

Migration Management in Albania

Mapping and Evaluating Outside Intervention

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Abstract

Unwanted migratory flows from Albania serve as a justification for external interventions aimed at regulating migration 'from within'. Over the last years the exertions of a number of international organizations have led to a situation of deadlock. Overriding vested interests seem to block a national ownership: Albanian government is not yet empowered to assume full control over its migration policy. While remaining in anxiety for new emigration waves, the international stakeholders share a general mistrust in local institutions to regulate migration in an effective manner.

Keywords: Albania; Migration; European Union; Organisations.

Introduction

It is estimated that currently up to 1.1 million Albanians live abroad.² This *diaspora* is primarily the result of a series of pronounced migratory waves following the collapse of the country's communist regime (early 1990s) and intense economic and political polarization (Gjonça, 2002:18; Pastore, 1998: 2-4). In 2003 Albania ranked 9th in absolute terms as a source of newly-arriving migrants in the EU-15-states (Gédap/BIVS, 2003a: 31). Albanians were also the largest group of illegal aliens apprehended. They also comprised the largest group among deportees from the EU-15 countries

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² Interview: National Statistical Institute of Albania. An estimated 440,000-550,000 Albanians are living in Greece (Baldwin-Edwards, 2006: 7), 350.000 in Italy (ISTAT, 2006).

(Gédap/BIVS, 2003b; 2003c).³ Albania has furthermore for years been depicted as a major Southeastern European source country (and transit country) for human trafficking (US Department of State, 2006: 56; ICMPD, 2000; IOM, 2005: 12).⁴

Inter-governmental organisations such as the Organisation for Security and Co-operation in Europe (OSCE), the International Organisation for Migration (IOM), the Office of the United Nations High Commissioner for Refugees (UNHCR) and other UN agencies have become locally involved in a variety of activities aimed at regulating emigration. Besides these actors a multitude of international non-governmental organisations (NGOs) and development agencies exert great influence on Albania's development. Both sets of external actors cooperate with local NGOs. At present most of the financial support covering migration is provided via the CARDS and the AENEAS programmes of the European Commission, by individual member states of the European Union (EU) and by the USA.

Albania and the EU

Albania is a member of the EU's 'Stabilisation and Association Process' for Southeastern Europe' (SAP)⁵ that offers the participating states the possibility of future membership in the EU (European Council, 2000: Art. 69). The perception of Albania and its neighbouring states as "*one of the gateways to the European Union for criminal activities, illegal immigration and other threats*" (European Commission, 2003: 1.1) motivated the EU to demand that all SAP countries ratify a bilateral readmission agreement. Albania signed this agreement

³ Without data from Greece: 38,968 Albanians apprehended/39,654 Albanians removed.

⁴ There is a controversial debate about the conceptualization of trafficking (Agustín, 2003; Kelly, 2005). The number of victims receiving assistance in general is low (<1000).

⁵ Participating states: Bosnia-Herzegovina, Croatia, Former Yugoslav Republic of Macedonia, Montenegro and Serbia (including Kosovo).

in 2003⁶ and only afterwards was enabled to sign an agreement for more extensive association with the EU.

Albania is still one of the poorest countries in Europe⁷ and has been depicted as a 'weak' state/democracy (Kajsiu et al., 2002; AIIS, 2005; European Commission, 2006: 2.1). The massive outflow of high- and semi-skilled migrants represents one of the biggest challenges for Albania. Emigration, on the other hand, is also an asset: Migrant remittances currently amount to more than 15% of the country's GDP (IBRD/World Bank, 2007: 58).

In its 2006 report the European Commission however focuses neither on the 'brain drain' nor on the high dependency on remittances. The report instead puts its emphasis on the following issues: "*Emigration remains a problem*" (for the EU!), "*illegal migration to Greece still remains a concern*", and "*trafficking through Albania's borders with its Western Balkan neighbours remains problematic*" (European Commission, 2006: 4.3.1). If one looks at one of the first reports of the SAP, the impression that is conveyed is that there has been hardly any change: "*Albania is both a source and a transit centre for trafficking [...] Greater determination is needed to tackle this problem if Albania is to demonstrate that it shares the [...] values of the EU and is able to manage its borders [...]*" (European Commission, 2001: 7).

Each of the EU annual reports goes deep into the technical details of inadequate legislation and procedures. What is however lacking is empirical data on the evolution of migratory movements. One feature common to all reports is a blatant EU-centrism, completely neglecting the side-effects of migratory movements on Albania. 'Progress' is defined in terms of the permeability of Albania's borders and corresponding EU-style legislation, essentially disregarding the local context. Often there is a resort to vague statements leading to similarly vague suggestions: "*Albania appears to*

⁶ It came into force since May 2006. From 2008 onwards, Albania has to readmit all illegal third country nationals that crossed Albania to come to the EU.

⁷ GDP/capita (2004): 1892€ (Commission, 2006: Annex).

have made progress regarding the control of illegal migration/trafficking towards the EU [...], but [...] border management continues to require substantial improvement" (European Commission, 2005: 35).

Mapping external intervention

Strengthening the borders

The above quotations clearly expose an ongoing re-categorization of Albania as a source of illegal immigration. Particular attention is paid to human trafficking. Improved control and surveillance of borders in compliance with EU regulations appears to be seen as a panacea to prevent unwanted immigration. Astonishingly, hardly any attention is paid to the 'root causes' and measures that might be taken to minimize the country's overdependence on migratory movements.

Against the background of these reports and judging from talks with Albanian and foreign experts and official representatives, there is evidently still a widespread feeling of anxiety about the potential for a new exodus. Several interview partners⁸ referred unprompted to the period of 1993-1996, when many believed that the problem of emigration had finally been successfully tackled.

A notion abruptly dispelled by the 1997 exodus. Many perceive similarities with the current situation. There is a widespread impression that democratisation, EU-orientation and poverty-reduction have all lost momentum.⁹ One expert in the EC delegation said explicitly, expressing a personal view, that a new emigration wave could be triggered by too-careless implementation (by Albania) of the new trade arrangements with the EU if higher unemployment emerged as a result of it.¹⁰ To this day boats of the Italian coastguard continue to operate in Albania's territorial waters to counter

⁸ Interviews: Local missions of IOM, OSCE, European Community Delegation, PAMECA (Police Assistance Mission of the European Community to Albania).

⁹ Interviews: AIIS and UNDP in Albania.

¹⁰ Interview: EC Delegation in Albania.

illegal migration. The Albanian border directorate admits that these boats are at present “*the only real safeguard against illegal emigration across the Adriatic [...] because Albania has no equipment for this*”¹¹. In the opinion of some interview partners suspension of this blockade could automatically lead to new illegal movements.¹²

This feeling of anxiety about further unwanted emigration is reflected in the EU’s emphasis on border management and, in general, Justice and Home Affairs: Between 2002 and 2004 the Regional CARDS programme allocated €105 million for the border systems of all SAP-target countries. €76 million were spent via the national CARDS for Albania on Justice and Home Affairs-related activities, again including border management (European Commission, 2002-2004).¹³

In spite of these financial flows, the perception persist that many aspects of Albania’s performance need to be improved.¹⁴ Though the (Italian) surveillance of the blue border is highly successful in limiting movements, the situation in the mountainous border regions is a point of concern, as is the lack of staff and shortage of Albanian funding. (European Commission, 2006: 4.3.1).

Secondary movements and trafficking

Until 2006 the IOM and UNHCR were responsible for the pre-screening of aliens apprehended at Albania’s borders. Mobile teams, assisted by the OSCE, conducted interviews, and the detained foreigners were then categorised as ‘victims of trafficking’, ‘asylum seekers’ or ‘irregular migrants.’ Between 2001 and 2006 the number of asylum seekers was

¹¹ Interview: Albanian Ministry of Interior (Directorate of Border Police).

¹² Interviews: PAMECA and OSCE in Albania.

¹³ In the same period ‘only’ € 42.4 million was earmarked ‘Economic and Social Development’, with €4.5 million assigned to ‘Democratic Stabilisation’ – € 500,000 less than the annual allocation in 2002 for border management (European Commission, 2002-2004)!

¹⁴ Interview: EC Delegation and PAMECA in Albania.

quite low (214 in all). Most of those apprehended were 'filtered out' as 'irregular migrants' (468), with 150 aliens categorised as 'victims of trafficking.' Since 2006 pre-screening has been the responsibility of the border and migration police and the two government directorates for Refugees and Migration. To this day Albania largely lacks the funding necessary for the pre-screening, (temporary) accommodation and (forced) return of aliens. Although Albanian government institutions have taken over the operational tasks, Albanian government representatives have announced in a common statement their view that EU funding will still be necessary. One interesting justification provided was that it would be in the direct interest of the EU¹⁵ for secondary movements towards the EU to be prevented. The logical corollary of this is that the EU should pay. Although there is a general commitment to cooperate with the EU, continuation of external funding (European Commission, EU states and other donors) along with ancillary external monitoring remains the *sine qua non* for corresponding implementation in practice.

Though the dimensions of asylum seeking are still negligible, the position of the UNHCR and the EC delegation are that Albania should have a proper asylum system (European Commission, 2006: 4.3.1).¹⁶ It is an open secret that a working asylum system and appropriate pre-screening are intended to supplement the recently-signed readmission agreement, which in turn could mean an increased case load for Albania if readmitted third country nationals decide to submit asylum applications in Albania, or if migrants realise that their route towards the EU is effectively being blocked. So far, however, only a small number of NGOs and lawyers have become familiar with asylum procedures and have taken it upon them to defend the rights of asylum seekers. Some rights groups lack funding and have not undergone the req-

¹⁵ Interview: Albanian Ministry of Interior (Directorate for Refugees & Naturalization/Directorate of Border Police), Albanian Ministry of Social Affairs, Labour & Equal Opportunities.

¹⁶ Interview: UNHCR in Albania.

uisite specialised training. Another point of concern is that no effective approaches exist to integrate refugees into Albanian society.¹⁷

The prevention of trafficking, along with accommodation, support and re-integration of victims is currently where most international involvement (and financial commitment) is focused. Over Large campaigns have been implemented in collaboration with local Albanian NGOs and organised and financed by the IOM or the US Agency for International Development (USAID), not to mention innumerable smaller prevention-oriented projects initiated by international NGOs such as Save the Children, Terre des Hommes or World Vision.¹⁸ USAID recently embarked upon a three-year project with a \$4.5 million budget including provision for \$2 million in NGO grants. The IOM wants to invest €1 million in new anti-trafficking activities (IOM, 2006a: 68). Prevention, accommodation, counselling and re-integration are undoubtedly 'big businesses'. Competition among NGOs is fierce. While some are included year in year out in foreign-sponsored networks, others suddenly roll over and die. Currently some NGO shelters host other vulnerable groups so as to be able to survive in a situation where the numbers of trafficking victims is declining.

One additional interesting fact is that most victims receiving assistance have actually been re-trafficked, re-transferred and re-accommodated.¹⁹ The Vatra Shelter (the biggest NGO shelter, founded by Save the Children and supported exclusively by foreign donors) reported that out of 238 girls and women assisted an astonishing 135 had already been traf-

¹⁷ Interviews: Albanian Human Rights Group (AHRG) and Albanian Helsinki Committee; Albanian Ministry of Interior (Directorate for Refugees & Naturalization); UNHCR in Albania.

¹⁸ Interviews: Local offices of USAID, Save the Children, World Vision and IOM.

¹⁹ Interviews: Vatra, Albanian Coalition against Trafficking in Children & Women, Children's Rights Centre and Gender Alliance for Development. Local offices of Kvinna till Kvinna and SIDA (Swedish International Development Cooperation).

ficked before. These figures suggest that a considerable number of 'victims' actually ought not to be perceived as being 'naïve/uninformed', 'misled' and/or 'innocent'. Only a very small number of victims receiving assistance have been foreigners. It is assumed that the trafficking route through Albania must have become less attractive (primarily because of the blue border being better protected) (Vatra, 2005: 19 and 23).

Return and re-integration

Because of its high levels of emigration Albania became the target of activities aimed at repatriating illegal emigrants apprehended abroad. While many states continue policies of deportation (forcible return), the IOM offers the solution of 'voluntary'²⁰ repatriation: Illegal migrants, unsuccessful asylum seekers and victims of trafficking can submit applications at IOM missions. O

ver the last five years the IOM's 'Voluntary Assisted Return and Reintegration'-Programme (VARPP) has returned 400 Albanians from Great Britain (IOM, 2006b: 3) and referred to local NGOs participating in a re-integration network. 'Hope for the Future' and 'Different and Equal' are examples of NGOs that provide returnees with social counselling and job training. The general consensus is that the reintegration is achieving the wished-for results. But at least 20-30% of the returnees at some point or other 'get lost'-some perhaps with a view not to reintegrating but to emigrating again.²¹ As far as the future is concerned, it is expected that there will be an expansion of these repatriating activities. Only recently, the IOM initiated the creation of 'Different and Equal' to deal with readmission and re-integration issues.

²⁰ This return *per se* is not voluntary. Migrants have no choice other than to leave the country of destination

²¹ Interviews: IOM in Albania/NGOs Hope for the Future and Different and Equal.

“The IOM will support the government in return migration management through the successful implementation of the readmission agreement between Albania and the European Union [...] The IOM will continue to assist the voluntary return programme of irregular [Third country nationals] stranded in Albania as the country lacks the necessary financial resources or reception centre to facilitate such return” (IOM, 2006b: 68).

This quote reflects that IOM is certainly vitally interested in this subject because the EU is now obliging Albania to implement its readmission agreement. The IOM now also clearly perceives itself as being a (the?) key actor in facilitation of the readmission process, and even as an actor ‘guaranteeing’ the readmission ‘on behalf’ of a cash-strapped Albanian government. For 2006 the IOM asked donors to grant €1.2 million for development of a *“return and reintegration strategy for Albanian nationals”* (IOM, 2006b: 68). There is no doubt that the IOM is to a certain extent taking advantage of Albania’s disadvantaged situation so as to push for implementation of the readmission agreement.

Towards national ownership (?)

In 2004 the Government of Albania adopted a ‘National Strategy on Migration’ (Government of Albania 2005a), promoting *“migration management: a pro-active attitude of the Government in order to give answers to the questions related to migration.”* As *“the path to migration management”* the strategy is expected to accomplish four goals (Government of Albania 2005b): (1) Mobility (*“enhancing legal channels [...] and possibilities for return”*), (2) Development (proper regulation of migration as *“a tool for the development of Albania”*), (3) Protection (to protect Albanians *“from abuse and illegality”*), and (4) Integration (to *“bring Albania closer to membership of the European Union”*).

The strategy evidently testifies to Albania’s wish to leave its past as a stigmatised source-country of migrants. For some influential Albanians the time has now come to disengage oneself from an approach that is exclusively focused on

'control' and to move towards the goals of development²² and integration into the EU. Given the realities and the lingering anxieties (Chapters I & II) the following assertion appears to belong in the realm of wishful thinking: *"Albania is not the 'land of the irregular migrants and motorboats' anymore [...] Albania is a country where people have turned to work, people who trust their country and their government"* (Bejtaj, 2005:15).

If one might venture an analysis of the constellation of internal and external actors at present involved in the local game of managing migration movements, it could go as follows: while trying to encourage Albania's government, the EU, seeing them as more effective and/or trustworthy, entrusts most of the grants and the implementation tasks to external actors. Some of them apply this approach themselves: they would rather establish 'their own' quasi-local NGOs than try to emancipate Albanian NGOs. The cash flows underpinning this activity arouse the suspicion of the government so that it begins to feel that its sovereignty is undermined. Facts are created without government involvement and/or oversight. The same applies on the NGO side. A certain anxiety surrounds meetings between their employees and government officials. Government functionaries are seen as the embodiment of a weak, corrupt and overstuffed bureaucracy: people whose only thought is how they can get their hands on the foreign grants. Local NGOs and external actors, for their part, continue to complain that the government is not interested in investing its own resources, that it is often obstructive towards NGO initiatives and that it shows no real commitment.

Although Albania now has a 'National Strategy', given the situation of deadlock described above, achievement of national ownership seems, to say the least, unlikely. In the current context one of the key actors is inevitably the IOM, as becomes increasingly evident when one examines the 'National Strategy' itself and its history. One comes away with the impression that the Strategy is not a 'real' government

²² Interview: Albanian Ministry of Labour, Social Affairs & Equal Opportunities and IOM in Albania.

document. ' Funded by the EU's CARDS 2003 programme, the Strategy was formulated with the assistance first and foremost of the IOM, which lodged the funding application and went on to become "*the technical support unit of the Albanian government [...] responsible for the elaboration of the National Strategy on migration*" (Schatzer, 2005: 19)! The conclusion is evidently that IOM is trying to play the role not only of a quasi-local 'external' actor but also of a 'quasi-governmental institution'. The IOM's readiness to 'guarantee' Albania's readmission process only serves further to confirm this impression (Chapter II).

Outlook

To imagine that it is possible to block unwanted movements completely is unrealistic. However, the solution for Albania cannot lie in the direction of opening all borders, removing external actors and joining the EU. The European Commission could exert a decisive influence on external and local actors. The EU should focus its attention on Albania's government and Albanian society. A 'local interest' coalition of external actors, against a background of fierce competition and mistrust between local non-governmental and governmental actors, is effectively undermining the national ownership project. Certainly, given the huge amounts of money being invested, it is a safe assumption that all these external actors are motivated by their own economic and politico-strategic interests: The sums of money being spent on prevention of trafficking are larger than the amounts most foreign development agencies and NGOs are able to invest in development-oriented projects. Though huge sums have been spent, Albania astonishingly still lacks its own coast-guard and still does not possess a proper reception centre.

What seems most necessary overall is firmer national control of the process (facilitating a strengthening of bargaining power). The EU is the only actor with the capacity to break the deadlock situation persisting in Albania – This means also to find a way to 'normalise' the migration situation. But the EU is the victim of incompatible and conflicting priori-

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ties. While the EU's intention is to bring Albania closer to membership in the Union, the re-construction of an 'Area of Freedom, Security and Justice' (European Council, 2004) and the multitude of EU policies to counter illegal migration effectively undermine this prospect. Though a readmission agreement has been signed and some progress is observable in the sector of Justice and Home Affairs, a relaxation of visa requirements for the general population is not yet on the cards. Provisions to block migration must to be supplemented by more support for development.²³ More opportunities should be provided for freer movement for labour.²⁴ In recent years most development agencies have cut back on their activities in Albania. It seems necessary that there should be redesignation of at least part of the funding for border enforcement and Justice and Home Affairs. The new migration strategy stresses the importance of remittances and investments by Albanian migrants. To promote such innovatory policies increased dialogue between migrants and Albanian political decision-makers should move beyond lip-service to the realm of practical implementation.

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²³ Improved economic conditions could however lead to a new 'migration hump' from Albania (Baldwin-Edwards, 2004: 10; King/Vullnetari, 2003).

²⁴ Barjaba draws attention to a frequently observed gap between existent increased demand for Albanian workers abroad and inadequate or non-existent policies of destination countries for allowing legal migration (Barjaba, 2005: 38).

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