



Shadow Report 2020 Albania

Chapter 24

Justice, Freedom, and Security (Migration)



This project is funded by the European Union

Title:

Shadow Report 2020 Albania

Chapter 24

Justice, Freedom, and Security (Migration)

Publisher:

IRIS Network



This project is funded by the European Union. Publication is created within the project “IRIS NETWORKing - CSOs for protection sensitive migration management” and the content of this publication is the sole responsibility of name of the authors and can in no way be taken to reflect the views of the European Union.



SHADOW REPORT

CHAPTER 24

JUSTICE, FREEDOM, AND SECURITY

(MIGRATION)

| | |
|---|-----------|
| I. EXECUTIVE SUMMARY | 4 |
| II. INTRODUCTION (FRAMEWORK METHODOLOGY) | 5 |
| III. CHAPTER 24 OVERVIEW | 6 |
| IV. CURRENT SITUATION AND PROGRESS | 7 |
| IV.1. Migration Profile and Asylum | 7 |
| IV.2. Legal & Institutional Framework | 8 |
| IV.3. Integration and Migrant Management | 11 |
| V. CONCLUSIONS AND RECOMMENDATIONS | 15 |
| VI. BIBLIOGRAPHY | 18 |

I. Executive Summary

Albania's efforts towards EU accession have been significantly intensified and have resulted not only in the EU candidate status but also in the recommendation for the opening of accession negotiations. In light of the significant progress achieved and the conditions set unanimously by the Council in June 2018 having been met, the Commission recommended in its 2019 enlargement package that the Council open accession negotiations with Albania¹.

The objective of this alternative report is to provide an overview of the main achievements and challenges Albania has faced so far in the European Integration Processes regarding **Migration** (chapter 24 "Justice, Freedom & Security").

The aim is to provide an analysis of the situation of transposition of the EU *acquis* Directives and best practices on Migration and at the same time tend to evaluate the impact the introduction of such legal framework, investments and improved standards have had so far in the country.

Providing an extended description of the legal framework, level of approximation, impact on social life and policy improvements, based on the official reports, governmental priorities, field experiences, service providers perspective and reliable statistics are of particular importance to properly evaluate if such legal improvements have had a real impact in meeting the standards and improving the lives of the citizens affected by those policies.

The obligation to harmonize Albanian law with EU derives from Article 70² of the Stabilization and Association Agreement. As a result, Albania should technically harmonize its internal legislation with the EU *acquis*, as well as to ensure its proper implementation and enforceability. Approximation of the Albanian legislative and regulatory framework with the *Acquis Communautaire* should be intensified to its plain achievement.

First of all, this report should give: a) A general overview of the content covered from the chapter, its main principles, definitions, rights and obligations, structures and platforms, programs and standards; b) What is expected from a country on the edge of opening negotiations for membership, the level of approximation of the national legislation in force to the EU *acquis* covering migration and the actual state of play in Albania; c) An in-depth analysis of the current situation in Albania, the level of aligning, level of collaboration, institutional framework, and practices on place as well as the level of implementation and enforcement of the set standards

¹ Update on the Republic of Albania, Commission working document, Brussels, 02.03.2020

² [https://eur-](https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ%3AL%3A2009%3A107%3A0166%3A0502%3AEN%3APDF)

[lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ%3AL%3A2009%3A107%3A0166%3A0502%3AEN%3APDF](https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ%3AL%3A2009%3A107%3A0166%3A0502%3AEN%3APDF)

(good practices); d) Conclusions & Recommendations that can help to best approach the integration process.

This report provides conclusions concerning the approximation, implementation, and enforcement of legal, structural, and financial mechanisms and suggestions of possible actions Albanian responsible institutions could undertake for further developments regarding the sensitive area of migration.

Moreover, the added value of this alternative report is the provision of a different perspective, based on CSO's practice and data regarding migration management.

II. Introduction (framework methodology)

This report has been compiled through the analysis of, primarily, three sets of data: EU & National Legal documents; Desk research - studies, analyses, reports, publications, Data provided from different stakeholders.

The Legal Documents included the Treaty of the Functioning of the European Union (TFEU), the Charter of Fundamental Rights of the European Union as well as Council Directives on migration. The study of these documents served to provide an understanding of the legal obligations and standards Albania has to fulfill on its path to membership.

On the other hand, the internal legal documents included the Stabilization and Association Agreement between the European Communities and their Member States, of the one part and the Republic of Albania on the other part, the National Plan for European Integration 2020-2022, the National Strategy for Development and Integration 2014-2020, National Social Protection Strategy 2015-2020 and its Action Plan, National Strategy on Migration Governance and its Action Plan, the law "On social assistance and services", the law "On the rights and protection of the child", the law "On protection from discrimination", the law "On vocational education and training", the law "On foreigners" as amended, draft law "On asylum" and other sectorial laws and bylaws.

Those pieces of legislation, strategies, action plans and financial tools adopted on migration issues were analyzed to identify the current level of alignment with Union standards and to identify those gaps remaining to be filled.

Furthermore, the report followed the structure of the European Commission Progress Report findings and analyzed comparing those remarks and recommendations in parallel with the reforms, actions, activities, field examples, and statistics provided from national stakeholders,

studies, and the CSO practice and perception. The main source of data and statistics have been provided from the Albanian National Institute of Statistics as well as responsible institutions (the Ministry of Interior, the Ministry for Europe and Foreign Affairs, the Ministry of Justice, the Ministry of Finance and Economy, the Ministry of Health and Social Protection). Meetings were carried out with representatives of the above-mentioned institutions.

To conclude, this report provides an in-depth view of all the components constituting chapter 24 (migration), the current situation in Albania, and tries to offer an independent view of further actions.

III Chapter 24 overview

EU policies aim to maintain and further develop the Union as an area of freedom, security, and justice. On issues such as border control, visas, external migration, asylum, police cooperation, the fight against organized crime and terrorism, cooperation in the field of drugs, customs cooperation, and judicial cooperation in criminal and civil matters, Member States need to be properly equipped to adequately implement the growing framework of common rules. Above all, this requires a strong and well-integrated administrative capacity within the law enforcement agencies and other relevant bodies, which must attain the necessary standards. A professional, reliable, and efficient police organization is of paramount importance. The most detailed part of the EU's policies on justice, freedom, and security is the Schengen acquis, which entails the lifting of internal border controls in the EU. However, for the new Member States, substantial parts of the Schengen acquis are implemented following a separate Council decision to be taken after accession.

Co - operation in the field of border management between the Republic of Albania and the EU is provided for in Article 80 of the Stabilization Association Agreement. Besides, cooperation in the field of migration between Albania and the EU is envisaged in Articles 4, 80, and 81 of the SAA, while cooperation in the field of visa and asylum policy between the Republic of Albania and the European Union as provided for in Article 80 of the SAA³. Article 80 stipulates that work should focus on the implementation of domestic legislation to meet the standards of the Geneva Convention of 1951 and the 1967 New York Protocol to ensure respect for the principle of non-return of the individual in the country posing a threat to his life, as well as other rights of asylum seekers and refugees.

³ [https://eur-](https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ%3AL%3A2009%3A107%3A0166%3A0502%3AEN%3APDF)

[lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ%3AL%3A2009%3A107%3A0166%3A0502%3AEN%3APDF](https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ%3AL%3A2009%3A107%3A0166%3A0502%3AEN%3APDF)

IV Current situation and progress

IV.1. Migration Profile and Asylum

Migration in the Albanian context is characterized more by the international emigration of the local population and less by the immigration of aliens in the country. Upon the start of the new millennium, migration patterns and attitude of Albanians towards them have changed because of stringent policies of the host countries and intensification by Albania of the fight against irregular migration⁴.

Albania is the first country in the region where a European Border and Coast Guard (EBCG) Status Agreement with the EU has entered into force⁵. The deployment of joint EBCG teams to Albania's border with Greece as of May 2019 has shown good results in addressing irregular migration and security challenges⁶.

On Asylum, Albania has maintained its efforts to tackle unfounded asylum applications lodged by Albanian citizens to the EU Member States and Schengen-associated countries. Comparing available data for 2019 (up until November 2019 included), with the same period of 2017, the flow is around 17% lower overall. This issue has required and will continue to require substantial efforts by Albanian authorities.

In addition to information campaigns on the rights and obligations of the visa-free regime, thorough border checks, refusal of departure for citizens with insufficient means, and actions on the push factors, Albanian authorities have strengthened dialogue and cooperation with the most affected countries. In this regard, three Albanian police liaison officers have been deployed to the EU to expedite repatriation to Albania, and a liaison officer from the EU is located in Tirana to assist on exit checks. Since a substantial peak of asylum applications in the EU Member State that was most affected in 2017, Albanian efforts have resulted in a decrease of asylum applications by 26.6 % from 2017 to 2019, with 7,633 applications in 2017, compared to 5,599 in 2019.

Albania's good cooperation and dialogue with the most affected EU Member States to effectively address the issue of unfounded asylum applications should be continued.

⁴ Migration Profile 2016, Ministry of Interior, 2017;

⁵ Law no. 6, dated 7.2.2019 ratified the Status Agreement between the Republic of Albania and the European Union on the actions taken by the Coastguard Agency and the European Border in the Republic of Albania.

⁶ 2020 EC Report on the progress of Albania, Brussels, 2.3.2020

Albania has continued its good cooperation on readmission of its nationals, swiftly honoring readmission requests from the EU Member States. Albania has engaged in good cooperation with the European Border and Coast Guard Agency (EBCGA) on return operations from the EU Member States to Albania. Between 2018 and early 2020, EU Member States organized in cooperation with EBCGA 789 return operations flights to Albania, concerning 6,742 Albanian nationals. In addition to returns organized with the support of EBCGA, 4,633 Albanian nationals were returned to Albania from the Member State most affected by scheduled flights in 2018 and 3,671 up to mid-October 2019 in the framework of the Asylum, Migration and Integration Fund (AMIF). As for the rest of the Western Balkans, fluctuations in the return rates over the past years are not the result of changes in the cooperation, which remains good as reported by the EU Member States, but can be rather attributed to the processing of backlog cases⁷.

IV.2. Legal & Institutional Framework

Albania has some level of preparation/is moderately prepared in implementing the acquis in this area⁸.

The legal framework on legal/illegal migration is mainly in line with the EU Acquis and international instruments but it needs to be further aligned with recent developments in the acquis⁹.

Following the explanatory meeting for Chapter 24 in November 2018 in Brussels, the Ministry of Interior initiated the preparation of the screening analysis. The European Commission, to follow the process step by step, has described the work done so far in the context of the analytical evaluation of the Albanian legislation related to Chapter 24 as well completed, which consists of the General Legal Analysis, Compliance Tables, Tables of administrative capacity and simulation exercise for a bilateral screening meeting. The tables make a comparison between the Albanian legislation to the European one.

The Ministry of Interior, in cooperation with the institutions contributing to the analysis of the acquis for Chapter 24 is towards the finalization of the Compliance Tables for binding acts, which are reflected in the general table of legal analysis for this chapter. Institutional capacities in line with the EU acquis are also being assessed. The completion of the Approximation Tables was assisted by High-Level Advisory Experts, GIZ, and SEESAC experts.

Legislative improvements recorded during 2019 and 2020 are listed below:

⁷ 2020 EC Report on the progress of Albania, Brussels, 2.3.2020

⁸ 2019 EC Progress Report for Albania

⁹ 2019 EC Progress Report for Albania

The Law “On some amendments in Law No. 108/2013 “On Foreigners”¹⁰, was approved in principle in the Albanian parliament on February 12, 2020.

With DCM no. 400, dated 19.06.2019, the National Strategy for Migration and its Action Plan 2019-2022 was approved following the EU acquis, which defines migration governance as a core issue and as an obligation expressed in the National Development Strategy and Integration (NSDI) 2016-2020.

The Decision of the Council of Ministers no. 222, dated 12.3.2020 “On the approval of the Extended National Migration Profile for the years 2015 – 2018” has been approved.

The decision of Council of Ministers No. 620, dated 18.9.2019 "On determining the criteria, documentation, and procedure for equipping, renewing, rejecting and canceling the work permit for foreigners, as stationary workers, type "A / PS", partially approximates the Directive 2014/36 / EU of the European Parliament and of the Council of 26 February 2014 "On the conditions of entry and stay of third-country nationals for employment purposes as seasonal workers”.

Pursuant Law number 18/2017 "On the Rights and Protection of Children", DCM No. 111, dated 06.03.2019 "On the procedures and rules for the return and repatriation of the child" was adopted aiming at guaranteeing the rights of unaccompanied children and provide them with the highest possible protection. The aim is an integrated system of protection and efficient coordination of all state institutions and non-profit organizations, to exercise their responsibilities according to the legislation in force and the special rules set out in this decision.

The Law on Asylum is adopted by DCM No. 412, dated May 27, 2020, and is under examination by the Parliamentary Commissions¹¹. The new asylum law grants asylum rights even when applications are passing in transit zones within the borders of the Republic of Albania by providing them with information on the possibility of applying for international protection. The UNHCR and other international organizations in asylum fields offer advice to this category at border crossing points, including transit areas.

The responsible Albanian institutions, under the direction of the Ministry of Interior, have drafted a new National Strategy on Migration Governance and its Action Plan for Albania, which focuses

¹⁰ <https://www.parlament.al/Files/Akte/20200214150210ligj%20nr.%2013,%20dt.%2012.2.2020.pdf>

¹¹ https://www.konsultimipublik.gov.al/documents/RENJK_190_Projekt-Ligji%20i%20ri%20per%20Azilin%20dt.29.07.2019.pd

on four strategic priorities, guaranteeing strategic migration governance in Albania; ensuring safe and secure migration from, through, and towards Albania; develop effective policies for labor migration by increasing the positive impact of migration on national/local socio-economic development; promoting and protecting the rights of migrants and their integration¹².

The Ministry of Interior is the leading institution that implements government migration policies. Subordinate to the Ministry of Interior there is the Department for Border and Migration/General Directorate of State Police and the Directorate for Asylum. The main responsibilities of these bodies are provided in Law No 108/2013 "On foreigners", as amended.

The Ministry of Finance and Economy (MoFE) is the responsible authority for developing state policies in the field of employment, immigration, and emigration policies for work purposes.

The Department for Border and Migration, through its central and local structures, is responsible for legal migration issues. It focuses on preventing irregular migration through integrated border management; checking the legal status of foreigners staying in the territory and taking voluntary departure, expulsion, the prohibition of irregular foreigners in the territory and returning them to their country of origin or transit country; the implementation of readmission agreements with other countries; reception, interviewing returned border residents, informing them about reintegration opportunities in the country; regional and wider cooperation in the field of exchange of statistical data on illegal migration and early warning; selection and interviewing of irregular foreigners at the border and their respective reference such as asylum seekers, potential victims of trafficking of human beings, unaccompanied minors, economic migrants, including the fight against people smuggling.

Statistics on foreigners with residence permits and asylum seekers in Albania are included for the first time in the Official Statistics Program 2017-2021. Through Memorandums with Institutions, this data has been made available since 2017, with a dedicated publication. Data on foreigners are provided by the Department of Border and Migration, while data on asylum seekers and citizenship are provided by the Ministry of Interior.

Following the recommendations of the latest Reports for Albania and taking into account the issue of migratory movements throughout the Balkans with a potential influx of migrants and from third countries to Albania. Based on the Order of the Minister of Interior "On the establishment of the working group for the adoption of the Contingency Plan", a Contingency Plan is drafted and is submitted to all institutions involved for the specification of the financial effects.

¹² Several consultative meetings were held with civil society, the academy, business associations, development partners, representatives of EU member states, UN agencies, international organizations, etc.

Currently, the central and local structures of Border and Migration Police have increased capacities and the level of specialization of the personnel of the Border Police and Migration is considered satisfactory.

Nevertheless, on border management, Albania should continue risk analysis training at all levels and ensure sufficient training for border police, in particular by including protection-sensitive migration management¹³ in the curriculum of the Police Academy. In particular, border officers should be sensitive to the needs of vulnerable groups such as children, disabled persons, elderly people, victims of trafficking, or pregnant women. The border police's investigative powers need to be strengthened, in particular for the detection of people smuggling and trafficking cases.

IV.3. Integration and Migrant Management

On the implementation of the Action Plan measures of the National Strategy for Migration for the period of January - March 2020, the following has been achieved:

The Migration Sector in the Directorate of Anti-Trafficking and Migration/Ministry of Interior, in of the quality of Technical Secretariat, has continued to monitor the progress of the Strategy, ensuring that it is comprehensive and covers all pillars of the Strategy and Action Plan;

The Technical Secretariat has drafted 2 monitoring reports so far. A 6 monthly monitoring report (June - December 2019) and a 3 monthly monitoring report (January – March 2020), on the implementation of the Strategy and Action Plan.

A total of 56 returned immigrants have benefited from employment promotion programs.

The National Employment Service reports that in the employment offices during 2019 there have been 578 unemployed migrants, out of which there are 182 women and 288 heads of the family. Also, several measures have been taken, as follows:

- 167 migrants (46 women and 83 heads of the family) have been employed through the assistance of employment offices
- 73 returned migrants have benefited from courses organized by public centers of professional training

¹³ Revised Indicative Strategy Paper for Albania 2014-2020

For 2019, 148 returned emigrants have participated in the Start Smart programs, for evaluation and increase of basic employment skills, out of which 139 have been certified.

During January – May 2020, there have been 5,100 irregular migrants apprehended and processed in Albania, of whom 4,801 registered for the first time/new arrivals. This number reflects an increase of 64 % compared to the same period of last year when 3,096 of them were apprehended. There have been 31 irregular migrants intercepted at the BCPs, 3,350 have been intercepted in the green border, 1420 have been intercepted in-land, while 45 have been readmitted from other countries.

In the conclusion of the pre-screening procedures, 10 of them were transferred to the Closed Centre to undergo forced return, 2,173 applied for asylum, 324 have been sent back to the asylum seekers center, 2,608 of them have been issued departure order (voluntary departure), while 12 unaccompanied minors have been referred to the child protection units. The top three nationalities are 1,861 Syrians followed by 829 Moroccans and 614 Afghans.

On **unaccompanied children**, from the adoption of the Decision¹⁴ until December 2019, 33 children have returned, mainly from Sweden and Germany. For 2019, 73 requests for repatriation of unaccompanied children are in the process of evaluation. The cases were referred for evaluation to the Child Protection Workers Service, they assessed the municipality or the administrative unit where the family of the child to be repatriated resides. Repatriated children are generally male and their average age ranges from 16 years old and up.

So far, the majority of repatriation requests for unaccompanied Albanian children come from Germany, Sweden, and Belgium.

For the period January – June 2020, 41 requests were submitted for the assessment of unaccompanied Albanian children in EU countries, and 4 children were repatriated. The requests are mainly from Germany.

On the other hand, 11 unaccompanied foreign children have been identified at the Kakavijë border crossing point. The children were from Palestine and Afghanistan. They did not have identification documents with them, so based on their statements they were presumed to be children. After receiving the emergency protection treatment, they were placed in the National Reception Centre for Asylum Seekers in Babrru.

¹⁴ DCM No. 111, dated 06.03.2019 "On the procedures and rules for the return and repatriation of the child"

Albania has a reception center for irregular migrants in Karrec with a capacity of 150 beds, however, there are no facilities for unaccompanied minors.

According to the legal framework in force, the unaccompanied child is expected at the border crossing point by the parent or his legal guardian, if they have expressed their consent in advance by a psychologist and the Child Protection Officer, who has coordinated the entire assessment procedure. Generally, children who are repatriated are taken care of by their parents or legal guardians. In case the parents or guardian of the child does not accept that their child returns to the family, then the child with protection measures is placed in alternative care.

Regarding access to education, during the school year 2018 – 2019, 849 asylum seeker children have followed pre-university education¹⁵. More concretely 119 children have followed pre-school education, 559 students have followed 9-year basic education and 171 pupils have followed upper secondary education.

For children of foreign citizenship registered in kindergarten/school, the education institution drafts an action plan including activities such as specific meetings with the school psychologist, differentiated work from each teacher to adapt the subject with the level of Albanian language they possess, extra teaching hours for learning of Albanian language with the Albanian language teacher in the respective school, inclusion in school activities to assist and facilitate their integration.

Children of the age group 3 – 6 years old of parents who are asylum seekers in the Republic of Albania enroll in pre-school education based on their birth certificate. If they do not possess the birth certificate, they are registered in pre-school education based on parents' testimonials and the document the children possess at the Directorate for Nationality and Refugees.

To secure the viability of the education of children that return from migration, the Ministry of Education Sport and Youth and the local education institutions responsible for pre-university education create all the conditions for registration and treatment of pupils that return from migration. They are provided with specific training by the psycho-social unit, free of charge courses of Albanian language for students that return from migration, individual classes of registered aiming to fulfill the obligation of the subject programs for the timeline of their absence, etc.

In 2018 – 2019, about 1,040 migrant pupils were enrolled in educational institutions, starting from kindergartens.

¹⁵ Data provided by the Ministry of Education Sports and Youth

Asylum

Albania continues to be a transit country by migrants seeking **asylum** in Albania, who continue to consider Albania not a destination country, but a transit country to reach the main destination, the western part of the European Union. For 2019, 6,604 persons have applied for asylum (preliminary requests) for international protection. The migrants are using the international protection system as a Modus Operandi.

Per the obligations arising from the EU-Albania Readmission Agreement and the Protocols signed, for January – October 2019, 6,202 citizens have been readmitted. Within the Agreement and Implementing Protocols, there were 1510 return/readmission operations, 90 air operations with 2719 citizens returned/readmitted and 1420 operations with 3483 citizens returned/readmitted. Out of 90 air operations, 38 were carried out by France and Belgium coordinated by FRONTEX with Albanian escorts with 1162 returned/readmitted.

During January 2020 – May 2020, the total number of irregular migrants is 4,801, of whom 2,608 are served with departure orders, 2,173 have applied for asylum, and 324 are accommodated to the National Reception Centre in Babrru. 214 requests for readmission were submitted by the authorities of the EU member states, 127 from Germany, 48 from France, 6 from the United Kingdom, 24 from Belgium, 1 from Luxembourg, 2 from Bulgaria, 2 from Poland, 2 from Sweden, 1 from Australia and 1 from Italy.

During January – May 2020, 54 requests for readmission/repatriation of unaccompanied minors, Albanian citizens, were submitted by the authorities of the EU Member States, 19 from Germany, 3 from France, 1 from Sweden, 2 from Belgium, 1 from Greece, 20 from England, 2 from the Netherlands and 2 from Switzerland.

Regarding **accommodation, capacities**¹⁶ of the hosting centers in Albania, at the end of October 2019, a new temporary accommodation and registration center for irregular migrants was established in Kapshticë, Korçe by IOM Office in Tirana, with the financial support of the Council of Europe Development Bank with a capacity of 60 beds.

In the application of point 5 of Standard Operating Procedures No. 172, dated 08. 02. 2018, "On the pre-screening of irregular foreign citizens and the measures undertaken", the pre-screening

¹⁶ Closed Centre for Foreigners, Karreç – 100 people; National Reception Centre for asylum seekers, Babrru Tiranë, which is functional and has a capacity of 240 beds with the construction of the new building, Temporary Reception Centre in Gerhot, Gjirokastra – 60 people; Temporary Reception Centre in Kapshtica, Korça

process must guarantee an opportunity for the identification of the persons that might need a referral to other stakeholder institutions. If the individual needs of an applicant do not allow the application of the pre-screening procedure, the competent authorities at the border or within the territory must take immediate measures to fulfill the immediate necessities of the applicant before the pre-screening procedure for the definition of the status starts.

Upon arrival at the center, the police officers make sure that the basic needs of the individual are met (food, water, toilet, heating, clothes, and physical safety) and send him/her to the closest health center for immediate medical assistance, if necessary.

“Vulnerable” categories (women, pregnant women, children, individuals with special needs, individuals who are sick, etc.) shall be subjected to the fingerprinting/pre-screening procedure after receiving the necessary assistance and after being accommodated at the premises defined for this purpose and this category.

Top priority is given to vulnerable groups while addressing their needs comes first. During 2019, 164 irregular migrants have received immediate medical treatment mainly in the Gjirokastra and Korça. On the other hand, each irregular migrant receives a "welcome package" consisting of food, sanitary items, clothes, and shoes, when needed.

Logistics is in stock for the establishment of emergency tent camps, in the event of possible massive flows, with a capacity of 100 persons in Gjirokastra and 500 persons in Korça, while the preparation of the Contingency Plan is at a final stage and the adoption is expected soon.

V. Conclusions and Recommendations

Alignment with the acquis is progressing in all areas covered by Chapter 24. Despite the considerable progress in aligning the legal framework in the area of migration, Albania needs to improve reintegration schemes for the returned families and individuals as well as address the issue of unaccompanied minors.

Return migration to Albania affects long-term migrants, asylum seekers, as well as seasonal migrants. Migration management and its interaction with social systems and child protection in Albania seem to be characterized by a lack of coordination between institutions in general, combined with a lack of financial and human resources (both in number and relevant professional skills). Despite the multifaceted aspects of migration underlined in this report, it appears that the assistance and protection provided to persons, families, and children affected by migration still rely on a narrow definition of "vulnerable groups" that excludes those in need of support.

On the other hand, Albanian government efforts to cooperate with key countries hosting Albanian citizens are still limited when it comes to expanding regular employment opportunities.

The capacity and standards of care and accommodation for the families and children of asylum seekers, the place of residence, and detention conditions of migrants who have not applied for asylum remain a matter of concern.

Albania should continue to improve the treatment of irregular immigrants and asylum seekers. Given that there may be a potential increase in the number of these migrants, the whole set of procedures involving adults, children, and families who are part of this vulnerable group should undergo a detailed analysis and revised in detail so that Albania meets the basic human rights standards set by international and national law.

Further measures to identify and protect unaccompanied minors, like the implementation of the Order of the Minister of Interior "On the control of unaccompanied minors at the border" and "On strengthening the border control of Albanian citizens traveling abroad" must be taken.

Furthermore, Albania must involve all the institutions that provide social services to migrants at the local level in the development of standard operating procedures, as well as identifying the responsible institutions in each phase of action and the interaction between migration and social service structures. The mandate of these institutions needs to be reviewed to improve service delivery as much as possible and to avoid duplication.

The border management agencies do not always have the necessary experience, capacity, and tools to adequately perform their duties. Expertise needs to be strengthened particularly as regards the determination of the identity of persons arriving in the territories, identification of their specific needs, and timely differentiation between various groups on the move (such as refugees, unaccompanied and separated children, women and girls at risk, trafficked persons, etc.). Mechanisms for referral of different groups to competent authorities for appropriate and timely follow-up often do not exist and/or are not fully operational. Further measures, such as human rights training of law enforcement officials, could enhance the effective protection of the human rights of all migrants, regardless of their status. The existing systems constitute a solid basis on which responses can be built also at the regional level.

Albania must further increase measures to effectively address the problem of unfounded asylum applications in the EU by addressing the "drivers" behind this phenomenon, improving border

controls, and organizing information campaigns on the rights and obligations of visa-free travel, continuing cooperation and dialogue with the most affected EU member states.

Other areas that require enhanced attention are the following:

- The National Civil Emergency Plan does not include a specific strategy to assist immigrants during crisis and post-crisis phases in the country.
- There is no strategy in place for addressing migratory movements caused by the adverse effects of climate change.
- The migration policy does not explicitly address the potential return of migrants who fled the country during a period of crisis.

VI. Bibliography

1. Stabilization and Association Agreement between the European Communities and their Member States, of the one part and the Republic of Albania on the other part;
2. Treaty of the Functioning of the European Union (TFEU);
3. Charter of Fundamental Rights of the European Union;
4. National Plan for European Integration 2020-2022;
5. 2020 EC Report on the progress of Albania, Brussels, 2.3.2020;
6. 2019 Albania Progress Report;
7. Revised Indicative Strategy Paper for Albania 2014-2020;
8. Status Agreement between the Republic of Albania and the European Union on the actions taken by the Coastguard Agency and the European Border in the Republic of Albania;
9. The National Social Protection Strategy 2015-2020 and its Action Plan;
10. The National Strategy for Migration and its Action Plan 2019-2022
11. Law "On social assistance and services";
12. Law "On the rights and protection of the child";
13. Law "On vocational education and training";
14. Law "On foreigners" as amended;
15. The draft law "On asylum";
16. DCM "On the procedures and rules for the return and repatriation of the child"
17. INSTAT;
18. Ministry of Interior data;
19. Ministry of Finance and Economy data;
20. Ministry of Education Sports and Youth data;
21. https://www.konsultimipublik.gov.al/documents/RENJK_190_Projekt-Ligji%20i%20ri%20per%20Azilin%20dt.29.07.2019.pdf
22. <https://www.parlament.al/Files/Akte/20200214150210ligj%20nr.%2013,%20dt.%2012.2.2020.pdf>