ALBANIA

POSITION AND RIGHTS OF VICTIMS IN CRIMINAL PROCEEDINGS

Analysis of judicial practice in human trafficking cases for 2024

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I. Introduction

The report offers a focused analysis of court practices in Albania during 2024 concerning the position and rights of victims in criminal proceedings related to trafficking in human beings. The assessment builds upon previous monitoring efforts – specifically the 2021-2023 Analysis[1] of judicial practice in human trafficking cases conducted by the Psycho-Social Center – VATRA in the framework of the project: "**SPOT ON! State accountability for Prosecution of Human Trafficking Off/On"**. Similar to the previous analysis, the aim remains the same, that is, to identify trends in judicial handling of trafficking cases. Particular attention is given to indicators falling under the umbrella of the victim-centered approach and proportionate accountability in court decisions.

Over the years Albania has seen important legislative reforms to enhance victim protection in trafficking cases. Legislative progress has been complemented by the establishment of standard operating procedures[2] for victim identification and referral, the creation of a specialized police unit for trafficking cases and efforts to strengthen coordination among stakeholders, supported by international cooperation. The country has ratified key international instruments, including the Palermo Protocol and the Council of Europe Convention, which inform its domestic anti-trafficking legislation. While Albania is not yet a member of the European Union, it is in the process of aligning its legal system with the EU acquis, particularly EU Directive 2024/1712 which replaces EU Directive 2011/36/EU. [3] However, the 2024 European Commission Report indicates that Albania's legal alignment remains partial and requires further improvements.[4]

The adoption of the new Directive 2024/1712, introduces several critical updates that Albania, as an EU accession country, should consider integrating into its legal and institutional frameworks. It required the country to:

- Expand the legal definition of trafficking to include forced marriage, illegal adoption, and forced surrogacy.
- Criminalize the use of services provided by trafficking victims when the user is aware of the victim's status.

[1] The Analysis summarized data from 29 court decisions issued between 2021–2023 and was published in April 2025. The publication also included an in-depth analysis of the national legislative framework against trafficking in human beings. According to that analysis Albania has made moderate progress in establishing a legal and policy framework to combat trafficking in human beings (THB).

[2] General Prosecutor's Office**.** General guideline No. 6: On the effective investigation and prosecution of criminal offences related to trafficking in persons, dated 23.07.2024. Available here.; Council of Ministers Decision No 499, dated 29.8.2018 "On the approval of standard operating procedures for the protection of victims and potential victims of trafficking".

[3] Available here

[4] European Commission 2024 Report – Albania. p. 42. Available here.

- Introduce stricter penalties when technology or online platforms are used to commit trafficking crimes.
- Require designation of independent national coordinators.
- Mandate compensation for victims, potentially through national crime victim funds.
- Introduce liability for legal entities involved in trafficking, including disqualification from public funding or closure.
- Require systematic data collection and public reporting on THB cases.

Albania must proactively adapt its legislation, strengthen institutional coordination, and enhance victim-centered practices in line with this updated Directive. This will require reforms not only in criminal law but also in victim assistance, data collection, access to compensation, and professional training.

The 2025 GRETA report for Albania, covering the period 2020 to March 2025,[5] notes that significant challenges persist. Issues identified include restricted access to free legal aid for victims, inconsistent prosecution and conviction rates of traffickers, inadequate identification of victims exploited for labor, and insufficient services for foreign trafficking victims. Victim assistance remains uneven, hindering comprehensive protection and rehabilitation. In addition, an understanding of the notion of abuse of position of vulnerability, [6] and how this may exist or arise and may operate in the context of trafficking, remains problematic, alongside the application of the principle of non-punishment of victims for their involvement in unlawful activities.

Consistent with previous reports, the 2025 GRETA report, confirms the majority of both potential and formally identified trafficking victims in Albania remain women and girls targeted for sexual exploitation, with boys predominantly subjected to forced begging and involvement in criminal activities. Vulnerable populations at heightened risk include children from Roma and Egyptian communities, persons living in extreme poverty, unaccompanied minors, and children with mental or intellectual disabilities.[7]

The following chapters will delve into the core objectives guiding the research, and delineate the methodology employed in the analysis of court decisions. This analysis will encompass data obtained from the judgments, including their classification, an assessment of the position and rights of victims within the legal process, respect for victim privacy, representation in proceedings, the adequacy of sanctions imposed on perpetrators, and the issue of child trafficking. Finally, the study will present concluding remarks. A detailed case analysis is also Annexed to this report.

[5] Council of Europe: Group of Experts on Action against Trafficking in Human Beings (GRETA). (2025). Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Albania (4th evaluation round, covering October 2020–March 2025).
[6] See also: UNODC - Guidance Note on “abuse of a position of vulnerability” as a means of trafficking in persons in Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized. Available here.
[7] GRETA 2025 – Report for Albania. p. 11, 19.

II. Goals and methodology of the analysis

This study offers an evaluation of the effectiveness of the Albanian courts to uphold the rights of victims, manage the complexities of human trafficking cases, and ensure timely and effective adjudication of human trafficking cases.

Similar to the 2021-2023 analysis, this report is guided by a set of key indicators that serve as a framework for assessing the following core dimensions:

Human Rights Safeguards, which examines whether victims' rights were respected throughout judicial proceedings, reflecting Albania's commitments under both domestic and international human rights standards. Emphasis is placed on principles such as dignity, equality, and access to justice.

Judicial Effectiveness assesses how effectively the justice system processes trafficking cases, particularly in upholding the principles of legal certainty, proportionality, and procedural fairness.

Victim Protection and Assistance considers whether victims received adequate protection and support, including measures to preserve their privacy, prevent secondary victimization, and provide access to compensation and psychosocial services during and after legal proceedings.

Perpetrator Accountability focuses on the system's ability to investigate and prosecute trafficking offenses effectively and to impose proportionate sanctions that reflect the gravity of the crime.

Gender Sensitivity and Non-Discrimination - given that trafficking disproportionately affects women and children - the analysis also explores the extent to which judicial responses incorporate a gender-sensitive approach and address potential discrimination, particularly based on sex and age.

This study is based on the review of eleven criminal court decisions issued on 2024 from four First Instance Courts of General Jurisdiction.

In line with Law No. 119/2014 "On the Right to Information," the Psycho-Social Center – VATRA submitted official information requests on 26 March 2025 to 14 First Instance Courts of General Jurisdiction in Albania, the Special Court of First Instance for Corruption and

Organized Crime, the General Court of Appeal, the Special Court of Appeal for Corruption and Organized Crime, and the Supreme Court. These courts were asked to provide rulings from the period of 2024 on the following offenses under the Albanian Criminal Code: trafficking in persons (Article 110/a), trafficking of minors (Article 128/b), and exploitation of prostitution (Article 114/a). Information requests were also sent to the General Prosecutor's Office.
Between April and May 2025, project staff gathered court decisions via email and mail. Ain total 11 court decisions were collected, issued by First Instance Court of General Jurisdiction of Tirana, Fier, Saranda, and Berat. The remaining first instance courts responded that no court decisions were issued in 2024 for the criminal offenses in question. Additionally, the General Prosecutor's Office, in its response, provided statistical information on the number of proceedings initiated during 2024.

The project staff developed a database for data collection and processing, establishing key indicators for both qualitative and quantitative analysis. The project staff deployed the necessary expertise (legal expert and social scientist) to ensure data collection and analysis.

Quantitative analysis focused on variables such as case duration, judicial level, form of trafficking (internal or cross-border), nature of exploitation, legal classification, number of defendants, imposed penalties, and demographic data on perpetrators and victims (e.g., sex, age). It also included information on victim profiles and recruitment tactics.

Qualitative analysis centered on the legal treatment of victims, the adequacy and appropriateness of judicial classifications and sanctions, and broader considerations related to victims' rights and their procedural standing.

The assessment adheres to internationally recognized human rights frameworks, including the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons (Palermo Protocol), the Council of Europe Convention on Action against Trafficking in Human Beings, and relevant case law of the European Court of Human Rights. The findings aim to inform concrete recommendations for strengthening anti-trafficking efforts and enhancing the protection of victims within the justice system.

III. Data obtained from analysis of judgements

General Data

Jurisdictional competence over trafficking cases are clarified by Law No 35/2017, granting authority to general prosecution and courts, except in cases involving organized crime, which fall under the jurisdiction of the Special Prosecution Office and the Special Court against Corruption and Organized Crime.[8]

Decisions during 2024

A total of eleven court decisions are subject of this analysis, out of which 4 proceedings were dismissed due to lack of evidence, while 7 resulted in criminal sanctions against the perpetrators. All decisions were issued by courts of first instance of general jurisdiction.

Compared to the first legal analysis, a decrease in the number of court decisions is observed for the year 2024 (with 16 decisions registered in 2023).[9]

Type of criminal offense

Of the eleven court decisions reviewed, four concerned the criminal offence of *Trafficking in Persons* under Article 110/a of the Criminal Code, while two involved *Trafficking of Minors* under Article 128/b. The remaining five cases addressed multiple offences.

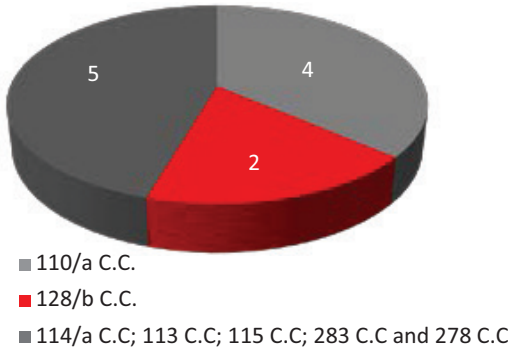

Figure 1. Type of criminal offense

One decision combined charges of *Trafficking in Persons*, *Trafficking of Minors*, *Exploitation of Prostitution* (Article 114/a), and *Maintaining Premises for Prostitution* (Article 115). Three decisions involved *Exploitation of Prostitution*, *Maintaining Premises for Prostitution*, and *Prostitution* (Article 113). Another case combined these same offences with *Production and Sale of Narcotics* (Article 283/2) and *Illegal Possession and Production of Explosive Weapons* (Article 278/5).

[8] See Law No 35/2017, Article 75/a.
[9] See 2021-2023 Analysis prepared under the framework of "SPOT ON! State accountability for Prosecution of Human Trafficking Off/On".

Internal vs. cross-border trafficking

In 2024, internal trafficking, where victims are moved within the country from rural to urban areas or between different regions, continues to be the predominant form of trafficking in Albania. Based on the analyzed court decisions, 82% pertain to internal trafficking, while 18% of the cases involve cross-border trafficking.

Figure 2 Type of trafficking

High-risk groups

Women remain the most vulnerable to victimization, accounting for 90% of cases involving exploitation through prostitution and other forms of trafficking. The analysis confirms that women and children constitute the primary high-risk groups. Notably, this category also includes 14 individuals who, despite being in situations of vulnerability that led them to engage in prostitution, were themselves prosecuted alongside the defendants accused of exploiting them.

Information on victims' age was not consistently available across the court decisions reviewed. In five cases, the age of the victims could be determined: two were minors at the time of the criminal proceedings, while three were adults. In the remaining 14 cases, details about the victims' ages had been redacted from the court decision texts, along with other sensitive information such as names and places of residence.

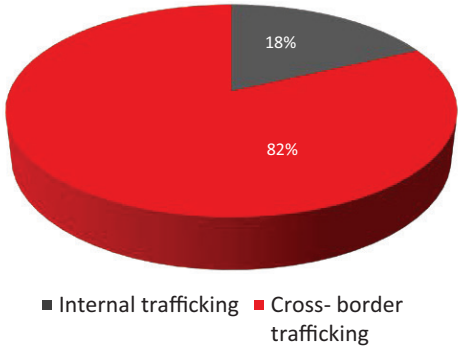

Figure 3. Sex of victim

Victim vulnerability status

The interpretation provided by Decision No 217 of the Albanian Supreme Court aligns with paragraph 83 of the Explanatory Report to the Council of Europe Convention on Action against Trafficking in Human Beings – that is, it provides guidance and defines abuse of a position of vulnerability as "abuse of any situation in which the person involved has no real and acceptable alternative to submitting to the abuse."[10] Similarly, the Inter-Agency Coordination Group against Trafficking in Persons (ICAT) [11] defines vulnerability as the presence of inherent, environmental, or contextual factors that increase an individual's or group's susceptibility to trafficking. ICAT categorizes these factors as personal (age, gender, ethnicity, disability), situational (destitution, unemployment, legal status), and

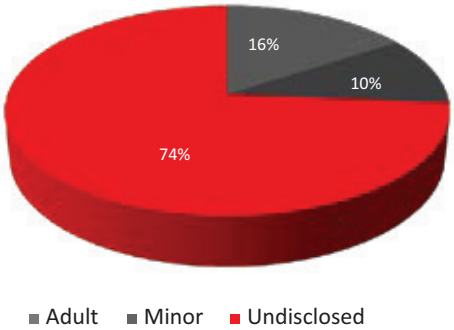

Figure 4 Data on victims of trafficking

[10] Particularly in relation to persons with disabilities or mental health conditions. See: Supreme Court Decision of the Penal College. No. 00-2022-1679 Decision (217),

[11] ICAT. Issue Brief No. 12/2022 on Addressing vulnerability to trafficking in persons. Available here.

contextual (discriminatory laws, social norms, armed conflict, crises). These factors often intersect, meaning that individuals belonging to minority groups, women, and those of lower socio-economic status may face an elevated risk of being trafficked.

The 2024 court decisions provided some insight into the vulnerability of trafficking victims, though this information was not consistently documented across all cases. In one case, the victim had a disability. In two cases, the victims were minors from families facing serious social difficulties, including parental divorce and an abusive father. In another case, an adult victim had experienced family conflict and had left home. Two adult victims faced severe economic hardship, and in three cases, the victims were mothers with dependent children. Despite these findings, the analysis indicates that the concept of "abuse of a position of vulnerability" remains poorly applied by lower courts. This is notable given particularly the guidance provided by the 2022 Decision No 217 of the Albanian Supreme Court on "abuse of a position of vulnerability".

Recruitment methods

The analysis of court verdicts show that traffickers often exploit emotional relationships with their victims, using tactics such as false promises of marriage and a better life, as well as taking advantage of victims' vulnerable socio-economic situations. Among the court decisions analyzed, the most part do not provide any information on the recruitment methods used, while in 4 cases, it is evident that perpetrators leveraged gender norms, deceiving victims through fake marriage proposals and a better life.

Specifically, two cases involved the use of Facebook/Instagram for communication, whereas in most instances, perpetrators initiated contact through acquaintances ("friends of friends") or via direct phone communication, including calls and text messages.

General data on defendants

Across the 11 court decisions analyzed, a total of 41 defendants appeared before first instance courts of general jurisdiction. Of these, 14 women were charged and sanctioned for prostitution, prosecuted alongside other defendants charged with exploiting them. Given their situation of vulnerability, and in line with the analytical framework applied here, these women are not classified as perpetrators. Accordingly, this section focuses on the remaining 27 defendants identified as traffickers or exploiters.

In terms of the legal classification of offenses, 2 defendants were charged under Article 110/a of the Criminal Code ("Trafficking in Persons"), and 2 under Article 128/b ("Trafficking of Minors"). Six defendants were prosecuted under Article 114 ("Exploitation of Prostitution"), and 3 under Article 110/2 ("Unlawful Deprivation of Liberty").

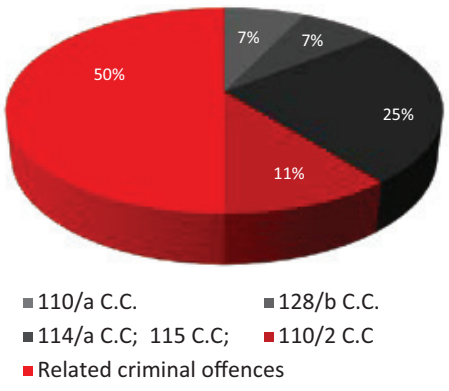

Figure 5. Data on defendants based on type of offense

The remaining 14 defendants faced charges for other related offenses, including Article 115 ("Maintaining Premises for Prostitution") and combined or cross-cutting offenses such as "Production and Sale of Narcotics" (Article 283/2) and "Illegal Possession and Production of Explosive Weapons" (Article 278/5 of the Criminal Code).

Gender

The group of perpetrators identified in the analyzed cases consisted of 27 individuals, of whom 16 were men and 11 were women. While men remain the predominant actors in trafficking offenses, accounting for the majority of perpetrators, the data reveals a notable and increasing involvement of women in these criminal activities. Women perpetrators often participate as integral members of organized trafficking networks, collaborating closely with male counterparts and other actors to facilitate various stages of exploitation and trafficking operations.

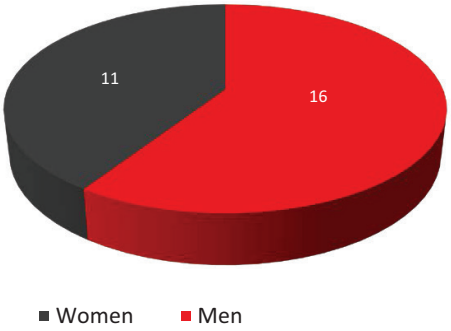

Figure 6. Sex of defendants

Age

Age-related information was unavailable for 14 of the identified perpetrators, limiting a full demographic assessment. However, among those for whom age data was accessible, the majority - eight individuals - were between 18 and 35 years old, while three perpetrators were over the age of 36. This distribution highlights a significant involvement of younger adults in trafficking-related crimes, suggesting that individuals in early adulthood constitute a critical demographic within trafficking networks. The prominence of this younger age group may reflect various socio-economic factors, such as unemployment, lack of opportunities, or vulnerability to recruitment into illicit activities.

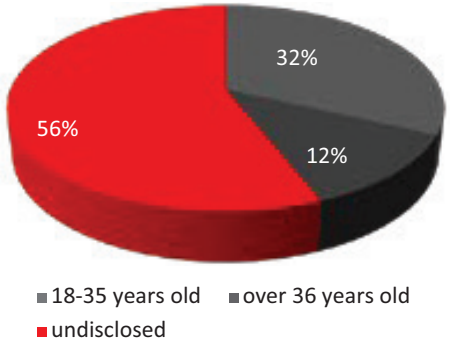

Figure 7. Age of defendants

Sentences

An analysis of first-instance court decisions reveals that out of 27 defendants, 22 were found guilty while proceedings were dismissed in 5 cases.

Specifically, one individual was convicted of "Trafficking in Minors" under Article 128/b of the Criminal Code, and two were convicted of "Trafficking in Persons" under Article 110/a. Conversely, cases were dismissed for one person charged with "Trafficking in Minors," three charged with "Unlawful Deprivation of Liberty" (Article 110/2), and one

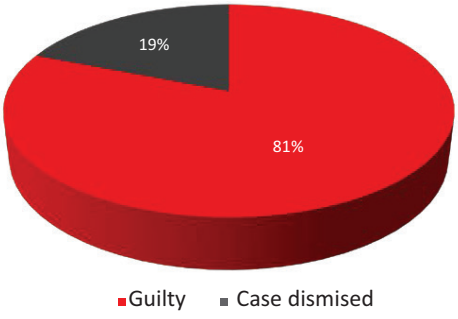

Figure 8. Conviction status data

charged with multiple offenses including “Trafficking in Minors,” “Trafficking in Adults,” and “Exploitation for Prostitution” (Article 114/2).

Additionally, six individuals were found guilty of “Exploitation for Prostitution” (Article 114/2), and five were convicted of both “Exploitation for Prostitution” and “Maintaining Premises for Prostitution” (Article 115). One defendant was convicted of “Exploitation for Prostitution” alongside “Production and Possession of Narcotics,” while another was found guilty solely for “Maintaining Premises for Prostitution.” Finally, six cases resulted in convictions related to “Production and Possession of Narcotics” as well as “Production and Illegal Possession of Weapons.”

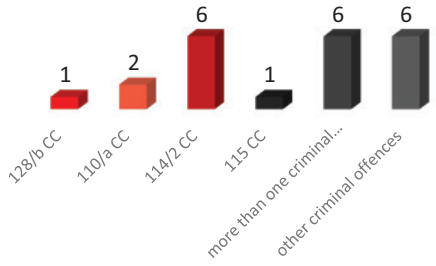

Figure 9. Data on first-instance court decision

Background check

The analysis of court decisions reveals that six perpetrators had prior convictions, which constitute an aggravating factor under Article 50 of the Criminal Code. In contrast, seventeen perpetrators had no previous criminal record, while the court documents did not provide information regarding prior convictions for four individuals.

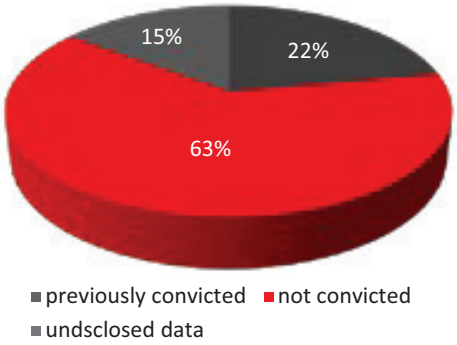

Figure 10. Perpetrators' background check

Other data: Marital status and educational background

Data on the marital and family status of the perpetrators reveals that five were married, eighteen were either unmarried or divorced, and no information was available for four individuals.

Regarding educational background, one perpetrator had not completed primary school, two had completed primary education, five had finished compulsory education, eleven had completed secondary school, and five held university degrees. However, educational data was missing for twenty-two perpetrators.

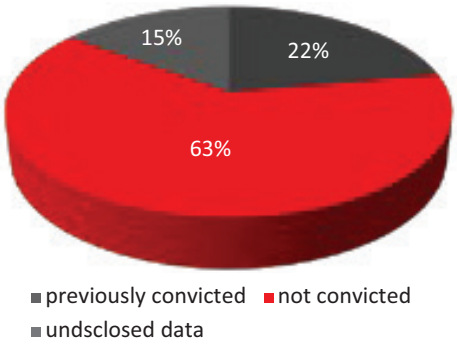

Figure 11. Type of sanction on perpetrators

Sanctions

The analysis of court decisions (detailed in Appendix I) indicates that, among all convicted defendants, 15 received prison sentences, while 7 were sentenced to probation and required to report regularly to the Probation Office. All individuals convicted under Article 128/b ("Trafficking of Minors") and Article 110/a ("Trafficking in Persons") were sentenced to imprisonment. In contrast, the 7 perpetrators sentenced to probation were connected to offenses under Article 114 ("Exploitation of Prostitution") and Article 115 ("Maintenance of Premises for Prostitution").

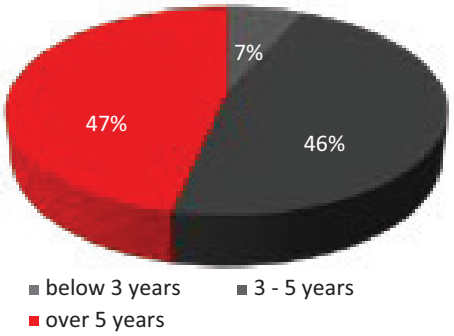

Figure 12. Length of sentence (first instance courts)

Regarding the duration of imprisonment across all offenses, the longest sentence imposed was 17 years, while the shortest was 3 years, with an average effective prison term of approximately 4 years and 8 months. It is also noteworthy that all convicted perpetrators benefited from sentence reductions in accordance with Article 406 of the Criminal Procedure Code.

Position and the rights of victims: a victim-centered approach (or lack thereof)

Procedure regularities and victim representation

The issue of legal representation is raised in the 2025 GRETA report for Albania, which highlights persistent shortcomings in victims' access to free legal aid and emphasizes the need to guarantee legal assistance from the earliest stages of criminal proceedings.[12]

The review of judicial practice in 2024 reveals notable procedural patterns concerning victim representation in human trafficking cases. In four cases, it is unclear whether the absence of such information is due to the courts' omission in drafting the decisions or whether victims were in fact not represented by a legal counsel. If is it the latter, this raises concerns about their ability to effectively exercise procedural rights, navigate complex legal proceedings, and obtain adequate protection during trial.

In seven cases, records indicate that victims were represented by a lawyer.

[12] Council of Europe: Group of Experts on Action against Trafficking in Human Beings (GRETA). (2025). Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Albania (4th evaluation round, covering October 2020–March 2025).

Victim privacy

The protection of victims' privacy is a cornerstone of a human-centred approach to combating trafficking, ensuring that sensitive personal information is safeguarded at every stage of the legal process. Such protection is essential not only for upholding the victim's dignity but also for preventing secondary victimization, which may include renewed psychological trauma, retaliation, or exposure to public scrutiny and stigma. International instruments such as Article 6 of the UN Palermo Protocol and Article 11 of the Council of Europe Convention on Action against Trafficking in Human Beings set out clear obligations for States to protect victims' identity and personal data.

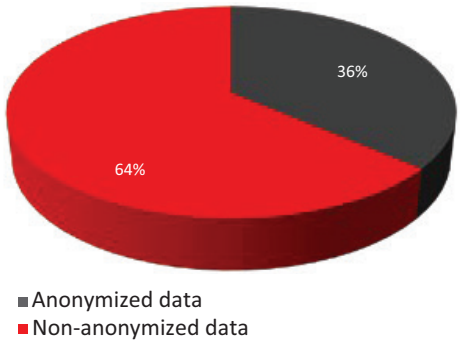

Figure 13. Victim privacy

In Albania, confidentiality is legally mandated from the moment a person is identified as a victim or potential victim of trafficking through to the conclusion of any related judicial proceedings. Standard Operating Procedures[13] require all professionals engaged in these processes, including interpreters, investigators, social workers, and police officers, to sign confidentiality agreements as a means to safeguard victims' right to privacy.[14] Moreover, all personal data gathered during identification and referral must be handled in strict compliance with Albania's data protection legislation, which regulates the collection, storage, and use of such information.

However, an examination of eleven court decisions from 2024 reveals significant shortcomings in practice. In four cases the judgements were anonymized, while the remaining contained sensitive, identifying details about victims, including their full names, parents' names, dates of birth, addresses, and other sensitive information.

Compensation of victims

The 2024 court decisions reveal persistent shortcomings in both the awarding or recording of compensation for victims of trafficking.

In five cases, the rulings contain no information on whether compensation was sought or granted, leaving unclear whether this omission stems from incomplete judicial reasoning or the absence of any related procedural action.

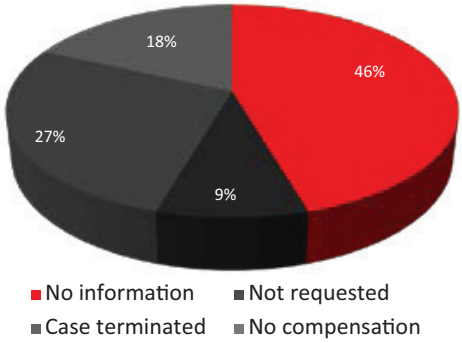

Figure 14. Compensation

[13] The Standard Operating Procedures for the protection of victims and potential victims of trafficking establish the obligation for every individual involved at any stage of victim support to ensure secure and ethical communication. This must be carried out in accordance with the principles of non-harm, physical safety, confidentiality, non-discrimination, clear and comprehensible communication, tolerance, and other relevant ethical standards.

[14] This is in line with Article 11 of the Council of Europe Convention on Action Against Trafficking in Human Beings; and Directive 2012/29/BE, Article 8 and Article 9.

In two cases, compensation was denied because the individuals were not formally recognized as victims, effectively excluding them from their rights. In one case, no request for compensation was submitted during the proceedings.

Referral to specialized support services

The review of 2024 court decisions indicates limited and inconsistently documented referrals of trafficking victims to specialized support services. In nine cases, the rulings contain no information on whether victims were referred to assistance providers, leaving it unclear whether such referrals were omitted in practice or simply not recorded in the judicial reasoning. In one case, the Psycho-Social Center VATRA was involved in providing support, while in another, a social center was identified as the service provider.

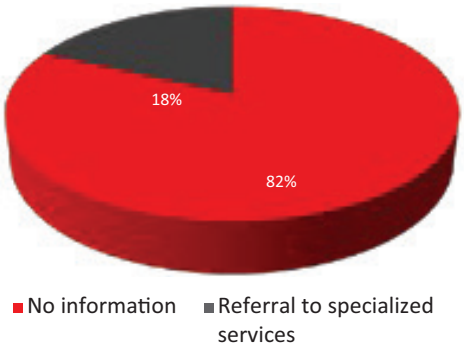

Figure 15. Referral to support services

IV. Issues of importance for judicial practice

Child Trafficking in Albania: Legal and Policy Foundations

Child trafficking remains a grave violation of children's rights in Albania and is addressed by both national law and the country's commitments under international conventions such as the United Nations Convention on the Rights of the Child (CRC), the Palermo Protocol, and the Council of Europe Convention on Action against Trafficking in Human Beings. Between 2020 and 2024, Albanian authorities formally identified only twenty-eight child victims, yet approximately 700 potential victims - two-thirds of them children - were registered over the same period. This disparity highlights not only the scale of trafficking but also persistent obstacles to effective identification and intervention.[15]

National legislation centers on the Criminal Code of the Republic of Albania (Law No. 7895/1994, as amended), which criminalizes child trafficking under Article 128/b. Importantly, the 2008 amendments[16] enhanced protection of children by criminalizing caregiver abuse (Article 124/b) and the use of minors in pornography (Article 117). Additionally, "sale" was added as a form of trafficking under Article 128/b on "Trafficking of minors".

Law No. 18/2017 "On the Rights and Protection of the Child" introduced a mandatory reporting obligation for professionals encountering suspected abuse or exploitation. It also created the State Agency for Child Rights and Protection (SACRP), charged with oversight and rapid coordination in suspected trafficking situations. Monitoring bodies, including GRETA and leading NGOs such as CRCA have repeatedly observed that operational resources remain inadequate: only a fraction of Albania's municipalities maintain properly staffed and trained child protection units, resulting in regional disparities in reporting and response.[17]

Albania's national policy framework - the National Plan of Action for Combating Trafficking in Persons (2021–2026), the National Agenda on the Rights of the Child (2021–2026), and the National Social Protection Strategy (2024–2030) - reflects international good practices. However, GRETA's Fourth Evaluation Round pointed to implementation gaps, especially in marginalized regions and among Roma communities, and highlighted obstacles such as family-based trafficking and the use of digital platforms for recruitment and exploitation.

[15] Council of Europe. (2025). GRETA publishes its fourth report on Albania. Group of Experts on Action against Trafficking in Human Beings. Available here.; U.S. Department of State. (2024). 2024 Trafficking in Persons Report: Albania.; Asylos. (2025). Albania: Trafficking -Country of Origin Information report.; Asylos. (2024). Summary Albania: Trafficking -Country of Origin Information short report.; UNICEF Albania. (2024). The grass is not greener on the other side.; Organization for Security and Co-operation in Europe (OSCE). (2020). A Typology of Child Trafficking Cases in Albania.

[16] Law No 9859 dated 21.01.2008

[17] See 2025 GRETA report for Albania. See also: CRCA (Children's Human Rights Centre Albania). (2024). Children and Youth in Albania - Written Contribution to the 4th Cycle of The Universal Periodic Review of Republic of Albania. Available here.

The rapid rise in digital exploitation has prompted action. In 2024, SACRP partnered with the National Authority for Cyber Security and NGOs including Nisma ARSIS to launch awareness campaigns.[18] Notwithstanding these efforts, extensive surveys by UNICEF continue to reveal misconceptions among youth regarding risk factors and reporting channels, particularly in vulnerable communities. These findings underscore a need for expanded, sustained educational engagement.[19]

Dismissal of cases

The substantive strength of Albania's anti-trafficking statutes contrasts sharply with the procedural deficiencies that frequently derail child trafficking prosecutions. Although criminal procedure requires ex officio prosecution of trafficking offences, UNODC's 2022 review of trafficking cases revealed a disturbing attrition rate: of thirteen files, five were dismissed before trial by prosecutorial decision, primarily due to incomplete or delayed investigations. Crucial forensic evidence - including digital communications, medical documentation, and psychological assessments-was too often missing or requested too late to support prosecution.[20]

The analysis identified several interrelated causes.

First, investigative teams frequently neglected to secure critical evidence at the earliest stage. Prosecutors reported that forensic examinations - ranging from digital forensics of communications to medical and psychological assessments of child victims - were not requested in time to preserve injuries or metadata. Second, law enforcement agents often failed to apply specialized methods such as controlled deliveries, undercover operations, or financial tracing techniques, all of which are recognized best practices for dismantling trafficking networks and obtaining admissible proof of exploitation. Third, the statutory elements of the offence were at times misinterpreted or misapplied: lower-level prosecutors and judges occasionally sought proof of force, coercion, or deception even when the victim was under eighteen, reflecting confusion about the legal principle that a child's consent is irrelevant.[21]

These investigative and interpretative errors were compounded by a victim-centered deficit. Child trafficking victims require interviews conducted by trained child psychologists

[18] See for more information here.
[19] Davy, D., and Metanji, B. (2020) "First Wave Survey Study on Youth Knowledge, Attitudes and Practices with Regard to Human Trafficking, in Four Regions in Albania" Report on Findings. UK Government, IDRA, UNICEF Albania; Davy, D., and Metanji, B. (2022). Survey on knowledge, attitudes and practices of youth regarding human trafficking in four regions of Albania: Second wave. Summary of findings for Tirana, Dibër, Kukës and Shkodër Regions. UNICEF Albania and IDRA.
[20] UNODC. (2022). Analysis of cases of trafficking in persons in the Republic of Albania" (April 2022). p.12. Available here.
[21] See: UNODC. (2022). Analysis of cases of trafficking in persons in the Republic of Albania.; Council of Europe. (2025). *Fourth evaluation round: Evaluation report on Albania – Measures to prevent and detect vulnerabilities to human trafficking* (GRETA(2025)05). Group of Experts on Action against Trafficking in Human Beings. para.149.

or specially-trained social workers to minimize re-traumatization and to obtain reliable testimony.

A recurring systemic obstacle is the lack of formal coordination mechanisms among prosecutor offices, specialized anti-trafficking police units, child protection agencies, and civil society service providers. Although the National Plan on Human Trafficking[22] mandates enhanced coordination among actors, in practice these efforts have been sporadic and informal. Obtaining timely collaboration to secure victim statements or from cyber security authorities to analyze electronic evidence remains challenging. This fragmented approach not only delays case progress but also undermines the consistency and reliability of information gathered.

Remedial recommendations by UNODC,[23] GRETA, and specialized NGOs emphasize several priorities. First, recurring training must be provided to all actors in the criminal justice chain. Training should focus on child-sensitive interviewing techniques, the statutory presumption of non-consent for minors, forensic and digital evidence collection, and the application of special investigative measures. The School for Magistrates, in partnership with the State Agency for the Rights and Protection of the Child and international technical assistance providers, is well-positioned to deliver standardized curricula and to monitor uptake.

Furthermore, awareness raising is needed about procedural protocols to require early psychological and medical assessments of suspected child victims, automatic appointment of guardians or legal representatives for unaccompanied minors, and streamlined processes for preservation and analysis of digital evidence.

Finally, accountability mechanisms must be strengthened. Regular oversight by the Ministry of Justice, supported by civil society monitoring, can ensure that dismissal rates are tracked, root causes analyzed, and corrective actions implemented. Public reporting of key performance indicators, such as time to first hearing, percentage of cases with full forensic reporting, conviction rates, and victim satisfaction metrics, would foster transparency and incentivize improved practice.

By adopting these measures, Albania can reduce case dismissals, enhance conviction rates, and, most importantly, deliver justice and protection for child victims of trafficking. The next section will examine the protection framework for unaccompanied and separated foreign children, including legislative mandates, identification and reception practices, and recommendations for reform.

[22] National Action Plan for the Fight against Human Trafficking 2024-2025. Priority 1.1.3. Available here.
[23] See: UNODC. (2022). Analysis of cases of trafficking in persons in the Republic of Albania.

Unaccompanied and Separated Foreign Children

The complex phenomenon of unaccompanied and separated foreign minors in Albania reflects national and regional migration trends and poses acute risks for trafficking and exploitation. In 2023–2024, Albanian authorities documented 108 cases - most involving children who did not seek asylum in Albania but continued onward toward EU countries. The legal framework, anchored in the Law on Foreigners and Asylum, defines unaccompanied minors as vulnerable, entitling them to special care, assessment, and protection, including assignment of guardians and access to reception centers.[24]

In practice, however, as documented by UNICEF, GRETA, and the UN Committee on the Rights of the Child, border screening is inadequate. There is no standardized protocol for age assessment, and border officials lack mandatory training in identification and referral of minors. Children who do not request asylum are often not referred to child protection units or assigned legal guardians, leaving them invisible to the system and exposed to continued exploitation and trafficking.[25]

Reception facilities for minors remain limited. Most unaccompanied foreign children either transit rapidly through Albania, fall outside the protection net, or are placed in the same accommodations as adults, raising further risks. In response, Albania's National Migration Strategy 2023-2030 has prioritized establishment of a dedicated residential center in Babrru (targeted for 2026) and rolled out staff training initiatives in partnership with international organizations, though coverage is not yet comprehensive.

The UN Committee on the Rights of the Child and GRETA have called for urgent reforms: standardization of pre-screening at all border points, legal clarity around the status of unaccompanied and separated minors, creation of separate reception facilities, and development of child-sensitive interview procedures and treatment protocols. Monitoring remains essential to ensure progress, as gaps in identification and referral persist as root causes of ongoing exploitation.

Key recommendations

Albania has developed a legal and policy framework broadly in line with its international obligations.. Yet persistent underinvestment, uneven local delivery, and the absence of institutionalized multidisciplinary approaches frequently undermine practical outcomes. To move from formal compliance to effective protection, the country must:

- Secure adequate funding and human resources for the child protection service, and all roles, with a particular focus on covering every municipality and ensuring specialized multidisciplinary teams for investigation, prosecution, and victim support.
- Institutionalize regular, mandatory training for all officials, including prosecutors, investigators, social workers, border staff, and frontline child protection agents, in child-sensitive procedures, legal standards, and contemporary identification and evidence collection methods.

[24] Asylos. (2024). *Albania: Trafficking summary report 2024 (final)*.
[25] See 2025 GRETA report for Albania.

- Implement explicit case management protocols, including standardized psychological and medical assessment for suspected child victims, automatic guardian appointment for unaccompanied minors, and accelerated digital forensic analysis.
- Monitor performance of all anti-trafficking and protection frameworks through transparent reporting, actionable key metrics, and public accountability, coordinated in partnership with civil society watchdogs and technical assistance providers.
- Expand and sustain educational outreach and awareness campaigns, targeting not only children and youth but also parents, teachers, and social service providers, particularly in regions with elevated risk factors and within marginalized and Roma communities.
- Provide safe and appropriate handling of cases of unaccompanied and foreign children, with clear operating procedures.

V. Concluding remarks

Key observations

Key observations and data from the court decisions, including information on the position and rights of victims can be summarized as following:

- A decrease in the number of court decisions is observed for the year 2024 (with 16 decisions registered in 2023)
- From a total of eleven court decisions, 4 were dismissed due to lack of evidence.
- Of the eleven court decisions reviewed, four concerned the criminal offence of *Trafficking in Persons* under Article 110/a of the Criminal Code, while two involved *Trafficking of Minors* under Article 128/b. The remaining five cases addressed multiple offences.
- Internal trafficking continues to be the predominant form of trafficking in Albania (82%).
- Women remain the most vulnerable to victimization, accounting for 90% of cases involving exploitation through prostitution and other forms of trafficking.
- In 74% of the cases, the age of the victim was not disclosed, while 10% were minors and 16% adults.
- The concept of “abuse of a position of vulnerability” remains poorly applied by lower courts.
- Technology-facilitated recruitment and trafficking is a growing concern.
- While men remain the predominant actors in trafficking offenses, there is growing female participation, which challenges traditional perceptions of trafficking dynamics and underscores the complexity of trafficking networks, which rely on diverse roles and cooperation across genders.
- There is significant involvement of young adults in trafficking-related crimes, with 56% of perpetrators being 18-35 years old. The prominence of this younger age group may reflect various socio-economic factors, such as unemployment, lack of opportunities, or vulnerability to recruitment into illicit activities.
- Seventeen perpetrators had no previous criminal record, while the court documents did not provide information regarding prior convictions for four individuals.
- Among all convicted defendants, 15 received prison sentences, while 7 were sentenced to probation and required to report regularly to the Probation Office.

- the longest sentence imposed was 17 years, while the shortest was 3 years, with an average effective prison term of approximately 4 years and 8 months.
- In seven cases, records indicate that victims were represented by a lawyer.
- In four cases the judgements were anonymized, while the remaining contained sensitive, identifying details about victims, including their full names, parents' names, dates of birth, addresses, and other sensitive information.
- In two cases, compensation was denied because the individuals were not formally recognized as victims. In five cases, the rulings contain no information on whether compensation was sought or granted.
- In nine cases, the rulings contain no information on whether victims were referred to assistance providers.
- Child trafficking remains a grave violation of children's rights in Albania. Between 2020 and 2024, Albanian authorities formally identified only twenty-eight child victims, yet approximately 700 potential victims - two-thirds of them children - were registered over the same period.
- Dismissal of cases is a problem, often with crucial forensic evidence - including digital communications, medical documentation, and psychological assessments-missing or requested too late to support prosecution.
- Regarding unaccompanied and separated foreign children, attention is required for the standardization of pre-screening at all border points, legal clarity around the status of unaccompanied and separated minors, creation of separate reception facilities, and development of child-sensitive interview procedures and treatment protocols

Recommendations

Training and capacity building

Institutionalize regular, mandatory training for all officials, including prosecutors, investigators, social workers, border staff, and frontline child protection agents, in child-sensitive procedures, legal standards, and contemporary identification and evidence collection methods.

Provide continuous training on international standards and best international practices.
Provide the judiciary with model judgment templates to facilitate clear, consistent, and efficient decision writing.

Legislative

Revise the Criminal Code, inter alia, to include amendments in line with EU Directive 2024/1712.

Data collection

Establish a functionable comprehensive and systematic data collection mechanism on technology-facilitated violence, disaggregated by gender, age, geographic location, type of offence, and relationship between victim and perpetrator. To ensure reliability and comparability, clear definitions and categories should be adopted in line with international standards. Access to anonymized, aggregated data should be granted to policymakers, researchers, and civil society to inform evidence-based legislation, policy design, and prevention strategies.

VI. Appendix I: Data on first instance court decision

No	Criminal Offence	Gender	Stipulated sentence	Imposed sentence / sanction	Cumulative sentence
1	128/b/1 C.C – Trafficking of minors	Female	10-20 years of imprisonment	10 years – 1/3 of the sentence according to the article 406/1 of Criminal Procedural Code – finally 6 years and 8 months of imprisonment	
2	114/2 C.C – Exploitation to prostitution 115 C.C – Maintaining Premises for Prostitution	Female	7 – 15 years of imprisonment with a fine or imprisonment up to three years	2 years of imprisonment; 3 years of imprisonment;	In application of Article 55 C.C - 3 years and 3 months of imprisonment 1/3 of the sentence – finally 2 years and 2 months of imprisonment In application of Article 59 of the Penal Code, the defendant is placed on probation
3	113/2 C.C – Prostitution	Female	with a fine or imprisonment up to three years	9 months of imprisonment 1/3 of the sentence according to the article 406/1 of C.P.C – 6 months of imprisonment In application of Article 59 C.C., the defendant is placed on probation	
4	113/2 C.C – Prostitution	Female	with a fine or imprisonment up to three years	9 months of imprisonment 1/3 of the sentence according to the article 406/1 C.P.C – 6 months of imprisonment In application of Article 59 C.C., the defendant is placed on probation	

5	113/2 C.C – Prostitution	Female	with a fine or imprisonment up to three years	9 months of imprisonment 1/3 of the sentence according to the article 406/1 C.P.C – 6 months of imprisonment In application of Article 59 C.C., the defendant is placed on probation	
6	113/2 C.C – Prostitution	Female	with a fine or imprisonment up to three years	9 months of imprisonment 1/3 of the sentence according to the article 406/1 C.P.C – 6 months of imprisonment In application of Article 59 C.C., the defendant is placed on probation	
7	113/2 C.C – Prostitution	Female	with a fine or imprisonment up to three years	9 months of imprisonment 1/3 of the sentence according to the article 406/1 C.P.C – 6 months of imprisonment In application of Article 59 C.C., the defendant is placed on probation	
8	114/1 C.C – Exploitation to prostitution 115 C.C – Maintaining Premises for Prostitution	Female	2 – 5 years of imprisonment with a fine or imprisonment up to three years	2 years of imprisonment; 3 years of imprisonment;	In application of Article 55 C.C - 3 years and 3 months of imprisonment 1/3 of the sentence – finally 2 years and 2 months of imprisonment In application of Article 59 C.C, the execution of the prison sentence and the probation of the defendant are suspended

9	113/2 C.C – Prostitution	Female	with a fine or imprisonment up to three years	1 year of imprisonment 1/3 of the sentence according to the article 406/1 C.P.C – 8 months of imprisonment In application of Article 59 C.C., the defendant is placed on probation
10	114/1 C.C – Exploitation to prostitution	Female	2 – 5 years of imprisonment	2 years of imprisonment; 1/3 of the sentence according to the article 406/1 C.P.C – 1 Year and 4 months of imprisonment In application of Article 59 C.C., the defendant is placed on probation
11	115 C.C – Maintaining Premises for Prostitution	Male	with a fine or imprisonment up to three years	3 years of imprisonment; 1/3 of the sentence according to the article 406/1 C.P.C – 2 years of imprisonment
12	283/2 C.C. Production and sales of narcotics	Male	5 – 10 years of imprisonment	7 years of imprisonment 1/3 of the sentence according to the article 406/1 C.P.C – 4 years of and 8 months of imprisonment
13	283/1 C.C. Production and sales of narcotics	Male	5 – 10 years of imprisonment	5 years of imprisonment 1/3 of the sentence according to the article 406/1 C.P.C. – 3 years of and 4 months of imprisonment
14	278/2 C.C. – Unauthorized possession and production of weapons, explosive weapons and ammunition	Male	with a fine or imprisonment up to two years	1 year of imprisonment 1/3 of the sentence according to the article 406/1 C.P.C – 8 months of imprisonment In application of Article 59 C.C., the defendant is placed on probation

15	283/1 C.C. Production and sales of narcotics	Male	5 – 10 years of imprisonment	5 years of imprisonment 1/3 of the sentence according to the article 406/1 C.P.C – 3 years of and 4 months of imprisonment
16	283/2 C.C. Production and sales of narcotics	Male	5 – 10 years of imprisonment	7 years of imprisonment 1/3 of the sentence according to the article 406/1 C.P.C. – 4 years of and 8 months of imprisonment
17	283/1 C.C. Production and sales of narcotics	Male	5 – 10 years of imprisonment	5 years of imprisonment 1/3 of the sentence according to the article 406/1 of C.P.C – 3 years of and 4 months of imprisonment In application of Article 59 C.C., the defendant is placed on probation
18	113/2 C.C – Prostitution	Female	with a fine or imprisonment up to three years	1 year of imprisonment 1/3 of the sentence according to the article 406/1 C.P.C. – 8 months of imprisonment In application of Article 59 C.C., the defendant is placed on probation
19	113/2 C.C – Prostitution	Female	with a fine or imprisonment up to three years	1 year of imprisonment 1/3 of the sentence according to the article 406/1 C.P.C – 8 months of imprisonment In application of Article 59 C.C., the defendant is placed on probation
20	114/1 C.C – Exploitation to prostitution	Male	2 – 5 years of imprisonment	2 years of imprisonment; 1/3 of the sentence according to the article 406/1 C.P.C – 1 Year and 4 months of imprisonment In application of Article 59 C.C., the defendant is placed on probation

21	113/2 C.C – Prostitution	Female	with a fine or imprisonment up to three years	1 year of imprisonment 1/3 of the sentence according to the article 406/1 C.P.C – 8 months of imprisonment In application of Article 59 C.C., the defendant is placed on probation	
22	283/2 C.C. Production and sales of narcotics 114/2 C.C – Exploitation to prostitution 183/1 C.C. – Counterfeiting coins	Male	7 – 15 years of imprisonment 2 – 5 years of imprisonment 5 – 15 years of imprisonment	7 years of imprisonment 2 years of imprisonment 1 year of imprisonment	In application of Article 55 C.C. - 9 years of imprisonment 1/3 of the sentence according to the article 406/1 C.P.C – 6 years of imprisonment
23	114/2 C.C – Exploitation to prostitution 115 C.C – Maintaining Premises for Prostitution	Female	7 – 15 years of imprisonment with a fine or imprisonment up to three years	7 years of imprisonment; 1 year of imprisonment;	In application of Article 55 C.C. - 7 years of imprisonment 1/3 of the sentence – finally 4 years and 8 months of imprisonment
24	113/2 C.C – Prostitution	Female	with a fine or imprisonment up to three years	6 months of imprisonment - 1/3 of the sentence according to the article 406/1 C.P.C – 4 months of imprisonment In application of Article 59 C.C., the defendant is placed on probation	
25	113/2 C.C – Prostitution	Female	with a fine or imprisonment up to three years	With a fine of 120,000 ALL - 1/3 of the sentence according to the article 406/1 of Criminal Procedural Code – With a fine of 80,000 ALL.	

26	113/2 C.C – Prostitution	Female	with a fine or imprisonment up to three years	With a fine of 120,000 ALL - 1/3 of the sentence according to the article 406/1 of Criminal Procedural Code – With a fine of 80,000 ALL.	
27	114/1 C.C – Exploitation to prostitution 115 C.C – Maintaining Premises for Prostitution	Female	2 – 5 years of imprisonment with a fine or imprisonment up to three years	2 years of imprisonment; 1 year of imprisonment;	In application of Article 55 C.C.- 3 years of imprisonment 1/3 of the sentence – finally 2 years of imprisonment
28	114/1 C.C – Exploitation to prostitution 115 C.C – Maintaining Premises for Prostitution	Female	2 – 5 years of imprisonment with a fine or imprisonment up to three years	2 years of imprisonment; 1 year of imprisonment;	In application of Article 55 C.C.- 3 years of imprisonment 1/3 of the sentence – finally 2 years of imprisonment In application of Article 59 C.C., the defendant is placed on probation
29	114/2 C.C – Exploitation to prostitution 115 C.C – Maintaining Premises for Prostitution	Female	7 – 15 years of imprisonment with a fine or imprisonment up to three years	7 years of imprisonment; 1 year of imprisonment;	In application of Article 55 C.C - 7 years of imprisonment 1/3 of the sentence – finally 4 years and 8 months of imprisonment
30	110/a/4 C.C – Trafficking in persons	Female	Not less than 15 years of imprisonment	17 years of imprisonment	
31	110/a/4 C.C – Trafficking in persons 115 C.C – Maintaining Premises for Prostitution	Male	Not less than 15 years with a fine or imprisonment up to three years	12 years of imprisonment 4 years of imprisonment	In application of Article 55 C.C - 15 years of imprisonment 1/3 of the sentence – finally 10 years of imprisonment

32	114/2 C.C – Exploitation to prostitution	Female	7 – 15 years of imprisonment	7 years of imprisonment 1/3 of the sentence according to the article 406/1 of Criminal Procedural Code – 4 years and 8 months of imprisonment	
33	114/2 C.C – Exploitation to prostitution 115 C.C – Maintaining Premises for Prostitution	Female	7 – 15 years of imprisonment with a fine or imprisonment up to three years	7 years of imprisonment 1 year of i mprisonment	In application of Article 55 C.C - 8 years of imprisonment 1/3 of the sentence – finally 5 years and 4 months of imprisonment
34	114/2 C.C – Exploitation to prostitution 115 C.C – Maintaining Premises for Prostitution	Male	7 – 15 years of imprisonment with a fine or imprisonment up to three years	7 years of imprisonment 1 year of imprisonment	In application of Article 55 C.C - 8 years of imprisonment 1/3 of the sentence – finally 5 years and 4 months of imprisonment
35	114/2 C.C – Exploitation to prostitution	Female	7 – 15 years of imprisonment	7 years of imprisonment -1/3 of the sentence according to the article 406/1 of Criminal Procedural Code – 4 years and 8 months of imprisonment	