana, Albania in 2003. A follow-up workshop with representatives from government, workers and employers' organisations as well as NGOs from four different countries of South-eastern Europe took place in January 2004. In the meantime, the government of Albania has taken important steps to curb human trafficking, partly in collaboration with ongoing ILO projects in the region. We hope that this report will further stimulate the work of ILO constituents and other stakeholders in the country.

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¹The text of the Declaration is available on the following web site: <http://www.ilo.org/declaration>

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Executive summary

Objectives of the study

The main objectives of this research were to investigate forced labour, resulting both from trafficking and non-trafficking related migration, in the context of irregular migration from Albania. The study, based on questionnaires completed with returned migrants in Albania and interviews with experts, focussed on the profiles of trafficked and non-trafficked victims of forced labour as opposed to ‘successful’ migrants. The distinction between trafficked and non-trafficked victims of forced labour was adopted for the purpose of the study to differentiate between those deceived from the outset of the migration project by a recruiter from those that were deceived and coerced at a later stage in order to investigate the degrees of coercion and routes into forced labour.

Recruitment methods of both victims of trafficking and other migrants were investigated as well as ways in which the forced labour situation in the country of destination was exited. In addition, the study aimed to establish objective criteria of forced labour as an outcome of human trafficking as well as irregular migration. Though criteria for forced labour exist, it is as yet unclear whether they should be used in combination or individually, and which criteria are more or less pertinent.

Main Findings

Risk factors related to trafficking, according to this study, are multiple. Trafficked victims of forced labour are predominantly women, whereas non-trafficked victims and more successful migrants are mostly men. Trafficked victims of forced labour also tend to be younger and less educated. The Roma, being an ethnic minority, were over-represented in all three groups investigated in this study compared to the share of the Albanian population they represent. Romas were particularly over-represented in the non-trafficked victims category. Trafficked victims, compared to more successful migrants and non-trafficked victims, were less often married, less often had children and were less often financially responsible for their children and older family members. This may indicate that non-trafficked victims and successful migrants are more frequently active members of a more tightly knit family, which could therefore constitute a protective factor against trafficking

The pre-migratory situations of all migrants were inadequate. It appeared to be most difficult with respect to housing and food for more successful migrants and non-trafficked victims. Trafficked victims of forced labour felt that the pre-migration situation with respect to clothing and education was most serious. This may indicate that trafficked victims of forced labour were in a less difficult pre-migration situation, though still highly unsatisfactory. None of the respondents felt they had been well off compared to others, but trafficked victims of forced labour, like more successful migrants, mostly felt they their situation had been average compared to that of others. Thus it appears that, on the whole, non-trafficked victims of forced labour were living in the most difficult situation prior to migrating or at least perceived themselves to be.

Poverty and the lack of prospects are the strongest push factors and the potential of improving their situation is the main pull factor for migrants. For trafficked victims of forced labour, violent relationships at home, the perception that only families with members working abroad have money, and intermediary pressure were also important reasons to find employment abroad. Trafficked victims are also the most influenced by a job offer from an intermediary, thus once again showing the link between trafficking and intermediaries. Government information plays a very small role in the migration decision.

The majority of respondents had an offer of employment abroad before leaving Albania. However, successful migrant were more often in such a position than non-trafficked victims of forced labour, who, in turn, more often had an offer of employment than trafficked victims of forced labour. In addition, successful migrants and non-trafficked victims mostly obtained this job offer via social connections,

whereas trafficked victims of forced labour were mostly offered jobs by intermediaries. The study therefore underlines the central place of the intermediary in the recruitment process and indicates that having a job offer prior to migrating is likely to lead to more successful migration providing that the source of the job offer is a social connection and not an intermediary.

Though the intermediary plays the largest role in the recruitment of trafficked victims of forced labour, he/she is also appealed to by non-trafficked victims of forced labour and successful migrants. The reasons why the respondents felt that there was a need to appeal to assistance from intermediaries or others illustrates the lack of official migration channels. The most important reason for seeking assistance was the lack of a visa. The poverty in the country also plays a role as few had money for travel and/or travel documents.

Even though respondents appealed to assistance in order to obtain visas, most did not have a visa when travelling abroad, thus indicating that the intermediaries or others appealed to were unable to provide the required assistance. It also shows that many respondents crossed the border illegally and were in an irregular situation in the country of employment. Those who did have visas to go abroad mostly had tourist visas, again indicating irregular status abroad. Other visas used were seasonal work visas, business visas and engagement visas. The last two were predominantly used by trafficked victims of forced labour.

Trafficked victims experienced and witnessed violence most often on their journey to the destination country. They were also the only group that was subject to being bought and sold on the way. The majority of respondents went to Greece and Italy. In the destination countries, successful migrants were employed in various sectors, including agriculture and construction. Non-trafficked victims of forced labour tended to be more concentrated in agriculture, whereas trafficked victims were mostly to be found in sex work and entertainment. Respondents generally spent about a year and four months abroad, though successful migrants stayed the longest, staying abroad for around 18 months. Trafficked and non-trafficked victims of forced labour stayed abroad a little over 11 months on average.

Most respondents were exploited in terms of working hours per week. Health and safety conditions on the work site also left much to be desired. However, these conditions appear to have been worst in the case of trafficked and non-trafficked victims of forced labour. Though working hours and conditions are far from satisfactory, public inspections were not the rule. Though inspections by the public authorities occurred relatively often, particularly in the case of successful migrants and trafficked victims, the work site of non-trafficked victims was but little investigated. Police raids of work sites were less frequent than public inspections.

Trafficked victims of forced labour were least often compensated with money and most often in kind for their labour. Successful migrants and non-trafficked victims always received money, but also received non-financial compensation, especially non-trafficked victims of forced labour. Non-financial compensation consisted mainly of food and shelter. However, trafficked victims were also often given tobacco in compensation, and sometimes alcohol and drugs. Given that trafficked victims of forced labour received money as compensation for their work least often, it is not surprising that they also sent home money least often in the form of remittances. Instead, they most frequently used their earnings to pay for debts, thus indicating the use of debt-bondage as a form of coercion to keep victims in forced labour.

The most important forms of coercion experienced by trafficked and non-trafficked victims of forced labour were the withholding of wages and the restriction of freedom of movement. Limited freedom of movement signified predominantly that victims were not allowed to move freely at all, or were allowed to move around freely if accompanied by others, including colleagues, the employer, minders and others.

Both trafficked and non-trafficked victims of forced labour experienced severe coercion, trafficked victims experiencing more direct coercion in the form of violence and threats of violence compared to non-trafficked victims, though also experiencing other types of coercion such as confiscation of ID documents.

Non-trafficked victims of forced labour considered threats of being reported to the police and threats of deportation as some of the most serious factors in preventing them from leaving work. Thus the entry route into forced labour can influence the characteristics of the forced labour situation in terms of the type of coercion used. Those deceived at the outset of the migration project, thus the ‘trafficked victims’ according to the categorization used in this study, are more prone to direct coercion, whereas those not deceived but still victims of forced labour are more prone to indirect forms of coercion. In addition, it appears that both routes into forced labour and forms of coercion used while in forced labour are gender-specific, with women experiencing more direct coercion and men experiencing more indirect coercion.

The investigation of forms of coercion used by the employer/trafficker, as well as the investigation of working conditions and compensation for work, demonstrates that trafficked victims of forced labour are situated at the most negative pole of a forced labour spectrum, particularly when they are female. Trafficked victims of forced labour are more prone to direct coercion than any other migrants considered in this study. Though non-trafficked victims of forced labour also frequently experienced coercion, this was more likely to be indirect and less aimed at the physical integrity of the migrant.

Many trafficked and non-trafficked victims of forced labour exited forced labour via police raids and other inspections. What is worrying is that of those victims that were identified during police raids most were arrested and deported, and very few were referred to assistance organizations. The most important reason for successful migrants to leave their job abroad was because ‘they decided to go’, thus implying a certain degree of free will. However, this reason was also important in the case of non-trafficked victims and played a role in the case of trafficked victims of forced labour. This implies that, even in forced labour situations, the migrant still has a certain amount of decision-making power, which points to the idea of forced labour as a process. As the person gives in to coercion and perceives to have less and less viable alternatives to the forced labour situation, the trafficker/employer has more and more control over him/her. As such, though diminishing with time, the victim of trafficking has a certain ability to act, and may decide to end the forced labour situation.

It is important to note the lack of awareness of assistance in general amongst the respondents as well as the reluctance to appeal to the authorities for assistance. Victims as well as more successful migrants are scared of being arrested and deported, which is not surprising when considering that many victims are arrested and deported when identified by the police during raids or other types of inspection. A serious lack of information dissemination combined with fear of the authorities results in a potent mix of vulnerability factors.

Yet the respondents would have liked assistance in three main areas, the first dealing with the improvement of working conditions and help with non-payment of wages by the employer or the intermediary. Secondly, respondents would have liked advice pertaining to regularization of their immigration status. Finally, respondents, mainly victims, were seeking assistance to escape or leave the workplace.

Way ahead

Much has been done in Albania to combat trafficking. Relevant anti-trafficking legislation has been drafted, NGOs have taken much positive action and the Albanian police has taken an active part in operations such as *Mirage* which have led to the abolishment of over 200 trafficking networks. However, the practice of trafficking human beings for the purpose of forced labour still exists, as demonstrated by this study. Furthermore, the issue of forced labour outcomes of irregular migration that are not directly related to trafficking has not been fully considered. Thus much remains to be done in Albania.

The Albania’s labour market should be developed and corruption must be tackled at all levels. In addition, trafficking actions should be broadened to include men as well as women, and other sectors besides sex work. Moreover, in order to tackle the roots of the forced labour outcomes of migration, migration management should be improved in order to open legal channels of migration and protect migrants from

abuses. Action to be taken could include monitoring of recruiters, eradicating travel document forging and awareness raising amongst potential migrants, especially amongst high risk groups. The National Offices for Employment could play a stronger role here.

The lack of law enforcement appears a general problem in Albania, the lack of enforcement of judicial rulings being one major issue. The adequate implementation of anti-trafficking legislation should be assured through training of the judiciary on trafficking issues and how to practically deal with these in court.

More information about assistance needs to reach Albanian migrants abroad. Albanian labour attachés, trade unions and employers' organizations could play a stronger role in this area. Assistance to returning victims of trafficking should be further developed, starting with the implementation of witness protection legislation.

1. INTRODUCTION

The structure of this research paper will commence with a short introduction to the migration situation in Albania. In this section, the socio-economic situation of the country will be considered, as well as the aspects pertaining to labour emigration. Then, the methodology of the study will be looked at. The results section constitutes the main body of the paper. It is divided into three separate parts. The first part will examine vulnerability factors. Then the organization of the trip abroad and job placement will be investigated. Recruitment in particular shall be considered in this part of the paper. Next a closer look will be taken at employment in the country of destination. This section will not only consider working conditions and forms of coercion that keep the migrant in the forced labour situation, but also ways of exiting forced labour. In order to better understand the problem of trafficking in Albania, it needs to be put into context. This also implies looking at the legislative framework. In the final section the existing literature on trafficking and responses to trafficking will be reviewed.

Socio-economic situation in Albania

In 1990, Albania went through the transition from communism to democracy. The following decade was a period of both political and economic turmoil for the country. The transition has proven cumbersome, as different governments have tried to deal with high levels of corruption, crime, unemployment, poverty and a dilapidated infrastructure.

In 2001, Albania's Human Development Index had reached a rank of 95 and GDP per capita was 3,680 USD (UNDP, 2003). Albania has made significant economic progress since the crisis of 1997. Albania's GDP grew by 6 per cent in 2003, up from 4.7 per cent in 2002, the bank of Albania is keeping inflation in line, and the Lek continues to benefit from migrant remittances (Economist Intelligence Unit 2004).

Yet, Albania remains one of the poorest countries in Europe. According to official statistics 29.6 per cent of Albanians are poor, while half of those live in a category of extreme poverty (World Bank, 2002). Poverty is most prevalent in rural areas, especially in the remote parts of the country. Almost one in seven children aged under 5 is undernourished; illiteracy has increased; only 88 per cent of the population over 15 is able to write and read (Republic of Albania Council of Ministers 2001). Though the unemployment rate continues to decrease, it was still at a high level of 14.9 per cent in the third quarter of 2003. Moreover, of the 164,000 officially unemployed, only 11,000 were receiving some kind of benefits (Economist Intelligence Unit, 2004).

The migration-trafficking nexus

There are several push and pull factors behind migration. People leave their country for reasons of economic deprivation, high unemployment levels, lack or bad quality of social services such as medical care and education, a lack of social order and control leading citizens to feel unsafe, etc. The push factors are complemented by pull factors. Western countries are often perceived to be rich and full of opportunities. Technological advances have made travelling easier and a revolution in global communications is broadcasting to people in poorer countries images, often heavily distorted, of how much better life could be in a richer country. In the case of Albania, the Italian RAI channels play an important role here, as well as Greek television channels.

In addition to this, successful migrant workers that return to the country of origin are able to have a life style that those remaining cannot afford. For example, returning successful migrants often build their own houses. In Albania, remittances can mean the difference between relative poverty and relative prosperity. Push and pull factors combine to create a situation of relative deprivation for Albanians, where, even if perhaps not living in absolute poverty, they feel that their living standards are below the acceptable.

The push and pull factors in the country of origin create a supply of migrant workers ready to answer the demand for cheap labour in the West, created to a large extent by economic restructuring (Stalker

2000). The need for cheap labour, resulting in practices such as subcontracting and outsourcing, as well as contributing to a large extent to the creation and sustained functioning of the ethnic niche, finds its solution in the shape of, mostly irregular, migrants, many of them employed in the informal economy. Driven by push and pull factors, migration flows from the poor East to the wealthy West of the European continent have increased to unprecedented levels and Albanians have left the country in large numbers to answer the demand for labour.

Albania's geographical location offers abundant emigration possibilities: Albania is a country of porous borders, with ready access by land and sea to the member states of the European Union. It is bounded on the North by Montenegro, on the East by Kosovo and Macedonia, and on the South by Greece. Its Western border is the Adriatic Sea, which offers ready access to nearby Italy; only 85 kilometers separate the Italian peninsula and Southern Albania, the Otrante Canal. As such, Albania is a gateway to Western Europe and a major country of origin and transit for irregular migrants from Central and Eastern Europe, resulting in it having been fertile ground for trafficking and smuggling of human beings throughout the last decade.

Emigration from Albania has grown exponentially since the fall of communism. In 1998, the Greek Ministry of Foreign Affairs (1999) estimated that nearly 700,000 Albanians were living abroad (not only in Greece), representing about 20 per cent of the entire population. In a June 2002 report, the Albanian Center for Parliamentary Studies (2002) estimated that one sixth of the population (approximately 500,000) was living abroad (approximately one person per family) and that 95 per cent of the temporary emigrants were found in Italy and Greece. This is one of the largest outflows of people (relative to population size) in South Eastern or Central Europe. Due to limited legal possibilities to migrate abroad for work, other channels are predominantly used. This has created a large informal migration market in which unscrupulous individuals, such as traffickers, can make huge profits.

Trafficking in human beings

Albania is considered the primary country of origin for trafficking in human beings in Europe. Estimates of up to 120,000 women and children per year trafficked into the EU have been made and all EU member states are affected to a greater or lesser extent (European Commission, 2001). The exact number of victims of trafficking is difficult to estimate due to the covert nature of such activities, but also because identification is difficult and focused on women, children, and sexual exploitation, thus excluding men and other sectors. The most comprehensible numbers available on victims of trafficking are those gathered by the Regional Clearing Point (2003) and are based on identified and assisted victims of trafficking, and are thus a gross under-estimation of the overall number of victims. It was found that, between January 2000 and April 2003, the number of foreign (mainly Moldavian and Romanian) victims totalled 2,460, whereas the number of Albanian victims equalled 2,241.

Most victims of trafficking are identified in Italy. Albania's geographical location next to Italy predisposes it for migration from the former to the latter. Crossing the Adriatic Sea to Italy by speedboat is a very common route, especially from the ports of Durrës and Vlora. Though the police have clamped down on trafficking via this route, border crossings over the Adriatic Sea still occur (Limanowska, 2003). Moreover, due to the clampdown, other routes for irregular migration have been established, particularly over the mountains to Macedonia, Greece and Montenegro (Ibid.).

2. METHODOLOGY

The research was carried out between October 2002 and January 2003. The research method employed a mixed-methods approach and was based on the ILO Rapid Assessment Survey, especially developed for research on trafficking in South Eastern Europe, as well as on interviews with experts. The research was carried out by ICMC/CRMS staff who had been trained to conduct the detailed structured interviews, in accordance with ILO guidelines.

Aims of the study

The major aim of the study was to better understand the emigration flows from Albania, particularly with trafficking and non-trafficking related forced labour outcomes. This distinction was adopted in order to better investigate possible differences between those deceived at the outset of the migration project, i.e. in the country of origin, and later coerced during employment (trafficked victims of forced labour) and those that were not deceived yet became victims of forced labour later on in the migration project. This distinction will shed light, among other reasons, on the importance of international border crossing in defining a victim of trafficking. It will also contribute to acknowledge in different degrees of coercion related to forced labour outcomes of migration and routes into it. In addition, these two groups of respondents will be compared against those returned migrants that were not subject to any coercion at any stage in the migration project ('successful migrants') in order to answer questions such as: do different groups of respondents seek to work abroad for the same or for different reasons? What puts one person more at risk of trafficking? What makes a person more likely to become a victim of forced labour without having been deceived from the outset? In order to answer these questions, this study will examine the vulnerability factors associated with trafficked and non-trafficked victims of forced labour.

This research will also look at job placement abroad and the recruitment channels the respondents used. For example, whether appealing to an intermediary (individual) or an agency (official, semi-official or a seemingly official organization) to provide a job abroad and organize transport to the destination country plays a significant role in the distinction between victims of trafficking/forced labour and successful migrants.

Next, the research examines the employment conditions in the country of destination. More specifically, it looks at the different forms of coercion used by employers/traffickers. There are several objective criteria that permit classification of employment situations as forced labour. These include physical violence or the threat of it, threats of reporting the irregular status of the migrant to the police resulting in deportation, social and/or physical isolation, debt bondage, forced drug use, starvation, the confiscation of identity documents, and the withholding of wages or underpayment for non-compliance with the employer. However, it is as yet unclear how many of these criteria are needed to classify a situation as 'forced labour', how pertinent they are, if other criteria exist, and, last but not least, if forced labour resulting from trafficking and forced labour resulting from irregular migration in general are more prone to specific types of coercion.

A final objective of this research is to look at how respondents exited forced labour situations. Did they escape on their own or were they helped by a third party? This question will be answered by considering the assistance respondents received in the employment country.

The scope of this study does not include the trafficking of minors. Nonetheless, the sample does contain some minors and respondents who were minors at the moment of migration. These will not receive specific attention, but will be regarded as part of the trafficking and migration phenomenon in general.²

Sampling

This rapid assessment survey involved the completion of 162 detailed questionnaires with returned migrants. Thirteen victims of trafficking were interviewed in shelters. Besides using snowballing as a sampling method, respondents were randomly approached on the street, in bars, construction sites, shops, and so on. The key selection criterion for respondents in the questionnaires was whether they had been abroad for employment in the last 5-7 years. Respondents were contacted using snowballing from four key locations: Tirana, Durres, Vlora and Korca. The locations where the respondents were selected are all large sources of migration. Korca and Vlora are major venues for irregular migration. Vlora is a gateway for thousands of irregular migrants who go to Italy by speedboat. Korca is a gateway to Greece, as thousands cross the land border by vehicle or foot. Bathore in Tirana, and Keneta in Durres,

² For more information, see the IPEC *Rapid assessment for trafficking in children for labour exploitation in Albania* (2004).

as well as many other locations throughout Albania, are areas particularly vulnerable to migratory pressures, especially of irregular migration. Due to massive urbanization in the 1990s, these areas are now densely populated and very poor.

Furthermore, qualitative semi-structured interviews were conducted with experts on the topic of trafficking and migration. These experts came from different professional levels and backgrounds: Government and embassies officials as well as representatives of international organizations, and NGOs. The experts interviewed were selected via either personal contacts or recommendations. Thus snowballing was used (see Appendix 1 for the list of experts interviewed). Discussion groups were held with social workers employed at the IOM shelter and Prison 313 who worked directly with victims of trafficking.

Sample characteristics

The most crucial variable of this study is the one differentiating trafficked from non-trafficked victims of forced labour, as well as from successful migrants (i.e. those not having experienced forced labour situations in the country of employment).

Trafficked victims of forced labour
vs
Non-trafficked victims of forced labour
vs
Successful migrants

The criteria used to establish whether a participant was trafficked or not were based on the definition of trafficking in human beings of the 2000 Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children. For the purposes of the Protocol, ‘trafficking in persons’ shall mean:

The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs (Art. 3).

Since there is no consensually agreed upon definition of ‘exploitation’ and since there is a definition of ‘forced labour’, the latter concept has been used in this research to signify severe labour exploitation. Forced labour has been defined by the ILO Forced Labour Convention, 1930 (No. 29) as follows:

All work or service which is exacted from any person under the menace of penalty and for which the said person has not offered himself voluntarily (Art. 2.1).

The ‘menace of penalty’, as mentioned in the definition, is seen to include not just penal sanctions, but may also take the shape of the loss of rights or privileges (ILO, 2003a). Moreover, the idea of work or service being offered voluntarily implies that the person providing the services or doing the work, is doing so with his/her freely given consent. Consent is considered to become irrelevant if coercion, persuasion or deception are used in order to place the person in forced labour. In addition, for freely given consent to be considered as such, it must also be free to be revoked. The workers’ right to choose their own employment remains inalienable (ibid.).

Thus, the definition of ‘trafficking’ as given in the Palermo Protocol and the ILO definition of ‘forced labour’³ allowed the distinction to be made between trafficked victims of forced labour, non-trafficked victims of forced labour and successful migrants. Questions of the survey pertaining to forced labour, as well as to deception during the initial recruitment by an intermediary in the home country have been used to concretely differentiate between the three categories of migrants that are of interest in this study.

≪≪ Questions on forced labour/exploitation:

Which of the following factors were very serious, serious, not serious or not applicable in preventing you from leaving your work?

1. Use of violence against me
2. Use of violence against others close to me
3. Debts to employer/intermediary
4. Lack of freedom of movement
5. Withholding of wages
6. Threats of violence against me
7. Threats of violence against others close to me
8. Threats of being reported to the police
9. Threats of deportation

If the participant considered at least one of these factors serious or very serious in preventing him/her from leaving her employment, than he/she is considered to have been in a situation of forced labour and highly likely to be under the control of the trafficker/employer.

≪≪ Questions on deception:

1. What destination had you agreed on with the organizers of your journey? Was this where you went?
2. Did the terms and conditions of your work correspond to what you had agreed on?

If the participant had been deceived as to the destination country and/or the conditions of employment, then, for the purpose of this research, he/she is considered to have been deceived by an intermediary from the outset.

Those respondents that had been **both deceived at the outset of the migration project and coerced** at the final employment stage are considered victims of trafficking for the purpose of this study. In this case, it is assumed that the purpose of deceptive recruitment was to put the migrant in a forced labour situation without his/her consent. If the participant was not deceived from the outset yet still experienced coercion during final employment, this participant is categorized as a ‘victim of forced labour’. However, it is very important to note that this distinction is made for the purpose of the study in order to achieve some of the aims set out above. The Palermo Protocol is relatively open to interpretation meaning that both groups of victims defined by this research could be considered as ‘victims of trafficking’. Furthermore, at a practical level, many organizations will define a migrant as a ‘victim of trafficking’ regardless of whether he/she was deceived, coerced or persuaded with intention to put him/her in forced labour from the outset. Often the label is given based on the forced labour situation a migrant found him/herself in.

It must be noted that, due to the lack of data for some respondents, the number of victims of trafficking considered in this research is minimum. If data on deceptive recruitment was missing, for example, but the person had still experienced forced labour, the participant was not included in the category of

³ The ILO definition of forced labour explicitly refers to forced labour and services. In this study the term ‘forced labour’ will be used for the purpose of simplicity, though implying both forced labour and forced services.

victims of trafficking. Thus, the number of victims of trafficking in this research may be underestimated.

Using the composite variables of forced labour and deception, we find that 37 (23.1 per cent) respondents out of a total of 160 were trafficked victims of forced labour. Twenty-two (13.8 per cent) respondents were non-trafficked victims of forced labour, thus they became victims of forced labour/exploitation in the country of employment without having been deceived by an intermediary from the outset with the purpose of putting them into a forced labour situation. A total of 101 (63.12 per cent) of the respondents were successful migrants. The latter did not experience forced labour situations in the destination country, though this does not exclude other forms of, possibly severe, exploitation.

Limitations of the study

This study encountered numerous methodological obstacles.⁴ From the onset, the fact that there is no agreed upon definition of labour exploitation constituted a problem. Forced labour has been taken as a substitute for labour exploitation for two reasons. The first is that the Palermo Protocol mentions forced labour as a criterion for defining the purpose of human trafficking. The second reason is that the ILO has a Forced Labour Convention, 1930 (No. 29) with a supervisory mechanism in the form of the ILO Committee of Experts which has dealt with trafficking under the Convention since it entered into force. As such, the concept of forced labour has a consensually agreed upon definition. It can be regarded as the most extreme form of labour exploitation. Nevertheless, it is hard to distinguish between forced labour and other forms of severe exploitation.

Apart from definitional problems, there were problems associated with the design of the study. A major flaw is the fact that the interviewees were all with returned migrants. Though this is probably the best way to approach the sampling difficulties involved in a study on a covert and underground topic, it nonetheless implies that the results are less representative. A good example of this is the time spent in forced labour abroad. Basing the period of forced labour on returned migrants means that only those who managed to exit it are considered, not those remaining in forced labour and who are perhaps not able to exit it. Thus the time spent in forced labour is likely to be grossly underestimated.

The sampling problems were aggravated by the fact that a snowballing method was used to identify interviewees for a more quantitative study. Many of the victims of trafficking were contacted via shelters, which take in mostly women trafficked for sexual exploitation. Though time saving, this means that there is some sample bias and that representativeness is weak. Another factor is the difference in size of the groups of respondents. Comparisons between migrants and victims of trafficking / forced labour are unlikely to yield representative results. Nonetheless, comparisons between the two groups will be made to provide indications as to the mechanisms behind emigration from Albania and to the risk factors associated with trafficking in human beings.

A problem associated with the questionnaire was that it is based on a definition of trafficking as a cross-border movement. Trafficked victims of forced labour were defined as those having experienced deceptive recruitment in the country of origin with the intent of being placed in forced labour in the country of destination. As such, the questionnaire does not distinguish internal trafficking. Some migrants may go to the country of destination without being trafficked, yet may be trafficked once they have entered the destination country. This means that some of the migrants classified as non-trafficked victims of forced labour may in fact be trafficked victims of forced labour. This weakness in the study was only discovered in retrospect. Other studies on trafficking and forced labour commissioned by the ILO have brought to light the fact that many victims of forced labour are recruited in the country of destination. They may travel to the employment country on their own without help from an intermediary or agency. Once arrived, they are recruited into forced labour, often through agencies. Unfortunately, this study does not allow the investigation of this type of recruitment.

⁴ For more information on the difficulties of researching trafficking, see Andrees, B. and van der Linden, M.N.J. (2005) *Designing trafficking from a labour market perspective: The ILO experience*, International Migration, Geneva, IOM.

As to the actual interviewing, it is suspected that social desirability may have influenced the answers. It is generally known and accepted that returning migrants tend to exaggerate the good sides and underplay the more negative ones about their experience abroad. In the case of forced labour and trafficking – particularly for sexual exploitation – there is the risk of social stigma if the matter becomes public. When taking into account that forced labour and trafficking constitute highly sensitive topics, it should not be forgotten that pride, honour and shame may bias the way interviewees answer questions. Again, this could lead to an underestimation of the numbers of victims in this study, as well as the severity of the conditions under which they were made to work.

Though this study may have certain lacunae, it is nonetheless covering new ground. Trafficking in human beings remains an under-researched topic, and only few attempts have been made to look at the wider implications, in particular the forced labour outcomes in other sectors than the sex industry. It is hoped that the results of this study may give indications as to certain trends, and inspire future research on the matter.

Finally, considering the large number of obstacles that this study encountered, one may ask why it took up the challenge to attempt to distinguish between trafficked and non-trafficked victims of forced labour as the difference between these two categories is not always clear at a conceptual level and even harder to determine at a practical level. However, the distinction between trafficked and non-trafficked victims of forced labour has serious political consequences, as the emphasis on forced labour/exploitation not related to trafficking would require looking at migration as a whole instead of just at the crime of trafficking without putting it into context of largely irregular migration. It would also require an analysis of the restructuring of economic sectors that goes well beyond an analysis of the demand for sexual services. Since the ILO is primarily concerned with the outcome – in this case forced labour – it advocates protection for the victims and prosecution of those who benefit from forced labour regardless of how they have organised their journey or where they came from.

3. RESULTS⁵

Several general risk factors can cause some groups to be more at risk than others of trafficking and forced labour. These risk factors are inter-related and concern issues such as gender, low levels of education and awareness of the dangers associated with irregular migration, economic deprivation, discrimination, and certain types of family environment.

Albanian women and girls from rural areas are more vulnerable to traffickers than those from urban areas, due to lower levels of public awareness about the dangers and techniques used by traffickers as well as economic, social and cultural factors (Rucci, 2002). Women and girls, particularly those from rural areas, have been disproportionately affected by poor economic circumstances and declining rates of secondary school attendance (*ibid.*). Social exclusion and extreme poverty in Egyptian and Roma communities has made these ethnic minorities particularly vulnerable to trafficking, particularly trafficking of children (Terre des Hommes, 2003).

Vulnerability factors

The ILO rapid assessment sample consisted of 20 (12.3 per cent) trafficked victims of forced labour, 24 (14.8 per cent) who were non-trafficked victims of forced labour and 118 (72.8 per cent) migrants that were not subjected to forced labour. This means that 27.1 per cent of the sample, or 44 respondents out of a total of 162, were victims of forced labour, regardless of how they entered this severely exploitative situation. A closer look at the vulnerability factors associated with trafficked and non-trafficked victims

⁵ This section uses, among other forms of presentation, percentages to illustrate the data obtained in the study, for the purposes of clarity. However, since the results obtained are not representative, these figures should not be taken as such but rather as indicative of trends.

of forced labour compared to other migrants will shed light on why some people are more vulnerable to trafficking than others.

Gender

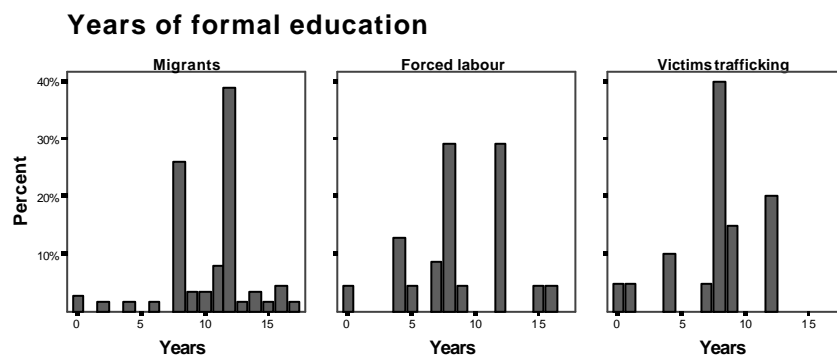


As illustrated by the graph above, the majority of trafficked victims of forced labour were female. Indeed, 18 (90 per cent) of trafficked victims were women and only two (10 per cent) were men. This reflects findings in literature on trafficking showing that women are more at risk of trafficking, particularly for the purpose of sexual exploitation. The gender distribution was the opposite for non-trafficked victims of forced labour with 21 men (87.5 per cent) and three women (12.5 per cent), as is the case for other migrants, with 91 men (77.1 per cent) and 27 women (22.9 per cent).

Age

The age distribution of the three groups of respondents investigated in this study vary considerably. Trafficked victims of forced labour were by far the youngest and were on average 23.28 years old (Standard Deviation (SD) 4.92), whereas non-trafficked victims are on average about 13 years older (Mean (M) 36.42, SD 10.50). More successful migrants were also considerably older compared to trafficked victims of forced labour (M 36.27, SD 8.78).

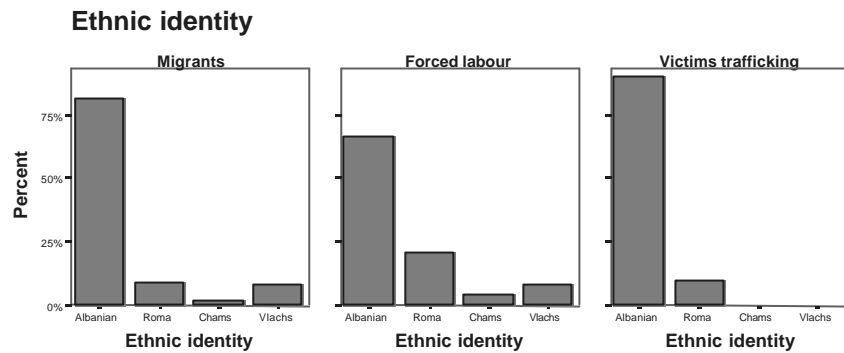
Years of formal education



More successful migrants had the most years of formal education, on average (M 10.39, SD 3.28), followed by non-trafficked victims of forced labour (M 8.79, SD 3.81), and finally by trafficked victims (M 7.75, SD 3.33). However, all respondents in the study had received relatively few years of formal education.

Ethnic identity

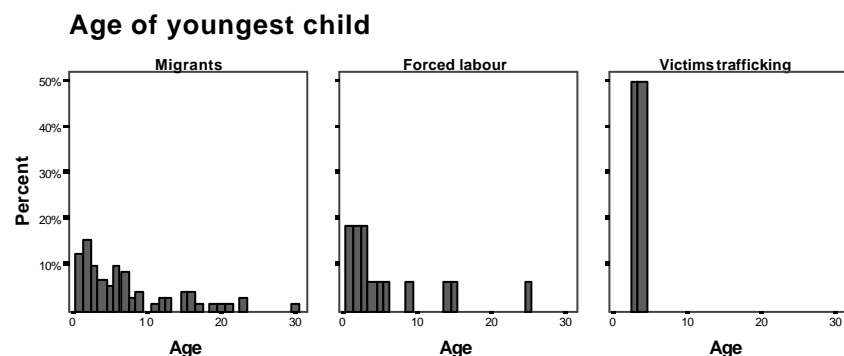
Most respondents were of Albanian ethnic origin (90 per cent of trafficked victims, 66.7 per cent of non-trafficked victims and 81.4 per cent of more successful migrants). However, the group of non-trafficked victims of forced labour also consisted of 20.8 per cent of Roma, an ethnic minority often considered to be more at risk of trafficking. Ten per cent of trafficked victims and 9.3 per cent of more successful migrants were also Roma. Small numbers of respondents were Vlachs (Romanian) or Chams (from Southern Albania).



Civil and family status

Eighty-five per cent of trafficked victims of forced labour were single compared to 33.9 per cent non-trafficked victims and 29.2 per cent more successful migrants. Thus being single constituted an important vulnerability factor to trafficking. Non-trafficked victims were mostly married (66.7 per cent) as was the case for other migrants (63.6 per cent), but not for trafficked victims of forced labour (10 per cent). The rate of divorce among the respondents was very low (trafficked victims 5 per cent, non-trafficked victims 4.2 per cent and more successful migrants 2.5 per cent).

Considering most non-trafficked victims and more successful migrants were married, it is perhaps not surprising that they also tended to have children more often (66.7 per cent and 61 per cent respectively) compared to trafficked victims of forced labour (20 per cent). Most respondents had between one and two children, though some non-trafficked victims had up to five children and more successful migrants had up to six children. The age of the youngest child of trafficked victims was the lowest at around three and a half years (M 3.50, SD 0.557), followed by non-trafficked victims whose youngest child was on average six years old (SD 6.68), and, finally, followed by more successful migrants, which whose youngest child was on average seven and a half years old (M: 7.31, SD 6.51).



What is noticeable is that of those respondents that had children, trafficked victims of forced labour had the least financial responsibility for their children. A total of 77.5 per cent of migrants and 93.3 per cent of non-trafficked victims took care financially of their child(ren) compared to only 50 per cent of trafficked victims of forced labour. In the remainder of cases, children were financially provided for mostly by the other parent, or else by an organization. However, all respondents either raised their children themselves or this was done by the other parent. Finally, trafficked victims of forced labour were the most unlikely to have any financial responsibility for elderly members in the family (11.1 per cent). Non-trafficked victims experienced this type of responsibility most often (89.5 per cent), more successful migrants occupying an intermediary position between trafficked and non-trafficked victims of forced labour (43.2 per cent).

Summary

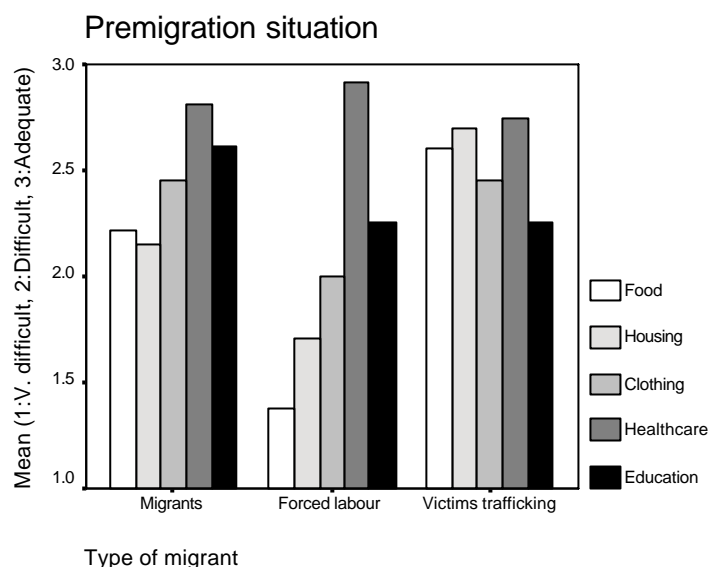
This section on vulnerability factors has shown that trafficked victims of forced labour are predominantly women, whereas other migrants, which were not subjected to forced labour and can thus in a way be considered successful, as well as non-trafficked victims of forced labour, were predominantly men. Thus being a woman increases the risk of trafficking. This result reflects findings in recent literature on trafficking. According to this literature, trafficked victims are also less educated and generally younger than migrants that have not been trafficked, findings which are corroborated by the results in this study.

Recent literature on trafficking also posits that ethnic minority groups are at risk of trafficking. The data supports this very strongly. Vlachs, Roma, Serbs and Bulgarians together constitute around 2 per cent of Albania's population. Therefore, the data shows that Roma migrate relatively more often than other Albanians, which puts them at risk of recruitment, transport and employment abuses. Moreover, it appears that they are particularly vulnerable to non-trafficked forced labour outcomes of migration, i.e. even though deception is not used to recruit the person, the latter still experiences severe exploitation and forced labour in the country of destination.

The data indicates that non-trafficked victims of forced labour and more successful migrants tend to be married considerably more often than trafficked victims of forced labour. Thus marital status can be a risk factor to trafficking. Non-trafficked victims and more successful migrants also have children more often and are financially responsible for them. This may indicate that non-trafficked victims and more successful migrants are more frequently an active member of a more tightly knit family, which could therefore constitute a protective factor against trafficking and other forced labour outcomes of migration. The data on financial responsibility for elderly family members of the family also points in this direction.

Pre-migration situation

As the graph and table below illustrate, the pre-migration situation with respect to food, housing, clothing, healthcare and education was adequate for none of the respondents. From the graph below it can be seen that the different groups of respondents found different aspects of the pre-migration situation most difficult. For more successful migrants, housing and food were most problematic. For non-trafficked victims, housing and food were even more problematic than for more successful migrants. Trafficked victims found the pre-migration situation with respect to education and clothing most difficult. The pre-migration situation with respect to food was considered more adequate by trafficked victims, as indeed were most of the pre-migration factors considered in this study.



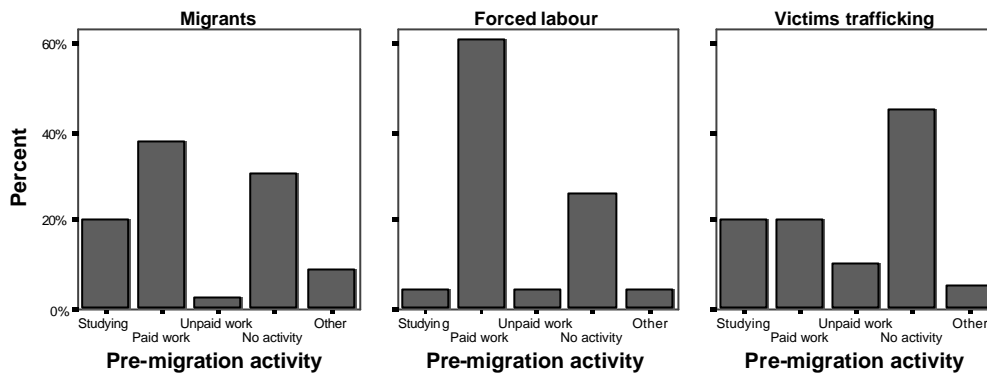
Report

Type of migrant		Food	Housing	Clothing	Healthcare	Education
Migrants	Mean	2.23	2.11	2.43	2.81	2.62
	Std. Deviation	.817	.872	.622	.437	.704
Forced labour	Mean	1.38	1.71	2.00	2.92	2.25
	Std. Deviation	.711	.908	.590	.282	.847
Victims trafficking	Mean	2.60	2.70	2.45	2.75	2.25
	Std. Deviation	.598	.470	.686	.444	.786
Total	Mean	2.15	2.12	2.37	2.82	2.51
	Std. Deviation	.848	.874	.641	.419	.752

A comparison between the participant's situation and that of others living in the same area draws a similar picture. Non-trafficked victims of forced labour generally perceive themselves as poor compared to others in their surroundings (78.3 per cent), considerably more so than trafficked victims (40 per cent) and other migrants (38.8 per cent). Other migrants mostly found their situation average compared to that of others (56.9 per cent), as was the case of trafficked victims of forced labour (50 per cent). Importantly, very few of the respondents felt they were well-off compared to others living in the same area. Ten per cent of victims of trafficking and 4.3 per cent of successful migrants constituted the exception to the rule.

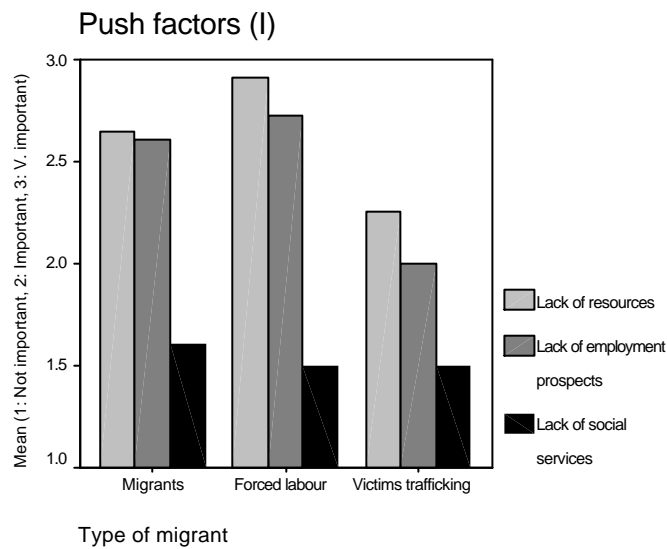
As the graph below illustrates, few respondents were in paid work prior to migrating. Non-trafficked victims of forced labour most often had paid work (60 per cent), though when considering the data on the standard of living prior to migrating, it is unlikely that this activity provided enough to maintain a decent living standard. Only 37.9 per cent of more successful migrants and even less trafficked victims, 20 per cent, were in a paid activity prior to migrating. According to experts, the majority of trafficked victims, before being trafficked, were unemployed or did house work. A very limited number used to work, those that did worked mostly in agriculture.

Main activity during six months prior to migrating

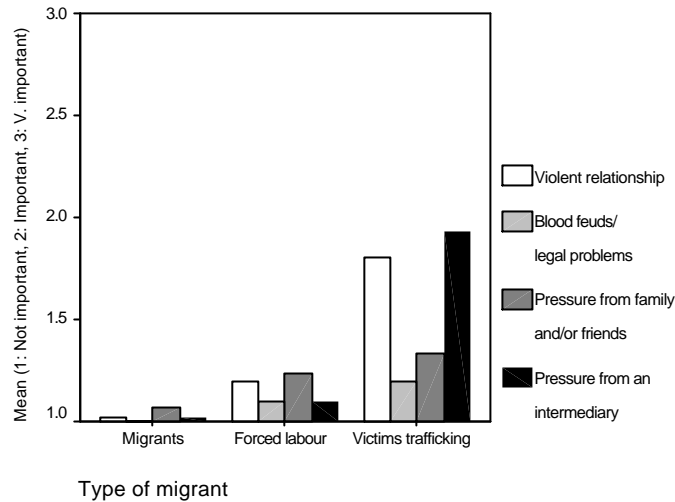


Push and pull factors

This section will start by considering push factors and will then continue to investigate pull factors in more depth. Respondents were asked the importance the influence of several push and pull factors on their decision to go abroad to find work.



Push factors (II)



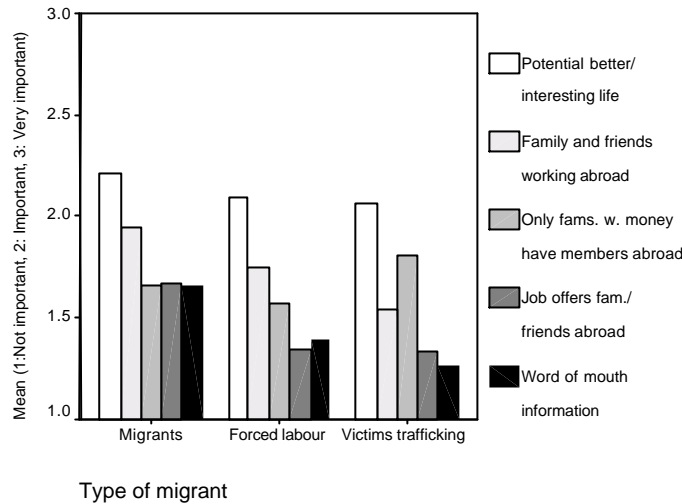
Report

Type of migrant		Lack of resources	Lack of employment prospects	Lack of social services	Violent relationships	Blood feuds/Legal problems	Pressure from family/friends	Pressure from an intermediary
Migrants	Mean	2.63	2.59	1.60	1.02	1.00	1.09	1.04
	Std. Deviation	.668	.703	.767	.194	.000	.323	.239
Forced labour	Mean	2.92	2.75	1.50	1.18	1.09	1.24	1.09
	Std. Deviation	.408	.676	.673	.501	.294	.625	.294
Victims trafficking	Mean	2.21	1.89	1.50	1.80	1.29	1.31	1.94
	Std. Deviation	.976	.937	.632	.676	.686	.602	.827
Total	Mean	2.62	2.53	1.57	1.13	1.05	1.14	1.15
	Std. Deviation	.701	.766	.736	.409	.274	.420	.466

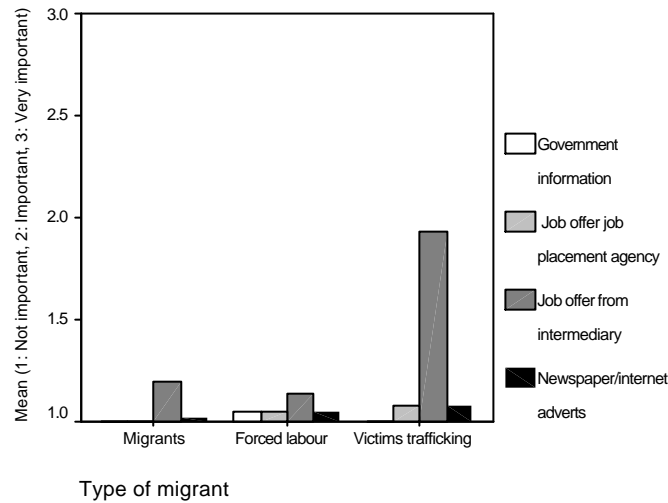
The information portrayed by the graphs above indicates that the strongest push factor investigated in this study was the lack of resources at home. This reflects results obtained on the pre-migration situation of respondents, which showed that basic needs can be very hard to meet. The lack of employment prospects, the second strongest push factor, also explains why many respondents found it difficult to make ends meet in a satisfactory manner. Non-trafficked victims of forced labour felt that the lack of resources at home and employment prospects had the most influence on their decision to leave Albania to find work abroad, compared to trafficked victims of forced labour and more successful migrants. The lack of social services had an influence on the migration decision of all three groups, but not as much as the lack of resources and the lack of employment prospects.

More structural push factors, such as the lack of resources, employment prospects and social services, had considerably more influence on the migration decision than more individual/social push factors, such as violent relationships at home, blood feuds or legal problems, or pressure from friends, family and intermediaries to go abroad for work. The exception to this trend was constituted by trafficked victims of forced labour, for whom violent relationships at home and pressure from an intermediary to work abroad were two important push factors. According to an expert at the Counseling Centre for Women and Girls, victims of trafficking frequently report coming from homes where physical violence was commonplace.

Pull factors (I)



Pull factors (II)



Report

Type of migrant	Potential for better/more Interesting life	Family and friends working abroad	The only families with money are those with members working abroad	Job offers from family/friends working abroad	Word of mouth information	Government information	Job offer job placement agency	Job offer from intermediary	Newspaper internet adverts
Migrants	Mean .854	2.22 .787	1.92 .868	1.68 .868	1.69 .829	1.69 .809	1.00 .000	1.02 .194	1.19 .506
Forced labour	Mean .900	2.13 .810	1.74 .810	1.62 .875	1.35 .573	1.39 .656	1.05 .213	1.05 .218	1.18 .395
Victims trafficking	Mean .781	2.12 .743	1.53 .743	1.81 .911	1.33 .617	1.41 .712	1.00 .000	1.07 .267	1.88 .806
Total	Mean .849	2.19 .849	1.85 .791	1.68 .869	1.60 .785	1.61 .782	1.01 .085	1.03 .205	1.27 .572

The most important pull factor for all respondents was the potential for a better and/or more interesting life abroad. However, the importance of this factor for the migration decision did not match the importance of the lack of resources at home and the lack of employment prospects in Albania. For more successful migrants and non-trafficked victims of forced labour, having friends and family already working abroad constituted the second most important pull factor. For trafficked victims, the second most important pull factor was a job offer from an intermediary, though the perception that only those families with members working abroad had money also played an important role. This may indicate that trafficked victims of forced labour have less social connections abroad in the forms of family members or friends and are thus more dependent on intermediaries for finding a job abroad, which are commonly associated with trafficking.

Finally, Government information plays almost no role in the decision to go abroad. Government information remains the least important pull factor, together with job offers from placement agencies, thus indicating a lack of migration management on behalf of the State as well as a lack of legal migration channels.

Summary

This section has shown that none of the respondents considered their pre-migration situation satisfactory, thus constituting a strong push factor to migrate. The situation appears to be the most serious with respect to housing and food for more successful migrants and non-trafficked victims. Trafficked victims of forced labour felt that the pre-migration situation with respect to clothing and education was most serious. This may indicate that trafficked victims of forced labour were in a less difficult pre-migration situation, though still highly unsatisfactory, compared to the other two groups of respondents since trafficked victims did not mention food and housing, basic necessities, as the most serious issue. A comparison between the respondent's pre-migration situation to those living in the same area at the time draws a similar picture. None of the respondents felt they had been well off compared to others, but trafficked victims of forced labour, like more successful migrants, mostly felt their situation had been average compared to that of others. Non-trafficked victims of forced labour most often felt their pre-migration situation had been poor compared to the situation of others.

The results on push and pull factors show that poverty and the lack of prospects were the strongest push factors and that the potential improving their situation was the major general pull factor for migrants. For trafficked victims of forced labour, violent relationships at home, the perception that only families with members working abroad had money, and intermediary pressure also exerted an important influence on the migration decision. Trafficking of human beings almost always occurs via an intermediary. This would therefore explain why trafficked victims of forced labour felt that their migration decision was more influenced by intermediary pressure than successful migrants, or non-trafficked victims occupying an in-between position. This finding is corroborated by the fact that trafficked victims were also the most influenced by a job offer from an intermediary.

The fact that Government information played a very small role in the migration decision shows that the Albanian Government needs to take action in the area of migration management. Potential migrants are at risk of being misinformed by informal information sources, hence increasing their vulnerability to abuse, exploitation and forced labour.

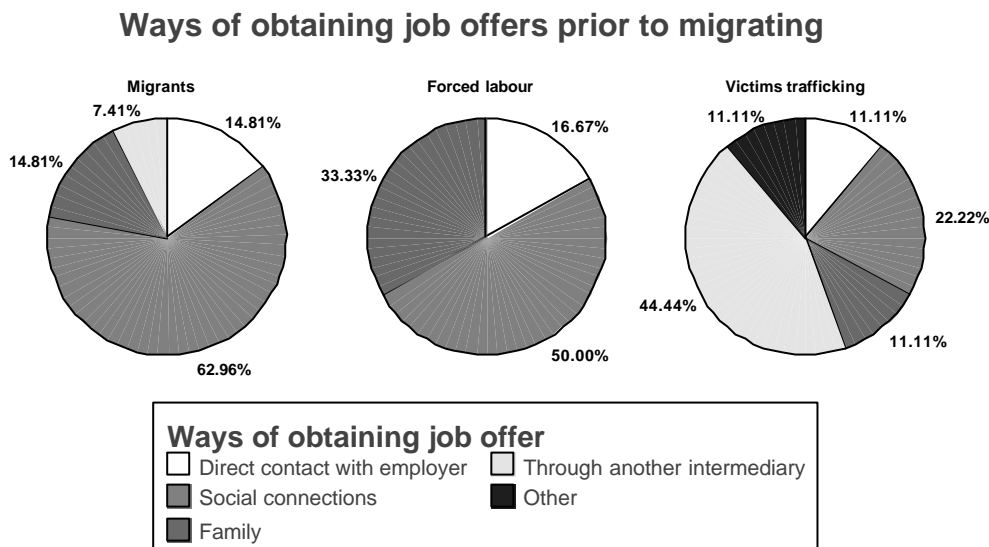
Organization of travel and job placement

Trafficking is inevitably linked to intermediaries using deceptive recruitment practices. Even those who are not strictly speaking traffickers can be involved in these kinds of practices. However, deceptive recruitment is not solely linked to trafficking for forced labour, though it certainly is the most severe type of deceptive recruitment as it leads to control of the trafficker over the victim. Non-trafficked victims of forced labour may also experience deceptive recruitment. Though in this case the person is not recruited with the intention of putting him/her in a forced labour situation, it makes the person more vulnerable to such outcomes.

The most infamous method of recruitment of Albanian women for the purpose of trafficking for sexual exploitation is through false marriages (Limanowska, 2003). This term is used to describe a situation in which the woman and her family accept a verbal marriage agreement as authentic. The 'husband', who is actually a trafficker, thus deceives the woman and her family. Nevertheless, other forms of recruitment exist, such as women sold by their families. Less is known about the recruitment of men for trafficking. According to IOM social workers, interviewed for this study, arrangements with families, through false promises of marriage, are the most common form of recruiting women and teenage girls. Offers of better jobs abroad as waitresses, maids, or nannies are also used to induce girls and young women to go abroad.

Recruitment

The majority of respondents had a job offer abroad before they left their home country.⁶ However, successful migrants had job offers prior to migrating more often (78.6 per cent) than non-trafficked victims of forced labour (70 per cent), who in turn had more than trafficked victims (57.9 per cent). The source of the job offers also varied according to group of respondents, as illustrated in the graph below:



Successful migrants and non-trafficked victims with a job offer before leaving obtained this primarily via social connections and family (77.8 per cent and 83.3 per cent respectively). Trafficked victims of forced labour, however, obtained job offers prior to migrating mainly from intermediaries (44.4 per cent). This reflects the role of the intermediary in delivering the victim into a forced labour situation and shows that social connections can potentially provide important protection against trafficking and other forced labour outcomes of migration. None of the respondents obtained a job offer through a job placement agency or a travel agency.

Respondents were subsequently asked why they felt they had needed assistance in arranging work abroad as well as the journey to the country of destination. All factors listed in the table below played an important role in making the decision to ask others for assistance. The most important factor for all was obtaining a visa. All trafficked victims, 87.5 per cent of non-trafficked victims and 82.1 per cent of successful migrants appealed to others to obtain a visa for a destination country, thus putting them at risk of being deceived by traffickers and other unscrupulous individuals. According to experts, prospective migrants denied legitimate visas, or those who are aware that they did not meet visa criteria, generally were familiar with intermediaries in their communities able to facilitate irregular passage to Italy, Greece or beyond. Prices were negotiated based on the destination, type of travel documents and visas provided (if any) and the mode of transport.

Trafficked victims also appealed to others for assistance because they had no money to travel abroad, and obtain travel documents (75 per cent) and no contacts abroad (75 per cent), again indicating that social connections can constitute a protective factor against trafficking. Non-trafficked victims of forced labour had even less resources and more difficulties to arrange for their own travel and job placement without assistance. For successful migrants the inability to obtain a visa, work permit and the lack of money for travel or other documents were the driving factors behind seeking assistance with migrating.

⁶ The survey only investigated recruitment in the country of origin. However, other ILO studies have revealed that recruitment in the country of destination also occurs. This type of recruitment also leads to forced labour and can hence be qualified as trafficking.

In a general sense, successful migrants appear to have more migration resources in the form of information. They have more contacts and more information about jobs the broad, and have more knowledge about how to organize travel and work abroad. These information resources are thus likely to contribute to the successful outcome of a migration project.

Reasons for appealing to assistance with migrating

		Type of		
		Migrants	Force labour	Victim trafficking
		Col %	Col %	Col %
Could not get a passport	Very important	48.5%	62.5%	75.0%
Could not get a visa	Very important	82.1%	87.5%	100.0
Could not get a work permit	Very important	64.5%	87.5%	50.0%
Had no money for travel or documents	Very important	77.4%	75.0%	75.0%
Had no contacts for jobs abroad	Very important	50.0%	75.0%	75.0%
Had no information on jobs abroad	Very important	45.2%	75.0%	50.0%
Generally did not know how to organize travel and work	Very important	38.7%	75.0%	50.0%
Other reasons	Very important	3.2%	12.5%	

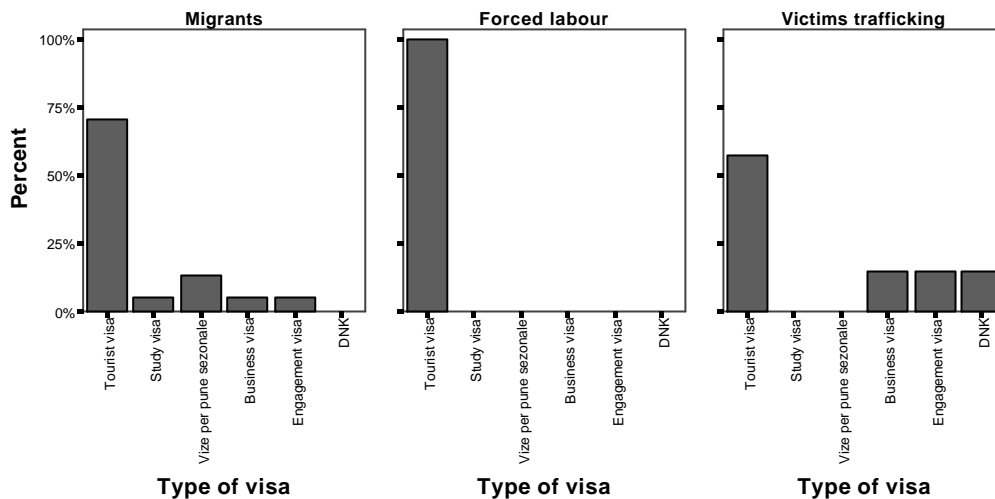
Identity and travel documents

Most respondents had identity documents when they went abroad. A total of 70.7 per cent of successful migrants, 75 per cent of non-trafficked victims and 63.2 per cent of trafficked victims had ID cards when they left Albania. However, fewer respondents had passports when travelling abroad: 56.6 per cent of successful migrants, 37.5 per cent of non-trafficked victims of forced labour and 57.9 per cent of trafficked victims of forced labour. A total of 79.4 per cent of successful migrants obtained their passports personally, as well as 70 per cent of non-trafficked victims of forced labour. Trafficked victims of forced labour mostly obtained their passports via an intermediary (41.7 per cent) or social connections such as friends, neighbours and acquaintances (25 per cent).

Most respondents did not have visas when travelling abroad: Only 35.5 per cent of successful migrants, 16.7 per cent of non-trafficked victims and 33.3 per cent of trafficked victims had visas. Successful migrants obtained these mostly in person (55.6 per cent), whereas non-trafficked victims obtained visas mostly from intermediaries (66.7 per cent) as was the case for trafficked victims of forced labour (57.1 per cent), though the latter often received these through social connections (42.9 per cent). The most common visa used to travel abroad was a tourist visa (successful migrants 71.1 per cent, non-trafficked victims 100 per cent and trafficked victims 57.1 per cent). Successful migrants also sometimes went abroad on seasonal work visas (13.2 per cent), as was the case for trafficked victims (14.3 per cent), who also went abroad on engagement visas (14.3 per cent). As such, the large majority of respondents were abroad as irregular migrants, which is substantiated by interviews with experts.

According to experts, the criteria to issue visas to Albanians are very strict and many complain that embassies have rejected their visa applications without providing a reasonable explanation. They also complain that the embassy personnel, particularly that of the Greek and Italian embassies, are very impolite and unwilling to provide the information on documentation required to meet the criteria for issuing visas.

Type of visa used for travelling abroad



Experts mentioned that many trafficked women and girls are given Schengen visas by traffickers. Traffickers acquire forged birth certificates as well as genuine passports containing Schengen visas. Alternatively, they obtain forged Italian, Greek or Spanish passports in order to get their victims into EU countries. It appears to be very easy for traffickers to get genuine visas for their victims due to high levels of corruption among authorities. An employee at the Bordeaux Prosecutor's Office in France said "Many of the girls who have been accompanied by the police to their home country, because of an irregular stay in France, come back after some time equipped with three to six months visas, bought by using corruption in Albania".

During an interview with an expert at the Anti-trafficking Unit in Korca cases were reported where girls were forced by their traffickers to marry Italian or Greek nationals and thus obtain regular status. Once the regular status was secured, they were forced to divorce and then marry the trafficker so that he could also obtain regular status via marriage. This, of course, enables him even greater freedom to travel and work abroad.

Journey and destination

Most respondents were not deceived by an intermediary, smuggler or other as to the country of destination: 97.9 per cent of successful migrants, 95.7 per cent of non-trafficked victims of forced labour and 83.3 per cent of trafficked victims. The most popular destination in general was Greece. A total of 81 per cent of successful migrants and 84.84 per cent of non-trafficked victims went to Greece.⁷ Though a considerable share of trafficked victims also went to Greece (33.33 per cent), a relative majority went Italy (51.85 per cent). Experts believe that although the traditional trafficking route to Italy has been interrupted, alternative routes and methods for trafficking to Italy and elsewhere in Western Europe are still being used, for example, crossing the Greek border without any travel documents or using forged travel documents and visas to travel by plane or ferry directly to destination countries.

Most respondents did not experience or witness threats or physical violence during the trip. This was, however, more common in the case of successful migrants (78.1 per cent) than in the case of non-trafficked victims (62.5 per cent) and trafficked victims of forced labour (65 per cent). Though none of the more successful migrants or non-trafficked victims of forced labour were sold during their journey, ten (58.8 per cent) of trafficked victims were bought and sold. Two victims were sold once, two were sold twice, one was sold three times and two were sold five times. Social workers at a shelter in Vlora reported cases of girls working five to seven years in prostitution having been sold eight or ten times.

⁷ This information is based on data on the last four stays abroad.

Summary

The majority of respondents had an offer of employment abroad before leaving Albania. However, successful migrants were more often in such a position than non-trafficked victims of forced labour, who, in turn, more often had an offer of employment than trafficked victims of forced labour. In addition, successful migrants and non-trafficked victims mostly obtained this job offer via social connections, whereas trafficked victims of forced labour were mostly offered jobs by intermediaries. This indicates that having a job offer prior to migrating is likely to lead to more successful migration providing that the source of the job offer is a social connection and not an intermediary. However, it can sometimes be hard to draw the line between the two, particularly regarding the situation of women who become trapped in trafficking through marriage.

The reasons why the respondents felt that there was a need to appeal to assistance from intermediaries or others illustrates the lack of official migration channels. The most important reason for seeking assistance was the lack of a visa. The poverty in the country also plays a role as few had money for travel and/or travel documents. Borrowing money for travel and/or travel documents can lead to debt bondage and thus puts the migrant at risk of forced labour. Successful migrants tended to have more knowledge about jobs abroad and how to arrange travel and employment. This indicates that adequate information can play an important role in the successful outcome of labour migration.

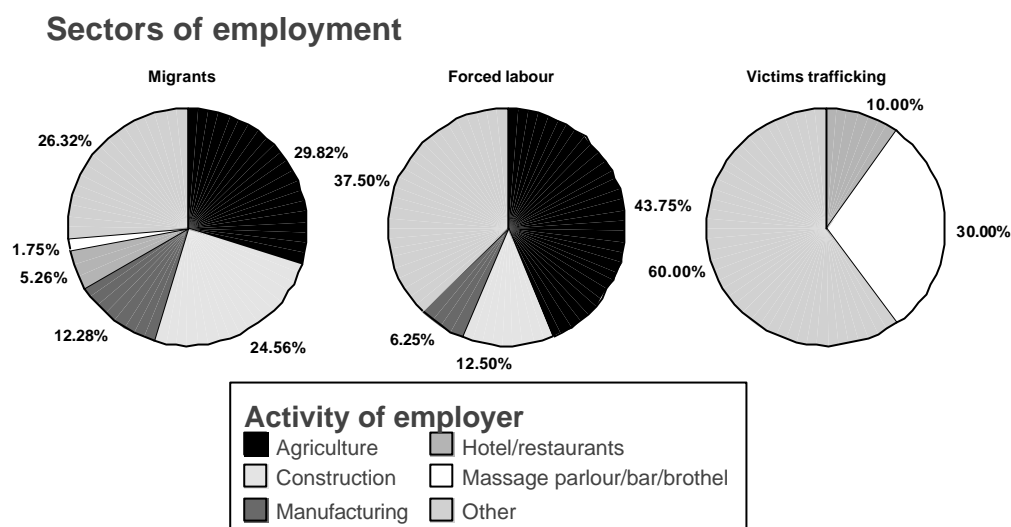
Even though respondents appealed for assistance in order to obtain visas, most did not have a visa when travelling abroad, thus indicating that the intermediaries or others appealed to were unable to provide the required assistance. It also shows that many respondents crossed the border illegally and were in an irregular situation in the country of employment. Those who did have visas to go abroad mostly had tourist visas, again indicating irregular status abroad. Other visas used were seasonal work, business and engagement visas. The last two were predominantly used by trafficked victims of forced labour.

Employment in the destination country

This section will investigate the sectors employing irregular migrants, the conditions the latter are working in, as well as the forms of coercion experienced by victims of forced labour. In addition, a closer look will be taken at the ways migrants exit forced labour situations.

Sectors

The pie charts below illustrate the sectors where respondents were active while working abroad.

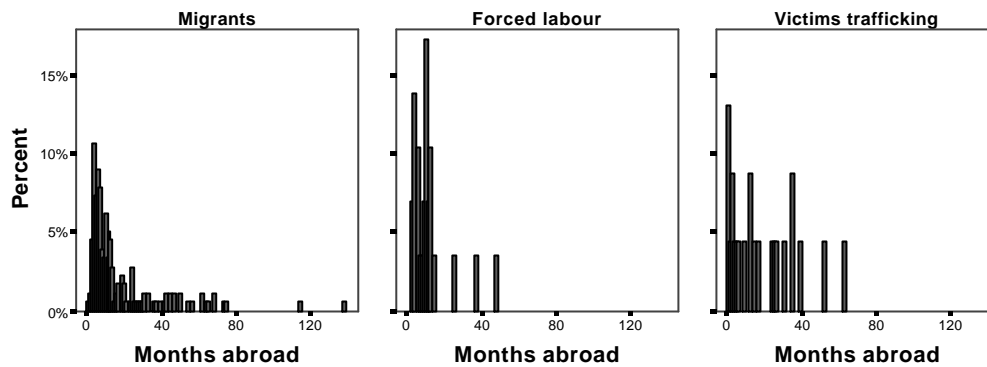


Successful migrants were working in the greatest number of sectors. They were mostly present in agriculture (29.8 per cent) and construction (24.6 per cent). Non-trafficked victims of forced labour were working mainly in agriculture (43.8 per cent). Trafficked victims were working in massage parlour/bar/brothel activities and were thus active in the entertainment or sex work industry (30 per cent). It must be noted that many respondents were active in ‘other’ sectors than those investigated in this study. These could include domestic work. This is particularly likely since those mostly active in ‘other’ sectors were trafficked victims and the privatized nature of domestic work makes it more prone to abuse, including trafficking (Anderson and O’Connell, 2003). Begging has also been associated with trafficking from Albania, though mostly in the case of trafficking in children.

Time spent abroad

Respondents generally spent about a year and four months abroad (M 16.40, SD 18.77). This means that even those going abroad on visas were likely to be in an irregular situation as they mostly had tourist visas, usually valid for around three months, thus implying that respondents overstayed. Successful migrants tended to stay abroad the longest with an average of 18.06 months (SD 20.65). Trafficked and non-trafficked victims spent roughly similar amounts of time in forced labour, trafficked victims spending 11.13 months (SD 13.06) in forced labour and non-trafficked victims spending an average of 11.52 months (SD 6.91).

Time spent abroad

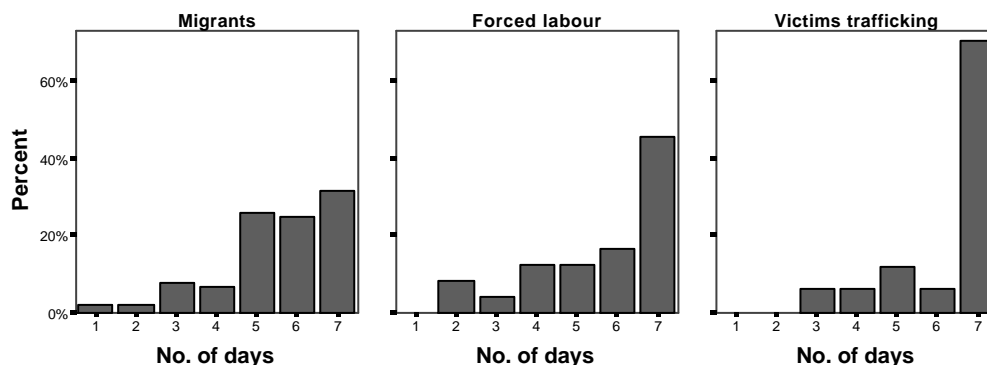


Working conditions

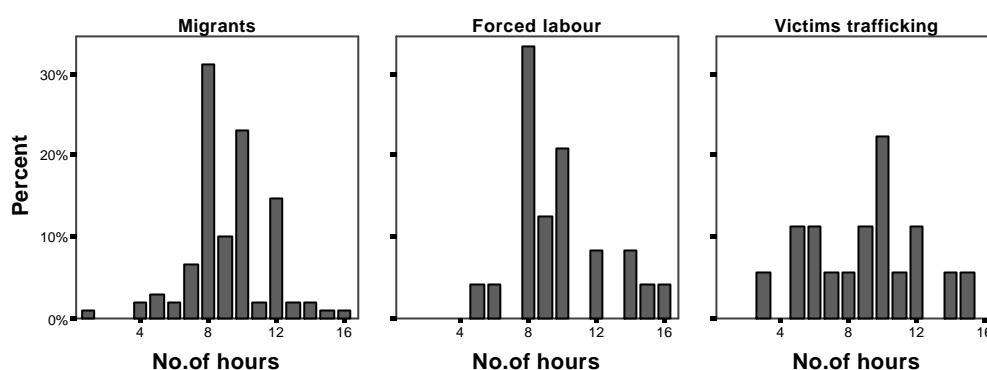
Though most successful migrants (75 per cent) felt that the terms and conditions of work abroad were those to which they had agreed, this was not the case for many trafficked victims (53.8 per cent). This is confirmed by interviews with IOM social workers, who said that though many women are recruited using false promises of marriages and good jobs, even trafficked girls and women recruited into prostitution with their consent, pushed by a strong desire to escape their poverty and family situation, are often not aware of the conditions in which they will be forced to work. The response rate of non-trafficked victims of forced labour to this question is too low to draw any conclusions (only six replied).

Generally, all respondents worked more than a five day and 40 hour week. Trafficked victims worked the most days a week (M 6.29 days, SD 1.26). Social workers asserted that victims of trafficking for sexual exploitation work five to seven days a week, mostly in the evening. Some of them also work in the afternoon if they fail to earn the required daily quota, the number of clients being between 10 to 15 per night. Successful migrants worked the least days per week (M 5.54, SD 1.44), whereas non-trafficked victims occupied an intermediary position (M 5.62, SD 1.66). However, non-trafficked victims of forced labour tended to have the longest work days, with an average of 9.79 hours per day (SD 2.76). Successful migrants worked 9.22 hours a day on average (SD 2.32). Trafficked victims worked the least hours per day, with an average of nine hours (SD 3.24). Considering that trafficked victims worked the most days but the least hours, successful migrants worked more hours but less days per week than trafficked victims and non-trafficked victims of forced labour worked the most day per week but not the most hours, it is hard to discern which category of respondents works more per week. However, it is clear that the great majority of respondents were being exploited in terms of working time.

Number of days worked per week



Number of hours worked per week



The conditions on the work site also left much to be desired, particularly the health and safety provisions. These were the most serious for trafficked and non-trafficked victims of forced labour. A total of 66.7 per cent of trafficked victims felt their workplace was dangerous, compared to 41.7 per cent of non-trafficked victims and 21.7 per cent of more successful migrants. The workplace of non-trafficked victims of forced labour was the most unclean, with 20.8 per cent of non-trafficked victims finding it dirty, compared to 11.1 per cent of trafficked victims and 12.3 per cent of successful migrants.

Despite the highly unsatisfactory working conditions and hours, most work sites were not inspected by the authorities. Though 59.4 per cent of successful migrants and 55.6 per cent of trafficked victims had their workplace inspected by the public authorities, this was only the case of 33.3 per cent of non-trafficked victims of forced labour. However, the workplace of non-trafficked victims of forced labour had been raided by the police in 20.8 per cent of cases, as well as in the case of 19.8 per cent and 16.7 per cent of successful migrants and trafficked victims, respectively. This data points to the (perceived) links between irregular migration, trafficking, forced labour and crime.

Wages

Trafficked victims were most often compensated for their work with non-financial means. Only 61.1 per cent of trafficked victims received money as compensation. All non-trafficked victims of forced labour and successful migrants received money as compensation. However, both groups also received in-kind compensation, particularly non-trafficked victims, who hence occupy an intermediary position between successful migrants and trafficked victims. Non-financial compensation included mostly food and shelter, but also clothes, and, to a lesser extent, tobacco. Sometimes alcohol and drugs were given to trafficked victims, who also received significantly more tobacco than either of the other groups of respondents.

Compensation for work

		Type of migrant		
		Migrants	Forced labour	Victims trafficking
		Col %	Col %	Col %
Money	Yes	100.0%	100.0%	61.1%
Shelter	Yes	20.2%	33.3%	77.8%
Food	Yes	20.2%	41.7%	83.3%
Clothes	Yes	11.9%	12.5%	66.7%
Alcohol	Yes			27.8%
Tobacco	Yes	3.7%		77.8%
Drugs	Yes			5.6%

Though the survey provides little information on the amounts earned, it does shed light on how earnings were spent. Successful migrants more often spent part of their earnings (39.6 per cent) compared to non-trafficked and trafficked victims of forced labour (20.8 per cent and 33.3 per cent respectively). They also sent money home more often (41.3 per cent) than trafficked victims (20 per cent), though non-trafficked victims of forced labour also sent money home in 37.5 per cent of cases. Trafficked victims of forced labour more often spent their earnings on paying back debts (30 per cent) compared to successful migrants (13.5 per cent) and non-trafficked victims of forced labour (8.3 per cent). This probably points to the use of debt-bondage to keep victims of trafficking in forced labour. Money was owed, depending on the respondents, to the employer, family, social acquaintances, money-lenders and intermediaries.

Summary

Successful migrants were employed in various sectors, including agriculture and construction. Non-trafficked victims of forced labour tended to be more concentrated in agriculture, whereas trafficked victims were mostly to be found in sex work and entertainment. Respondents generally spent about a year and four months abroad, though successful migrants stayed the longest, for around 18 months. Trafficked and non-trafficked victims of forced labour stayed abroad a little over 11 months on average. The fact that victims of forced labour, whether trafficked or not, are trapped in forced labour for a relatively short amount of time may point to the fact that those profiting from forced labour consider them 'disposable', i.e. once the profitability of the victims starts diminishing because of the abuse they are subjected to, a pool of vulnerable migrants replaces them.

Most respondents were exploited in terms of working hours per week. Health and safety conditions on the work site also left much to be desired. However, these conditions appear to have been worst in the case of trafficked and non-trafficked victims of forced labour. Though working hours and conditions were far from satisfactory, public inspections were not the rule. Though inspections by the public authorities occurred relatively often, particularly in the case of successful migrants and trafficked victims, the work site of non-trafficked victims was little investigated. Police raids of work sites were less frequent than public inspections.

As for wages, trafficked victims of forced labour were least often compensated with money and most often in kind for their labour. Successful migrants and non-trafficked victims always received money, but also received non-financial compensation, especially non-trafficked victims. Non-financial compensation consisted mainly of food and shelter. However, trafficked victims were also often given tobacco in compensation, and sometimes alcohol and drugs.

Given that trafficked victims of forced labour received money as compensation for their work least often, it is not surprising that they also sent home money least often in the form of remittances. Instead, they most frequently used their earnings to pay for debts, thus again indicating the use of debt-bondage as a form of coercion used to keep victims in forced labour.

The results are pointing to a forced labour continuum. Though both trafficked and non-trafficked victims of forced labour as well as successful migrants experience highly indecent working conditions, these appear to be the worst for trafficked victims of forced labour. Successful migrants are in a better situation, with non-trafficked victims of forced labour occupying an intermediary position on the continuum.

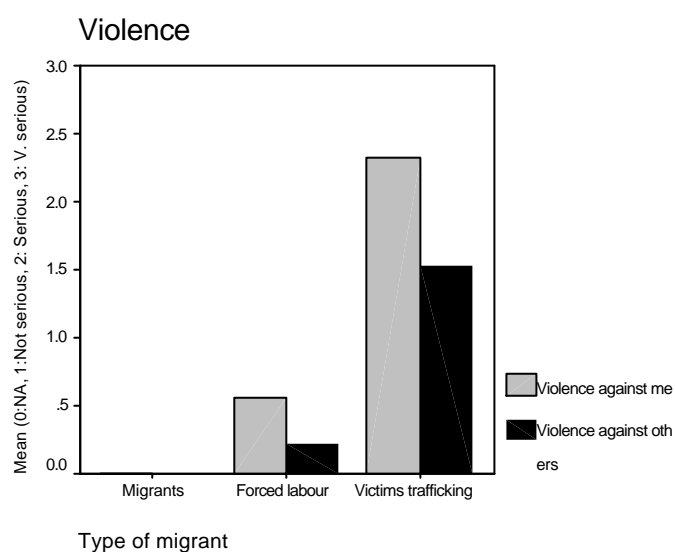
Forms of coercion⁸

This section investigates some of the main forms of coercion used to keep victims of forced labour in severe exploitative conditions. The forms of coercion explored include the use of violence, threats of violence, debts to the employer or trafficker, lack of freedom of movement, the withholding of wages and threats of being reported to the authorities and of deportation. All forms of coercion investigated are to be interpreted as being used with the intent of keeping the victims in a forced labour situation. For example, the form of coercion labeled ‘violence against me’ should be considered as the use of violence by an employer/trafficker with the aim of the continued severe exploitation of the victims.

This section also analyses the data according to gender. The reason for this is that being female is generally considered a potential risk factor for violence and abusive relationships. As such it is interesting to see if this association also exists within a forced labour context. Indeed, the results show that this is the case.

Main types of coercion

As the graph below illustrates, trafficked victims of forced labour were more often subject to violence or witnessed it than non-trafficked victims of forced labour. The latter considered these forms of coercion as non-applicable to their situation or as not serious in preventing them from leaving the workplace. Only 16.7 per cent of non-trafficked victims considered violence against them as very seriously preventing them from leaving their jobs and none found violence against others as a very serious factor in preventing them from leaving. On the other hand, 63.2 per cent of trafficked victims felt that violence against them prevented them very seriously from leaving work, and 31.6 per cent felt that violence against others had this effect.



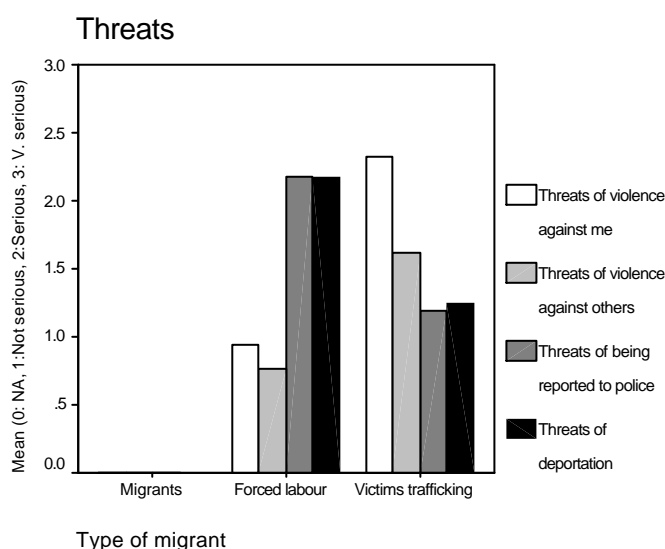
⁸ As detailed in the methodology, the distinction between victims of forced labour (trafficked or not) and other migrants is based on whether they were subject to coercion while abroad or not. Therefore, participants in the category of ‘other’ or ‘more successful migrants’ experienced no or very little coercion which was, in their opinion, not serious enough to prevent them from leaving the workplace. Yet this group has been included in the analysis to provide the reader with a yardstick for comparison.

Report

Type of migrant		Violenc against me	Violenc against others
Migrants	Mean	.50	.00
	Std.	.707	.
Forced labour	Mean	.56	.22
	Std.	1.149	.428
Victims trafficking	Mean	2.32	1.53
	Std.	1.108	1.219
Total	Mean	1.41	.87
	Std.	1.409	1.119

Besides experiencing more serious coercion in the form of violence against them and others, trafficked victims also experienced more threats of violence against themselves. A total of 70.6 per cent of trafficked victims felt these were very serious in preventing them from leaving work compared to 27.8 per cent of non-trafficked victims. Following a similar trend, threats of violence against others, though considered less serious than threats of violence against oneself, were more serious for trafficked victims than for non-trafficked victims. Indeed, 29.4 per cent of trafficked victims compared to 21.1 per cent of non-trafficked victims felt threats of violence against others were a very serious factor trapping them in forced labour.

Though trafficked victims experienced more direct forms of coercion in the shape of violence and threats of violence, non-trafficked victims experienced more, what can be termed, indirect forms of coercion. For instance, non-trafficked victims experienced more serious threats of being reported to the police (with various outcomes such as arrest, deportation, jail, and so on) and threats of deportation. A total of 66.7 per cent of non-trafficked victims compared to 23.5 per cent of trafficked victims felt that threats of being reported to the police were a very serious factor in preventing them from leaving work. A total of 66.7 per cent of non-trafficked victims compared to 23.5 per cent of trafficked victims felt that threats of deportation trapped them in a very serious manner in forced labour.

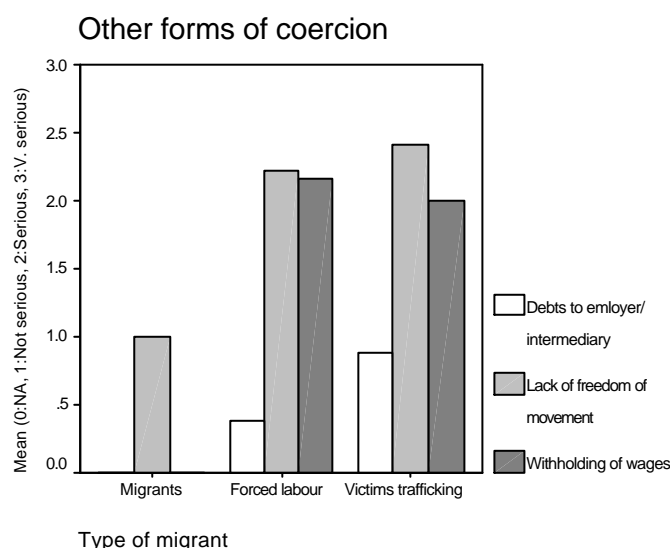


Report

Type of migrant		Threats of violence against me	Threats of violence against others	Threats of being reported to police	Threats of deportation
Migrants	Mean	.00	.00	.00	.00
	Std. Deviation
Forced labour	Mean	1.06	.89	2.36	2.33
	Std. Deviation	1.305	1.197	1.093	1.111
Victims trafficking	Mean	2.35	1.71	1.39	1.35
	Std. Deviation	1.115	1.105	1.335	1.222
Total	Mean	1.64	1.24	1.88	1.85
	Std. Deviation	1.376	1.211	1.308	1.268

However, non-trafficked victims and trafficked victims of forced labour appear to experience similar degrees of withholding of wages and lack of freedom of movement, both forms of coercion considered as serious to very serious by respondents (see graph below). A total of 65 per cent of non-trafficked victims and 64.7 per cent of trafficked victims felt that the lack of freedom of movement (probably imposed by the employer/trafficker) very seriously kept them in forced labour. The withholding of wages also played an important role, slightly more often used as a form of coercion in the case of non-trafficked victims of forced labour. A total of 61.1 per cent of non-trafficked victims and 47.1 per cent of trafficked victims felt that the withholding of wages was a very serious factor in preventing them from leaving forced labour.

Debt bondage appears to have played a less important role as a form of coercion. A total of 11.1 per cent of non-trafficked victims and 1.8 per cent of trafficked victims felt that debt-bondage kept them in forced labour. This appears somewhat incongruent with previous results indicating that trafficked victims often use their earnings to pay off debts. However, the latter result does not necessarily indicate debt-bondage. It is possible that victims borrowed from family, friends, etc. who do not demand excessive and unreasonable interest rates leading to a bonded labour situation.



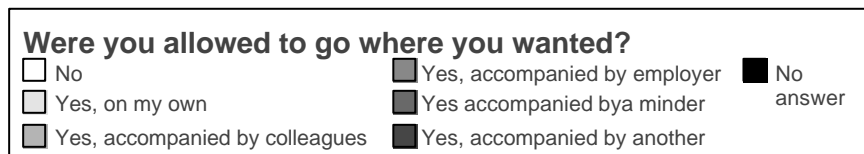
Report

Type of migrant		Debts to the employer/intermediary	Lack of freedom of movement	Withholding of wages
Migrants	Mean	.00	1.00	.00
	Std. Deviation	.	.	.
Forced labour	Mean	.39	2.30	2.17
	Std. Deviation	.979	1.129	1.200
Victims trafficking	Mean	.88	2.41	2.00
	Std. Deviation	1.054	.939	1.173
Total	Mean	.61	2.32	2.03
	Std. Deviation	1.022	1.042	1.207

Lack of freedom of movement

Since lack of freedom of movement is the most important form of coercion that both trafficked and non-trafficked victims of forced labour are subjected to, this section will analyse this variable further. As the pie charts illustrate, non-trafficked victims of forced labour (45.8 per cent) experienced the strongest lack of freedom of movement, not even being allowed to move around freely in the company of others. This was the case in only 5.6 per cent of trafficked victims. However, 45.8 per cent of non-trafficked victims were allowed to move around outside work hours, though only if accompanied by colleagues. Only a relative majority of trafficked victims (50 per cent) were allowed to move freely if accompanied by the employer (or trafficker, in this case). This points to the high degree of control of one individual over another that can be more easily established in certain sectors, such as domestic service and sex work, where employment relationships fall to a certain extent outside the market and become more personalized.

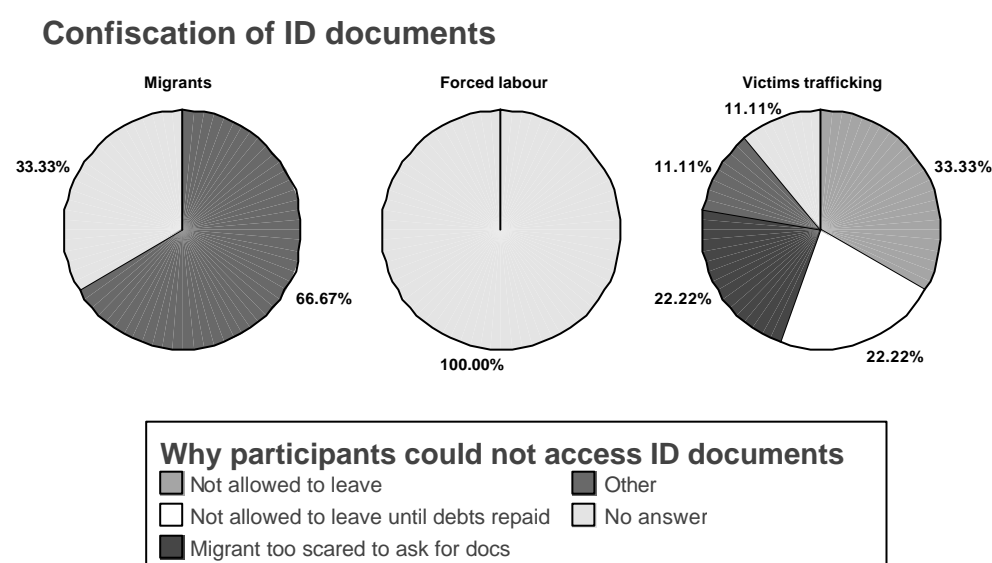
Freedom of movement outside work hours



Besides physical restriction of movement, victims also experienced imposed social isolation. This was more serious in the case of trafficked victims, 72.2 per cent of whom were not allowed to freely talk to others. This form of social restriction was experienced less by non-trafficked victims (12.5 per cent), but was present even in the case of some successful migrants (6.5 per cent).

Confiscation of identity documents

Confiscation of identity documents can be seen as a form of coercion to keep migrants in forced labour situations. Therefore this study also pays specific attention to the confiscation of ID documents. As mentioned before, most respondents had ID documents when going abroad, the majority possessing identity cards. When abroad, all non-trafficked victims of forced labour kept their own documents (100 per cent), as well as most successful migrants (95.3 per cent). However, 53.3 per cent of trafficked victims did not keep their own ID documents. Only 33.3 per cent kept their own ID documents, 13.3 per cent not responding to the question pertaining to this issue, most likely because they had none. The employer mostly kept the ID papers (50 per cent), though the intermediary also did in some cases (37.5 per cent). A total of 80 per cent of those who did not keep their own documents were not able to access these when they wanted. The main reasons for this was that the person keeping the documents was preventing the victim from leaving (33.3 per cent), or, more specific ally, the victim was not allowed to leave until debts had been repaid (22.2 per cent). In other cases (22.2 per cent) the victims was too frightened to ask for her/his ID documents.⁹



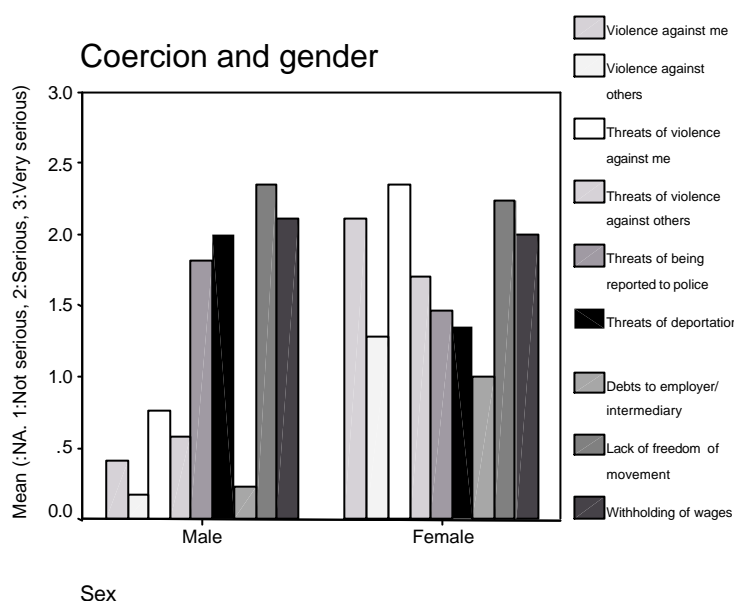
Gender and coercion

The correlation between coercion and gender (see graph below) is significant in the categories of trafficked and non-trafficked victims of forced labour. This is most probably due to the fact that women are over-represented in the category of trafficked victims whereas men are over-represented in the non-trafficked victims group. Women are more often subject to direct violence against them (60 per cent considered this as a very serious factor preventing them from leaving employment compared to 15.8 per cent of men) and threats of violence against them (72.2 per cent considered this as a very serious factor preventing them from leaving employment compared to 22.2 per cent of men). Women also witnessed more violence against others and were more subject to threats of violence against others, such as colleagues or loved ones back home. A total of 15 per cent of women deemed violence against others a very serious reason preventing them from escaping whereas no men felt this way, and 33.3 per cent of women felt that threats of violence against others seriously kept them trapped in forced labour, compared to 15.8 per cent of men. Debt bondage was also deemed slightly more serious by women than by men. Some 11.1 per cent of women but no men felt debt-bondage very seriously stopped them from leaving employment during their stay abroad.

⁹ The response rate to this question was very low.

However, men were more often subject to threats of being reported to the police and threats of deportation, or at least experienced these forms of coercion as more often preventing them from leaving work than women: 60.9 per cent of men, compared to 38.9 per cent of women, felt that threats of being reported to the police very seriously prevented them from leaving work. Moreover, 61.9 per cent of men, compared to 27.8 per cent of women, were of the opinion that threats of deportation were a very serious factor preventing them leaving employment abroad.

Thus, Albanian women migrating abroad appear more at risk of direct coercion in the form of violence and threats of violence, and men are more at risk of more indirect forms of coercion using irregular immigration status as a source of intimidation. However, equal numbers of men and women considered the lack of freedom of movement and the withholding of wages as very serious obstacles to leaving employment: 63.2 per cent of men and 63.2 per cent of women felt that the lack of freedom of movement was very serious in trapping them in employment, while 55.6 per cent of men and 50 per cent of women felt that the withholding of wages had been an equally important form of coercion.



		Report								
Sex		Violence against me	Violence against others	Threats of violence against me	Threats of violence against others	Threats of being reported to police	Threats of deportation	Debts to the employer/intermediary	Lack of freedom of movement	Withholding of wages
Male	Mean	.58	.22	.89	.74	2.13	2.19	.22	2.32	2.00
	Std. Deviation	1.121	.428	1.231	1.098	1.254	1.209	.732	1.057	1.283
Female	Mean	2.20	1.45	2.39	1.78	1.56	1.44	1.00	2.32	2.06
	Std. Deviation	1.196	1.234	1.092	1.114	1.338	1.247	1.138	1.057	1.162
Total	Mean	1.41	.87	1.64	1.24	1.88	1.85	.61	2.32	2.03
	Std. Deviation	1.409	1.119	1.376	1.211	1.308	1.268	1.022	1.042	1.207

Summary

The most important forms of coercion experienced by the respondents were the withholding of wages and the restriction of freedom of movement. Limited freedom of movement signified predominantly that respondents were not allowed to move freely at all, or were allowed to move around freely if accompanied by others, including colleagues, the employer, minders and others.

Both trafficked and non-trafficked victims of forced labour experienced severe coercion, trafficked victims experiencing more direct coercion in the form of violence and threats of violence, though experiencing other types of coercion much less experienced by non-trafficked victims, such as confiscation of ID documents. Non-trafficked victims of forced labour considered threats of being reported to the police and threats of deportation as some of the most serious factors in preventing them from leaving work. Thus the entry route into forced labour can influence the characteristics of the forced labour situation in terms of the type of coercion used. In addition, it appears that both routes into

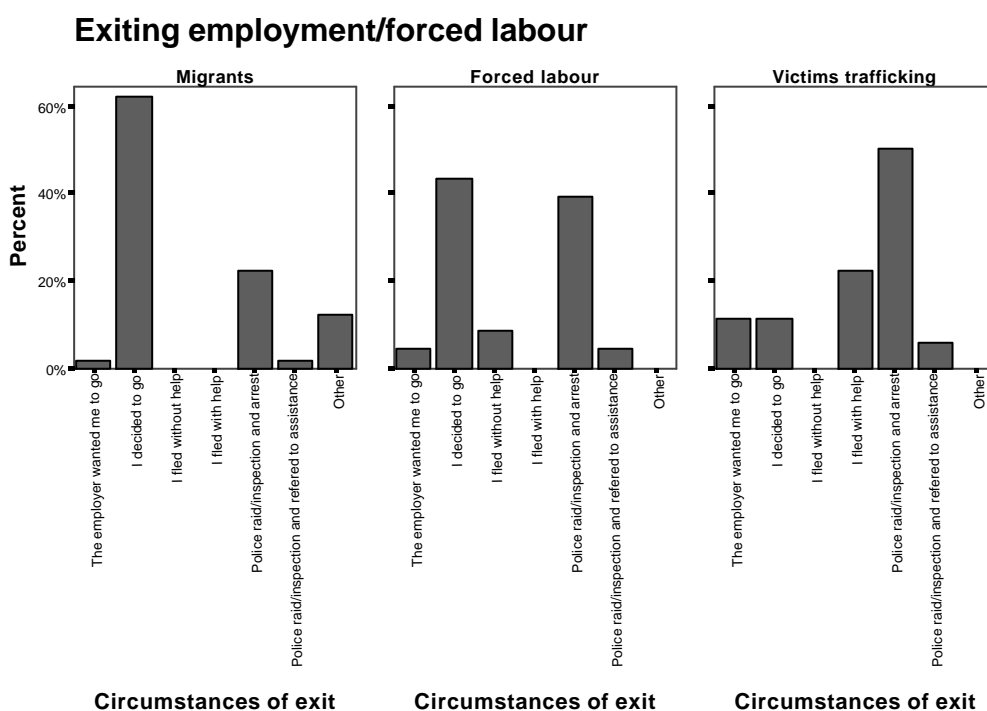
forced labour and forms of coercion used while in forced labour are linked to gender, with women experiencing more direct coercion and men experiencing more indirect coercion.

The results on coercion once again point to a forced labour continuum. Trafficked victims are at the most negative pole of this continuum, experiencing the most serious coercion. Non-trafficked victims, however, are not far behind and, though perhaps subject to less coercion aimed at their physical integrity, are subject to other types of cruel intimidation. Yet, as the section on the nature of employment abroad has shown, all respondents are subject to exploitation during their work abroad, even those that have not experienced any form coercion investigated in this study.

Exit

A relative majority of trafficked victims (50 per cent) left forced labour when identified and arrested during a police raid or inspection. Only a few of the victims were identified as such and referred to assistance (5.6 per cent), thus pointing to a lack of awareness of trafficking and forced labour, as well as a lack of identification mechanisms for victims in destination countries. A similar picture emerges for non-trafficked victims: 39.1 per cent were identified by a police raid or inspection and subsequently arrested compared to only 4.3 per cent who were referred to assistance. Considering that successful migrants were also arrested in 22.2 per cent of cases and that the large majority of respondents were abroad irregularly, it can be assumed that respondents were arrested for being irregular migrants.

Most successful migrants (62 per cent) left employment abroad because they ‘decided to go’, thus implying a certain degree of free will and choice. A relative majority of non-trafficked victims of forced labour left their abusive employment for the same reasons (43.5 per cent). In fact, even trafficked victims sometimes left forced labour because they had decided to (11.1 per cent).



Assistance

The large majority of respondents were not aware of local NGOs, workers or migrant organizations or any other type of organization that could have provided them with assistance. Only 12 successful migrants, six non-trafficked victims and five trafficked victims of forced labour were aware of such

assistance. Even though few were aware of assistance, the reasons for appealing and not appealing for assistance will be investigated as these have important implications for policy on migration management and for the outreach strategy of assistance providers in employment countries.

Reasons for looking for assistance were help in leaving/escaping the workplace, advice on improving working conditions and on the non-payment of wages by the employers, advice on regularizing immigration status, advice on health, housing and services, as well as advice on taking legal action against the employer.

Reasons for contacting assistance

		Type of migrant					
		Migrants		Forced labour		Victims trafficking	
		Count	Col %	Count	Col %	Count	Col %
Assistance to escape/leave the workplace	Yes	1	16.7%			3	75.0%
Advice on improving working conditions	Yes			1	20.0%		
Advice on regularising immigration status	Yes			1	20.0%	1	50.0%
Advice on health/housing/service	Yes	3	60.0%	4	80.0%	1	50.0%
Advice on talking legal action	Yes	1	20.0%	4	80.0%		
Other reasons	Yes			1	20.0%	1	50.0%

Reasons for not trying to contact assistance were that there was no need to, because the migrant was not able to contact assistance, or was too frightened to seek assistance. An important reason for not contacting assistance was the lack of ID documents, thus illustrating the importance of confiscation of ID documents as a form of coercion for the employer. Other reasons included not speaking the local language, fear of arrest and deportation, which again illustrates the importance of threats of arrest and deportation as form of coercion for the person making a profit out of forced labour, and because some believed that organizations offering assistance would not be able to help them.

Reasons for not contacting assistance

		Type of migrant					
		Migrants		Forced labour		Victims trafficking	
		Count	Col %	Count	Col %	Count	Col %
Had no need to	No	9	90.0%	3	75.0%	3	100.0%
	Yes	1	10.0%	1	25.0%		
Was not able to	No	8	80.0%	4	100.0%	3	100.0%
	Yes	2	20.0%				
Was too scared	No	10	100.0%	4	100.0%	1	33.3%
	Yes					2	66.7%
Had no ID documents	No	8	80.0%	3	75.0%	1	33.3%
	Yes	2	20.0%	1	25.0%	2	66.7%
Did not speak the local language	No	7	70.0%	3	75.0%	2	66.7%
	Yes	3	30.0%	1	25.0%	1	33.3%
Was scared of being arrested	No	10	100.0%	4	100.0%	1	33.3%
	Yes					2	66.7%
Was scared of being deported	No	8	80.0%	4	100.0%	1	33.3%
	Yes	2	20.0%			2	66.7%
Did not think they could help	No	7	70.0%	4	100.0%	3	100.0%
	Yes	3	30.0%				
Other reasons	No	9	90.0%	4	100.0%	3	100.0%
	Yes	1	10.0%				

Many respondents tried to contact the police or other authorities while abroad: 31 (27.7 per cent) successful migrants, seven (30.4 per cent) non-trafficked victims and three (17.6 per cent) trafficked victims. The main reason why successful migrants and non-trafficked victims tried to contact the police or other authorities was to seek advice on regularizing immigration status (60 per cent and 62.5 per cent respectively). Trafficked victims (50 per cent) mainly sought advice on assistance to escape forced labour. Other reasons to seek assistance from the police or other authorities were advice on improving working conditions and on what to do if the employer was not paying wages, assistance with travel documents, advice on health, housing and service matters, advice on taking legal action against employers, as well as assistance to return home.

Reasons for contacting the authorities

		Type of					
		Migrants		Forced labour		Victims trafficking	
		Count	Col %	Count	Col %	Count	Col %
Assistance to escape/leave workplace	No	30	100.0	6	75.0%	2	50.0%
	Yes			2	25.0%	2	50.0%
Advice on improving conditions/non payment of wages	No	29	96.7%	8	100.0	3	100.0
	Yes	1	3.3%				
Advice on regularizing immigration status	No	12	40.0%	3	37.5%	2	66.7%
	Yes	18	60.0%	5	62.5%	1	33.3%
Assistance with travel documents	No	28	93.3%	8	100.0	3	100.0
	Yes	2	6.7%				
Advice on health/housing/services	No	24	80.0%	8	100.0	3	100.0
	Yes	6	20.0%				
Advice on taking legal action against the employer	No	30	100.0	8	100.0	2	66.7%
	Yes					1	33.3%
Assistance to return home	No	29	96.7%	8	100.0	3	100.0
	Yes	1	3.3%				
Other reasons	No	24	80.0%	7	87.5%	2	66.7%
	Yes	6	20.0%	1	12.5%	1	33.3%
What kind of help were you given	No	30	100.0	8	100.0	3	100.0

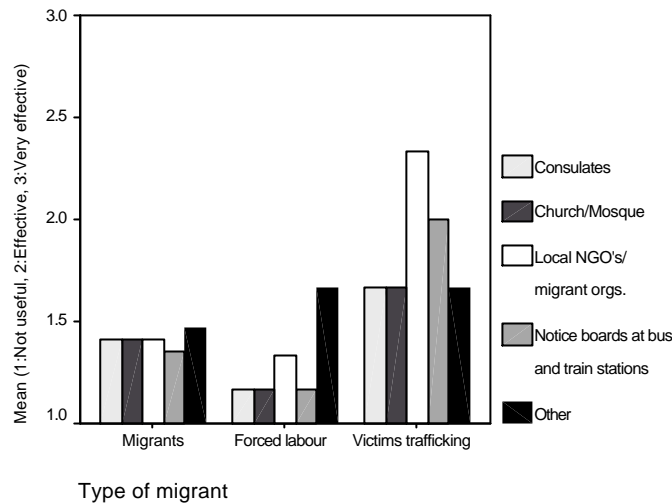
The main reasons for not contacting the authorities in general were because the participant had been irregularly in the country and was scared of being arrested: 39.5 per cent of successful migrants, 28.6 per cent of non-trafficked victims and 28.6 per cent of trafficked victims did not contact the authorities because of their irregular status. 28.4 per cent of successful migrants, 57.1 per cent of non-trafficked victims and 50 per cent of trafficked victims were scared of being arrested and therefore did not contact the authorities. In addition, trafficked victims were also too scared to contact the police (50 per cent), implying threats by the trafficker pertaining to repercussions if the victim would attempt to leave forced labour, misinformation about the authorities (possibly spread by the trafficker with the purpose of intimidation), and so on, in addition to fear of arrest and deportation, whether created by the trafficker or not.

Reasons for not contacting the authorities

		Type of migrant					
		Migrants		Forced labour		Victims trafficking	
		Count	Col %	Count	Col %	Count	Col %
Had no need to	No	57	70.4%	15	100.0%	14	100.0%
	Yes	24	29.6%				
Was not able to contact them	No	77	95.1%	14	100.0%	9	64.3%
	Yes	4	4.9%			5	35.7%
Was too scared to contact them	No	73	90.1%	11	78.6%	7	50.0%
	Yes	8	9.9%	3	21.4%	7	50.0%
Had no ID documents	No	67	82.7%	13	92.9%	11	78.6%
	Yes	14	17.3%	1	7.1%	3	21.4%
Was illegally in the country	No	49	60.5%	10	71.4%	10	71.4%
	Yes	32	39.5%	4	28.6%	4	28.6%
Did not speak the local language	No	77	95.1%	11	78.6%	12	85.7%
	Yes	4	4.9%	3	21.4%	2	14.3%
Was scared of being arrested	No	58	71.6%	6	42.9%	7	50.0%
	Yes	23	28.4%	8	57.1%	7	50.0%
Was scared of being deported	No	51	63.0%	9	64.3%	11	78.6%
	Yes	30	37.0%	5	35.7%	3	21.4%
The police are corrupt	No	79	97.5%	14	100.0	12	85.7%
	Yes	2	2.5%			2	14.3%
Did not think they could help	No	73	90.1%	14	100.0	12	85.7%
	Yes	8	9.9%			2	14.3%
Other reasons	No	80	98.8%	14	100.0	13	92.9%
	Yes	1	1.2%			1	7.1%

Based on their experience abroad, the respondents were asked to rate how effective several sources of information for migrants could be (see table below). Trafficked victims appeared to be, in general, more convinced of the usefulness of some information sources, particularly local NGOs/migrant organizations, which 50 per cent believed could be very effective in disseminating information. Both successful migrants and non-trafficked victims of forced labour felt that the information sources suggested would be potentially less effective in disseminating information to migrants than other sources. But a total of 30 per cent of successful migrants and 33.3 per cent of non-trafficked victims felt that alternative sources could be very effective.

Potentially effective sources of information



Report

Type of migrant		Consulates	Church/Mosque	Local NGO's migrants organisations	Notice boards at bus/train station	Other
Migrants	Mean	1.51	1.44	1.43	1.48	1.60
	Std. Deviation	.750	.721	.707	.775	.940
Forced labour	Mean	1.22	1.55	1.43	1.24	1.67
	Std. Deviation	.548	.858	.676	.539	1.033
Victims trafficking	Mean	2.19	1.79	2.29	1.86	1.67
	Std. Deviation	.911	.893	.849	.949	1.155
Total	Mean	1.55	1.50	1.54	1.48	1.62
	Std. Deviation	.785	.765	.772	.773	.942

Future migration projects

It is important to take account of the estimated effectiveness of information sources as considered by the returned migrants who constituted the sample for this study as most would have liked to stay on in the job they had when abroad. This feeling was least pronounced for trafficked victims (22.2 per cent did not want to stay on), though the majority of non-trafficked victims (91.3 per cent) and more successful migrants (66 per cent) would have liked to stay on. Some would have also liked to stay in the destination country in order to find another job: 78.9 per cent of trafficked victims, 86.4 per cent of non-trafficked victims and 72.3 per cent of more successful migrants. Moreover, the majority of all groups desired to work abroad again in the future: 81.1 per cent of more successful migrants, 95.7 per cent non-trafficked victims (69 per cent), and 92.9 per cent of trafficked victims of forced labour. Yet a large majority of groups said that they would organize their next trip abroad differently, as was the case of 83.3 per cent of successful migrants, 82.6 per cent of non-trafficked victims, and 92.9 per cent of trafficked victims.

Summary

Many trafficked and non-trafficked victims of forced labour exited forced labour via police raids and other inspections. What is worrying is that of those victims that were identified during police raids most were arrested and very few were referred to assistance organizations. This either means that the police did not recognize trafficked victims and identified them as irregular migrants instead, or that the victims were identified as such but did not receive adequate protection by the authorities in the country of destination. In the first scenario, the police should be trained to correctly identify victims of trafficking. The second scenario indicates a serious lack on behalf of the authorities of the destination country to provide victim protection.

The most important reason for successful migrants to leave their job abroad was free will. However, this reason was also important in the case of non-trafficked victims and played a role in the case of trafficked victims of forced labour. These results appear contradictory when taking into account the forced labour criteria used in this study, as well as the severely reduced freedom of movement in forced labour situations. However, the fact that victims of forced labour, trafficked and non-trafficked, do leave forced labour situations with a certain degree of free will, points to the idea of forced labour as a process instead of as a state. As the person gives in to coercion and perceives him/herself to have less and less viable alternatives to forced labour, the trafficker/employer has more and more control over the victim. This process can be envisaged as an ever-narrowing labyrinth. The migrant has possibilities to leave employment and may decide to do so, yet these possibilities become fewer as the forced labour situation lasts. At this point individual circumstances and personal traits come into play.

It is important to note the lack of awareness of assistance in general among the respondents as well as the reluctance to appeal to the authorities for assistance. Victims as well as more successful migrants are frightened of being arrested and deported, which is not surprising when considering that many victims are arrested and deported when identified by the police during raids or other types of inspection. A serious lack of information dissemination combined with fear of the authorities results in a potent mix of vulnerability factors.

Yet the respondents would have liked assistance in three main areas, the first dealing with the improvement of working conditions and help with non-payment of wages by the employer or the intermediary. Secondly, respondents would have liked advice pertaining to regularization of immigration status. Finally, respondents, mainly victims, were seeking assistance to escape or leave the workplace.

Considering the lack of awareness of assistance and the clear need for it, the respondents' replies to the question pertaining to effective information sources are important to take into account. Local NGOs and migrant organizations were thought to have the most potential as effective information sources by trafficked victims, though the responses to this particular question suggest that more innovative sources need to be found than those suggested in this study.

4. CURRENT RESPONSES TO TRAFFICKING¹⁰

Albania is commended for having recognized trafficking and having done much to combat it in recent years. This section will consider what anti-trafficking action has been undertaken in the areas of policy and legislation, law enforcement, protection and assistance to victims, as well as prevention. Furthermore, each section will consider some of the difficulties Albania is encountering in combating trafficking.

Policy and legislation

Albania has ratified several international Conventions that are relevant to the fight against human trafficking. For example, it has ratified the ILO Forced Labour Convention, 1930 (No. 29); the Abolition of Forced Labour Convention, 1957 (No. 105); the Private Employment Agencies Convention, 1997 (No. 181); the Minimum Age Convention, 1973 (No. 138); and the Worst Forms of Child Labour Convention, 1999 (No. 182). Albania has also ratified the following UN instruments: the Convention on the Rights of the Child, 1989; the Convention on the Elimination of All Forms of Discrimination Against Women, 1979 (acceded to on 11 May 1994); the UN Convention against Transnational Organized Crime, 2000, and importantly, the Protocol to Prevent, Suppress and Punish

¹⁰ The following section considers events up to December 2004.

Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, 2000.

In June 2001, Albania set up an inter-ministerial working group, assisted by international organizations, to draft a National Plan of Action Against Trafficking (NAPT). The NAPT contained detailed descriptions of short-term action, mainly focused on law enforcement. The NAPT aimed at prevention and victim protection in the long run, though this part of the NAPT was less specified and left more general. The NAPT includes protocols and agreements at both national and regional level. Indeed, Albania has been working with the SECI centre in Bucharest and is a member of the Stability Pact Task Force on Trafficking in Human Beings.

Though the NAPT is an important step forward in the combat against trafficking, some issues still remain. Most importantly, the NAPT is not sufficiently implemented and is perhaps too general to allow specific action. Furthermore, important stakeholders, such as workers' and employers' organizations, are not included in the NAPT. In addition, resources allocated to it have been limited. The lack of research and data on the number of victims, as well as on victims and perpetrator profiles can make it difficult to target the NAPT. In fact, though each institution involved in the fight against trafficking has its own database, there exists no integrated, national database. Another problem, of a more general nature, is the corruption of officials, found at most levels.

From a legislative point of view, important new trafficking legislation has been drafted. Law No. 8733, drafted in 2001, states that trafficking in human beings, both minors and adults, is punishable by a minimum of five years imprisonment to a maximum imprisonment for life. This law has been incorporated into the Criminal Code, article 110. According to this article 'Trafficking of human beings with the purpose of material profit or any other profit shall be punished by imprisonment from five up to fifteen years'.

The anti-trafficking law, Law No. 8733, though an important piece of legislation, is too vague, leading to an exaggerated scope for criminalization. For example, it does not allow to distinguish between trafficking and facilitation of illegal border crossing. Moreover, there appears to be a general problem of implementation in the sense that there is a lack of resources and training (Giammarinaro, 2003).

Law enforcement

A total of 43 per cent of the estimated US\$15 million budget of the NAPT was allocated to law enforcement. The finances were used to create a special police Anti-Trafficking Task Force (Limanowska, 2003). Much training for police has taken place. Albanian police have been involved in major regional crackdowns on trafficking, including operation Mirage. Police activity has focused on the sea route to Italy. Though less victims have been identified since the crackdown, this is also thought to be due to traffickers and smugglers taken different routes, mainly over the mountains in the north of Albania.

Though there is important cooperation at a regional level, for example with the Italian and Greek police, there is less cooperation at a national level. For instance, there is a lack of cooperation between police and labour inspectors, who could be involved in the monitoring of the recruitment of migrant workers. This lack of cooperation is possibly related to the fact that the police are experiencing a lack of resources. Even though additional resources were recently allocated, there is still a lack of adequate equipment.

Most trafficking victims are identified by the police at port facilities, having been deported by other countries. Victims are more and more often referred to assistance. This indicates an increasing effort on the part of Albanian law enforcement officials to identify, and not criminalize, victims of trafficking. Currently, overwhelming emphasis is placed on the identification of women and girls that were sexually exploited. Consequently, the profile of a trafficking victim is a woman or girl who has been forced into sex work. The one category for which this definition is being expanded is for children trafficked for

begging or forced labor. Thus male victims as well as victims of forced labour in general are not likely to be identified by the Albanian police.

Though there are problems with the implementation of the anti-trafficking law, the arrest and prosecution of traffickers in Albania is increasing due to more effective policing and greater political will to address the trafficking problem, as stated by the several government, NGO and IO experts interviewed for this study. In 2001, 299 offenders were arrested and charged, whereas during the first half of 2002, 347 were arrested and charged (OSCE, 2002). However, compared to the number of arrests, the conviction rate is very low. For example, in 2002, 176 cases against traffickers were dismissed due to insufficient evidence or procedural errors. This is partly because of the lack of willingness of the courts to recognize trafficking as a serious crime, and partly because of the lack of enforcement of judicial rulings. Yet corruption, which plays a role at all levels, including in the judiciary also contributes to the low conviction rates.

Victim assistance and protection

Law No. 8733 stipulates that victims of trafficking will not be prosecuted for crimes committed while in a situation of trafficking, such as, for example, illegal border crossings and prostitution. However, this law is not being implemented by judges and prosecutors. Some trafficked women are still being treated as criminals. For example, as interviews with a victim in detention and with prison social workers revealed, women and girls who withdraw witness statements against traffickers out of fear are accused of providing false testimony or are charged with prostitution and are held in detention. A witness protection law is still not in place but is currently being drafted.

NGOs are playing important roles in assisting victims of trafficking as well as in prevention. Albania has two well-established anti-trafficking networks of NGOs at the national and regional levels. These networks are responsible for several projects, including a counselling line, a women's advocacy centre and a centre for abused women.

The activities of these NGOs cover the following areas: shelter, prevention of child trafficking, counselling for abused women, psycho-social counselling, medical service, vocational training, education, legal assistance, foster care family, etc. However, there is a lack of coordination among agencies as many have no knowledge of how to network effectively. Trade unions are only starting to get involved in the issue of trafficking, but lack knowledge on the topic, as well as on migration.

There are three shelters for victims of trafficking for sexual exploitation in Albania. One is run by an NGO, one by the IOM, and one by the State. In combination, these shelters are able to accommodate a total of 45 victims of trafficking. A fourth shelter is currently being opened by another NGO. Though the shelters constitute an important first step in providing assistance to victims of trafficking, the situation is not ideal. Psychological assistance varies according to the shelter, and tends to be too short. Legal representation is lacking for most victims. There is insufficient emphasis on educational assistance considering that the vast majority of victims of trafficking has not completed high school. From a long term perspective, comprehensive and vocational education programmes are needed. In fact, though employment placement is sometimes facilitated, only 20 per cent of victims remain in their jobs. This is, of course, also in part because of the high unemployment levels in Albania. Furthermore, those that desire to return to their families appear to receive insufficient family mediation support as 40 per cent is suspected of being re-trafficked. For those not willing or unable to return to their families, there are very few housing and independent living opportunities.

A project that is currently under development is the Victims Assistance Team. The project aims to provide counselling to Albanian women that have been returned from abroad. Furthermore, the Team has as major objectives the building of a functional referral system and to strengthen cooperation between partners. Therefore, positive action is being taken in the area of victim assistance and reintegration. It must be noted that this is aimed mainly at Albanian women and children and excludes other victims of migration, such as foreign women and children that have been trafficked through Albania, as well as men, and victims of forced

labour outcomes. In addition, there is no complaint mechanism for returning migrants who have been victims of forced labour exploitation but have not been identified as such.

Prevention

Prevention measures taken in Albania include heightened border control, though some fear this is leading to more obstacles for women who desire to migrate since anti-trafficking border measures are aimed at young women. Moreover, much awareness raising by NGOs and international agencies has taken place. Furthermore, both Italy and Greece have regularized Albanian migrants, thus leading to a decrease in the vulnerability of their situation. The measures taken are thought to have led to a decrease in trafficking (Limanowska, 2003). For instance, the number of girls that were trafficked after having replied to a newspaper advert has decreased by 50 per cent (ibid.). Less victims of trafficking are being identified in general, though it is highly likely that this is related to methods of identification, and not solely to an actual decrease in trafficking (see also the section above on law enforcement). Though some measures have been taken to prevent trafficking and forced labour outcomes, the focus of the Albanian government has been mainly on law enforcement. It is thought that the measures that have been taken have actually pushed trafficking and smuggling further underground, making identification more difficult. Thus it is hard to measure the effect of the prevention measures.

Though action has been taken against traffickers and to identify victims of trafficking, little has been done to prevent trafficking by monitoring the recruitment of migrant workers. There is a lack of information available on recruiters and Private Employment Agencies (PEAs), and there is no monitoring system of these agencies. A licencing system is in place, but only a handful of employment agencies actually have a licence. Moreover, no State authority has been assigned to monitor PEAs, there is a lack of comprehensive legislation on employment contracts and the relevant existing legislation is not being fully implemented. On the other hand, PEAs complained about the lengthy bureaucratic procedures in order to send migrants legally abroad.

5. RECOMMENDATIONS

The following recommendations, based on the results of this study and a validation workshop that took place in April 2003,¹¹ are made with the goal of preventing and combating trafficking, as well as assisting victims. They also aim to improve the management of migration in general, and thus protect all migrant workers.

In a broad sense, the socio-economic conditions of the country should be improved. After all, these are the structural factors driving emigration. More specifically, the functioning of the labour market should be improved. This means not only improving adequate job supply in the country and the efficient transmission of the job offers to the applicants by appropriate institutions, but also adapting education to make it more responsive to labour market demands.

Trafficking action should not be aimed only at women and girls trafficked for sexual exploitation but should also encompass men and boys. When combating trafficking it must not be forgotten that other sectors beside sex work use forced labour.

It is recommended that Albania combat corruption at all levels. If victims of trafficking trust the Albanian authorities they are more likely to denounce perpetrators and testify against them. This will allow a swifter and more efficient prosecution of offenders. Reducing corruption will also, among countless other positive outcomes, reduce the black market in visas.

Moreover, more information on traffickers, victims of trafficking, trafficking routes, assistance, recruitment methods, etc., is needed. Though the Albanian government is currently compiling data on

¹¹ ILO (2004) *Managing a national programme against trafficking in human beings: Addressing the labour market dimensions (Albania, Moldova, Romania and Ukraine)*, Turin.

trafficking from different government institutions, it is advisable to create a holistic database using data from NGOs and international agencies in the mean time. Particularly, information about trafficking and smuggling routes could be useful since it is believed that these have changed since the severe police clampdown.

Legislation¹²

At a legal level, though adequate anti-trafficking legislation exists, its implementation needs to be assured. An institute could be established with the function of monitoring anti-trafficking legislation and its implementation. A re-invigoration of the inter-ministerial anti-trafficking group could go hand in hand with this, as well as increased cooperation between relevant actors at all levels of society.

Furthermore, care should be taken not to confuse trafficking and smuggling offences. This can lead to light sentences for traffickers and a lack of recognition of the victimhood of those that have been trafficked.

The decriminalization of victims of trafficking that have illegally crossed the border should be envisaged, as well as shifting the focus from the punishment of victims to the punishment of traffickers and others colluding with abusive recruitment practices. Most importantly, although a victim protection scheme has been prescribed by law, it is not being implemented correctly. A great effort should be made here, not only to aide criminal investigations, but above all to protect victims of trafficking.

Law enforcement

Lack of enforcement appears a general problem in Albania, and one that occurs at all levels. The lack of enforcement of judicial rulings is one major issue. One way to amend the situation is by training law enforcement officials on trafficking issues. Though training has been done in this area, it has been mainly focused on the police and sometimes prosecutors. Importantly, the judiciary should also be trained on trafficking and how to deal with cases of trafficking. Relevant officials should also include labour inspectors. In addition, NGOs and social workers should be trained.

The training should encompass the recognition and identification of traffickers, victims of trafficking and trafficking situations, and the appropriate actions to be taken in different situations. A good start for this type of training would be to continuously revise and update the training programmes, in cooperation with the Magistrates' School, for judges and prosecutors in relation to new legislation and international standards.

Labour inspectors and police could collaborate together more efficiently to monitor recruitment.¹³ The Ministry of Labour and social partners could also be involved in this through the establishment of standards of functioning for all recruiters, for example through licencing, codes of conduct, rating, awards and blacklisting, etc.

Migration management

Migration management should aim at creating legal channels of migration. This could be done, for instance, by the National Offices for Employment Services, under the Ministry of Labour and Social Affairs. These offices are currently undertaking the typical activities of a labour office: gathering requests and offers for employment on a national level, job matching, assisting the unemployed, training, and sometimes performing job interviews. The labour offices also organize and finance training and payment of unemployment benefits. The National Offices for Employment Services could extend their functions to employment abroad.¹⁴ The offices could also be more active in the negotiation

¹² For more information, see ILO: (2005) *Human trafficking and forced labour exploitation, Guidance for legislation and law enforcement*, Geneva.

¹³ For more information on this see ILO (forthcoming) *Trafficking for forced labour: How to monitor the recruitment of migrant workers. training manual*, Geneva, ILO.

¹⁴ *ibid.*

of bilateral labour agreements with major destination countries, of which more are needed, and in the monitoring of recruitment of migrant workers. In addition, the labour offices could collaborate with the embassies of countries of destination to provide more information on the criteria to be fulfilled in order to obtain a visa and to disseminate relevant information more widely.

In attempting to protect women, care must be taken not to manage migration in such a way as to restrict their migration options. This will only lead to more covert irregular migration and, possibly, to higher profits being earned by traffickers due to the increased difficulty of the border crossing.

Awareness raising

Though much awareness raising has already been done, should Albania continue this positive trend. Increased awareness raising on topics such as recruitment, migration and jobs abroad, as well as the dangers of trafficking and forced labour outcomes is recommended. Awareness raising is the most efficient means to prevent trafficking and forced labour, though it should be used in combination with the other strategies mentioned above. It can be done through media campaigns, education in schools, training of officials, civil society, and so on. Moreover, awareness raising should be careful not to transmit the message that people should not migrate, but how to migrate more safely.

Information should be particularly targeted at those most at risk of trafficking, i.e. young, underprivileged women. The low school attendance of girls has been associated with parental fear that girls might be trafficked. Therefore awareness raising among this population, though difficult, is highly desirable.

However, awareness raising should not be restricted to potential migrants at the pre-migratory stage. Those migrants that have already made the decision to leave should be informed about the assistance that is available abroad, for example from labour attachés. Returning migrants should be made aware of the assistance available in Albania for returning victims.

Protection and assistance

More information about assistance needs to reach Albanian migrants abroad. The information sources suggested in this study were not believed to be potentially efficient by the respondents, NGOs and migrant organizations. Albanian labour attachés, trade unions and employers' organizations could play a stronger role in this area.

Assistance to returning victims of trafficking should be further developed. Victims, both Albanian nationals and foreigners, women and men, should be protected, whether they agree to testify against perpetrators or not. Victims of trafficking should be made accountable for crimes committed when under the abusive control of a trafficker. Training of law enforcement officials on the rights of victims of trafficking can alter the current situation in a positive way.

Assistance to victims of trafficking needs to include more legal assistance. In addition, it is important to vocationally (re)train victims and to aid them to obtain and keep a job. More support should be provided for those that are willing to return to their families in the form of family mediation support, and investments could be made in long-term assistance. Assistance to victims abroad should also be stimulated. The activities of labour attachés abroad can be increased. In order to achieve these aims, the funding of NGOs involved in assisting victims of trafficking and potential migrants could be an option, particularly for government and for international agencies.

Efficient complaint mechanisms should be put into place for victims of labour exploitation abroad, as well as for victims of abusive recruitment practices in the home country. Complaints about abusive recruitment could lead to the prevention of trafficking by identifying traffickers at this early stage of the trafficking cycle. Trade unions could play a stronger role in this area. They could represent the worker in the home country, but they could also play an important role representing workers abroad. In collaboration with trade unions in employment countries, compensation for the worker could be

obtained through judiciary procedures in the destination country. These could be undertaken by a local trade union and substantiated by evidence from the trade union in the home country. A good example of such cooperation is the collaboration between Romanian and Italian trade unions, though this could be strengthened.

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Appendix 1: List of experts interviewed

Ministries

Ministry of Labor and Social Affairs

1. Majlinda Hafizi – Director; Directorate of Emigration **Date** : 02.12.02
2. Durim Hatibi - Specialist, Directorate of Emigration **Date** : 04.12.02
3. Lavdie Ruci - Chairwoman, Committee for Equal Opportunities **Date**: 17.02.03
4. Natasha Pepivani – Gender Issues **Date** : 17.02.03

Ministry of Public Order

5. Avni Jasharllari – Chief of Anti Trafficking Department **Date**: 03.02.03
Dolores Purova – Specialist, Trafficking of Women
Jonida Meco – Specialist, Trafficking of Children

State Minister's Office

6. Zhani Shapo – Chief of Cabinet **Date**: 04.02.03
Dolor Tozaj – Adviser of Minister

Ministry of Justice

7. Alban Brati – Adviser of Minister **Date**: 03.12.02

State Institutions

National Employment service/ under Ministry of Labor and Social affairs

8. Neshat Zeneli – Director **Date**: 25.11.02

Institute of Social Insurances

9. Ilir Beqja – Vice Director **Date**: 09.12.02

313 Pre-Detention Unit

10. Social Workers **Date**: 17.12.02

Prison 325 Tirana

11. Fatime Sadiku – Specialist **Date**: 27.12.02

Anti-Trafficking Police Units

12. Hytbi Drevishi – Chief of Anti-Traff. Korce Unit **Date**: 21.12.02
13. Sheklqim Selmani – Chief of Anti-Traff. Durres Unit **Date** : 14.12.02

Embassies

Italian Embassy

14. Enrico Nunziata – Head of Consular Section **Date** : 11.12.'02

British Embassy

15. Neil Roberts – Head of Visa Section **Date**: 28.01.03

International IOs and NGOs

UNHCR

16. Pablo Zapata – Protection Office **Date:** 10.02

OSCE

17. Ledia Beci – “Victim’s Assistance Team” Project Director **Date:** 07.02.’03

18. Caroline Milow, Elbasan **Date:** 06.12.’02

TERRE des HOMMES

19. Aurel Koca – Coordinator, Korca **Date:** 01.02.’03

IOM

20. Maurizio Busatti – Chief of Mission **Date:** 13.02.03

21. Rosanna Moore – Program Officer **Date:** 07.02.03

22. Lira Sejдини; Marjana Meshi; Stela Tanellari; Darina Kolona **Date:** 20.02.03
(Social Workers IOM rehabilitation shelter for Albanian trafficked victims)

23. Two staff (Social Workers) IOM Shelter **Date:** 12.12.02

ISS (International Social Service)

24. Lida Leskaj – Director **Date:** 21.02.03

CAO

25. Kreshnik Spahiu **Date:** 23.12.02

YWCA

26. 26. Donika Godaj – Executive Director **Date:** 03.02.03

Local Organizations**Center of Social and Economic Studies**

27. Ilir Gedeshi – Director **Date:** 03.12.02

Center for Counseling of Women and Girls

28. Marjana Bello – Coordinator **Date:** 04.12.02

Women's Center

29. Edlira Muhedini – Program Coordinator **Date:** 03.12.02

Hearth, Psych-social center, Vlora

30. Vera Lesdo – Director **Date:** 28.11.02

31. Entela Avdualaj – Social worker **Date:** 28.11.02

Korca Women

32. Klara Cela **Date:** 21.12.02

K & E Immigration and Translation Services, USA

33. Evis Matja **Date:** 07.02.03

Specialists

34. Adelina Vranici, Assistant/Translator in Prosecutor’s Office Bordeaux/France
Date: 06.02.03

(TOTAL - 40 KEY RESPONDENTS - 34 INTERVIEWS)

Second Interviews with Trafficked victims

- 35. Trafficked Victim interviewed at Hearth Psych-social center **Date** :28.11.02
- 36. Trafficked victim interviewed at 313 Pre-detention Unit **Date**: 12.12.02
- 37. Interviewee kidnapped to be trafficked kept at 313 Unit **Date**: 12.12.02
- 38. Interviewee kidnapped to be trafficked kept at 313 Unit **Date**: 12.12.02

List of Working Papers of the InFocus Programme on Promoting the Declaration

- No. 1 Bonded Labour in Pakistan, by Aly Ercelawn and Muhammad Nauman, June 2001.
- No. 2 A Perspective Plan to Eliminate Forced Labour in India, by L. Mishra, July 2001.
- No. 3 Défis et opportunités pour la Déclaration au Bénin, by Bertin C. Amoussou, August 2001.
- No. 4 Défis et opportunités pour la Déclaration au Niger : Identification des obstacles à la mise en œuvre des principes et droits fondamentaux au travail et propositions et solutions au Niger, by Moussa Oumanou, August 2001.
- No. 5 Égalité de rémunération au Mali, by Dominique Meurs, August 2001.
- No. 6 Défis et opportunités pour la Déclaration au Burkina Faso, by Seydou Konate, September 2001.
- No. 7 Child Labour in the Russian Federation, by Svetlana Stephenson, June 2002.
- No. 8 Intersecting risks: HIV/AIDS and Child Labour, by Bill Rau, June 2002.
- No. 9 Los principios y derechos fundamentales en el trabajo: su valor, su viabilidad, su incidencia y su importancia como elementos de progreso económico y de justicia social, de María Luz Vega Ruiz y Daniel Martínez, Julio 2002.
- No. 10 The Links between Collective Bargaining and Equality, by Adelle Blackett and Colleen Sheppard, September 2002.
- No. 11 Annotated bibliography on forced/bonded labour in India, by Dr. L. Mishra, December 2002.
- No. 12 Minimum wages and pay equity in Latin America, by Damian Grimshaw and Marcela Miozzo, March 2003
- No. 13 Gaps in basic workers' rights: Measuring international adherence to and implementation of the Organization's values with public ILO data, by W. R. Böhring, May 2003.
- No. 14 Equal Opportunities Practices and Enterprises Performance: An investigation on Australian and British Data, by Prof. V. Pérotin, Dr. A. Robinson and Dr. J. Loundes, July 2003
- No. 15 Freedom of Association and Collective Bargaining, a study of Indonesian experience 1998-2003, by Patrick Quinn, September 2003
- No. 16 Gender-based occupational segregation in the 1990s, by Richard Anker, Helinä Melkas and Ailsa Korten, September 2003.
- No. 17 Normalised and Disaggregated Gaps in Basic Workers' Rights, by W.R. Böhring, November 2003
- No. 18 Forced Labour: Definition, Indicators and Measurement, by Kanchana Ruwanpura & Pallavi Rai, March 2004.
- No. 19 Pay equity, minimum wage and equality at work: theoretical framework and empirical evidence, by Jill Rubery, November 2003

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- No. 20 A rapid assessment of bonded labour in Pakistan's mining sector, by Ahmad Salim, March 2004.
- No. 21 A rapid assessment of bonded labour in hazardous industries in Pakistan: glass bangles, tanneries and construction, by the Collective for Social Science Research in Karachi, March 2004.
- No. 22 A rapid assessment of bonded labour in domestic work and begging in Pakistan, by the Collective for Social Science Research in Karachi, March 2004.
- No. 23 A rapid assessment of bonded labour in the carpet industry of Pakistan, by Zafar Mueen Nasir, March 2004.
- No. 24 Unfree labour in Pakistan – work, debt and bondage in brick kilns in Pakistan, by the Pakistan Institute of Labour Education & Research, March 2004.
- No. 25 Bonded labour in agriculture: a rapid assessment in Punjab and North West Frontier Province, Pakistan, by G.M. Arif, March 2004.
- No. 26 Bonded labour in agriculture: a rapid assessment in Sindh and Balochistan, Pakistan, by Maliha H. Hussein, Abdul Razzaq Saleemi, Saira Malik and Shazreh Hussain, March 2004.
- No. 27 Las desigualdades étnicas y de género en el mercado de trabajo de Guatemala, de Pablo Sauma, Marzo 2004.
- No. 28 Libertad de asociación, libertad sindical y el reconocimiento efectivo del derecho de negociación colectiva en América Latina: el desarrollo práctico de un principio fundamental, de Maria Luz Vega-Ruiz, Abril 2004.
- No. 31 Human trafficking in Europe: an Economic Perspective, by Gijsbert Van Liemt, June 2004.
- No. 32 Chinese migrants and forced labour in Europe, by Gao Yun, August 2004 (English, French & Chinese version)
- No. 33 Trafficking of migrant workers from Romania: issues of labour and sexual exploitation, by Catalin Ghinararu & Mariska N.J. van der Linden, September 2004.
- No. 35 Metodología para estimar el costo laboral por sex, de Laís Abramo, Silvia Berger, Héctor Szretter y Rosalba Todaro, Setiembre 2004.
- No. 37 Trafficking of migrant workers from Albania: issues of labour & sexual exploitation, by Sarah Stephens & Mariska van der Linden, in cooperation with the International Catholic Migration Commission & the Centre for Refugee and Migration Studies, September 2005.
- No. 38 Forced labour outcomes of migration from Moldova: rapid assessment, by Eduard Mihailov, Mariska N.J. van der Linden & Shivaun Scanlan, in cooperation with International Centre for Women's Rights Protection and Promotion, September 2005.
- No. 39 Trafficking of migrant workers from Ukraine: Issues of labour and sexual exploitation, by Tetyana Kiryan & Mariska N.J. van der Linden, September 2005
- No. 40 El Trabajo Forzoso en la Extracción de la Madera en la Amazonía Peruana, de Eduardo Bedoya Garland y Alvaro Bedoya Silva-Santisteban, Marzo 2005
- No. 41 Enganche y Servidumbre por Deudas en Bolivia, de Eduardo Bedoya Garland y Alvaro Bedoya Silva-Santisteban, Marzo 2005

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- No. 42 Forced Labour and Human Trafficking: estimating the profits, by Patrick Belser, March 2005
- No. 43 Bonded Labour in India: its incidence and pattern, by Ravi S. Srivastava, June 2005
- No. 44 Affirmative Action for Racial Equality: features, impact and challenges, by Manuela Tomei, May 2005
- No. 45 Servidumbre por deudas y marginación en el chaco de Paraguay, de Alvaro Bedoya Silva-Santisteban y Eduardo Bedoya Garland, Julio 2005