

## Trafficking of human beings by Albanian Criminal Groups

During the last 7 years , Albanian government and Albanian society in general in close collaboration with the international partners has started a hard and systematic fight against one of the most serious phenomenon occurred in Albania and beyond after 1990,the trafficking of human beings. This phenomenon as a form of modern slavery flourish in an favourable environment. The low economic level, the lost of hopes for a better life, traditional culture in gender relation, the low level of democratic culture, the failed of building up functional institutions in the new circumstances consequences the fact that between 1994- 2001 this phenomenon got dramatic dimensions and remained almost un strike. As one of the hardest violation of the human rights, the trafficking of human being brought about the deformation of the basic value of the society, stimulated the organized crime and corruption creating a negative image for the country.

Just after the signing of the Palermo Convention on 2000, Albanian government started to organize itself to face this problem. So immediately after the signing the Convention and its protocols, on January 2001 was amended the Criminal Code providing for the first time articles regarding the human trafficking. So articles 110/a, 114/b and 128/b of Criminal Code provide offences respectively on human trafficking generally, trafficking of women and trafficking of children. A lot of other amendments on Criminal Code, Criminal Procedure Code or the approving new laws have created now a favourable legislation environment to combat more effectively this crime.

Talking about the evolution of this phenomenon in Albania I can say that it appeared in our investigation on 1993- 1994. Together with the trafficking of narcotics, the human trafficking was the most attractive criminal activity. The assessment of the criminal environment in the countries where a big number of young Albanians migrated, the

contact with criminals on those countries stimulate the trafficking of Albanian women who were in a despair position. During the years 1993, 1994, 1995 we can see trafficking process committed by individuals, which phenomenon started to organize and arriving the culmination during the 1997-2001 after the pyramid schemes collapse and speedboat trafficking across the Adriatic Sea. On this period Albania seemed to be an origin and mostly transit country. Victims coming from the north east of the Balkan were transiting through Albania by speedboats to the destination countries. Intelligent information shows the involvement of some politicians with economic interest on this speedboat trafficking. The organization of the criminal groups was based on family ties or previous criminal relationship. They were involved in whole process from recruiting to exploitation of a single victim first and when they were successful they got more women. The main form of trafficking was and remains the trafficking of young women for prostitution and children mainly for bagging but even for illegal adoption.

After the strong action of the government to strike the speedboats and after the taking some other steps, Albania after the 2002-2003 was not shown as a transit country any more. The routes moved to the north of Balkan and to the Greece. Even that we have some sporadic intelligent information for foreign victims in Albania we did not have significant cases with foreign victims. In this conclusion arrived even the report of "Mirage" operation 2003. Albania remained an origin country with a trend of internal trafficking. There are not statistics on the Albanian victims of trafficking but assumed that about 8000 Albanian women have been under exploitation the last decade. The recruiting of Albanian women appeared to happen mostly in the rural region where the situation of the women is delicate. By the study of cases investigated and prosecuted by Albanian authority result that the mechanism of trafficking used by Albanian traffickers is as follow;

- recruiting Albanian women by using deception for marriage and living somewhere out of Albania - standing somewhere waiting for

creating the conditions for living Albania, in this stage the victim can't contact the family or being under the control of the trafficker the victim say to the family she is married – the movement of the victim to the destination country where the trafficker has been formerly or where there are the collaborators, - the “preparation” of the victim by extreme violation and enslavement them- putting them on the street usually close to another victim which make the trainer of the new victim.

The main destination countries for the Albanian women are Italy, Greece, Belgium, Great Britain but we have had cases where the victims have been trafficked in Norway, Germany, France etc.

Coming to the trafficking of children I can say the most vulnerable to the trafficking were the Roma and Egyptian community children. They have been trafficked mainly to Greece and Italy for begging and sometimes for illegal adoption. The last one was seen particularly in Greece where the legislation in the field is so complicated.

What were the factors stimulating the trafficking in Albania:

- The low economic level and unemployment mainly among the women
- Social position of the women particularly in the rural regions. Gender discrimination and the patriarchal structures of the Albanian family in this regions has been seen as a specific factor for the Albanian trafficking
- Lack of warrens regarding of trafficking
- Instability of the country and the long transition, especially the 1997-1998 troubles.
- The high level of the corruption. In some cases we have seen that police were involved in facilitating the traffickers in re-trafficking. This was seen among the border police at the moment of passing the borders or at the moment of deportation of the victims.
- The hard visa regime applied by the destination countries for the Albanian. This regime has not limited the criminals go

abroad but has limited the ordinary people. In many cases we have got information of embassy officials involved in trafficking of visas and providing them to the criminal groups.

- The massive movement of population from rural region to the main cities or abroad without control.

The years 2004, 2005 were so important in the efforts to combat the organize crime and the trafficking of human beings. These efforts consist in approving many laws and creating the specialised structures to combat organized crime and trafficking.

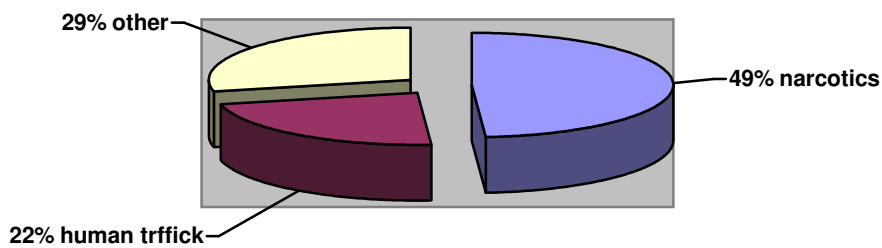
From the January 2004 the Court of Serious Crime is functioning. Establishment of structure and supported with the proper legislation showed the good results.

There were three directions of fighting the trafficking of human beings. First, success on prosecution and applying severe convictions to the traffickers, second recovering their assets, third applying protection program. For the first one we recruited the best judges, prosecutors and police officers in this structure, for the second we follow tow steps. We made amendments to Criminal Code and Criminal Procedure Code in order to strike in better way the proceeds of those crime and applying heavy fine apart the prison conviction and secondly the Parliament approved the Law 9284 date 30.9.2004 “On prevention and striking the organized crime” which aim to combat the organized crime and of course the trafficking of human being by confiscating the assets of those who are suspected for involved in organize crime or in trafficking. By this law the burden of prove that the assets are not coming from criminal activities is turning to the suspected person. According to this law if a person is suspected for an trafficking activity it is not necessarily to be suspected that hi is part of an criminal organization group. By the law “On protection of witnesses and justice collaborators” we aimed to stimulate the victims to collaborate with the justice. In 2004 also was amended the Criminal Code by implemented the concept of “structured criminal group” which was a good step having in mind that criminal groups

dealing with trafficking of human beings rarely reach the elements of an criminal organization and often rich the elements of “structured criminal group”.

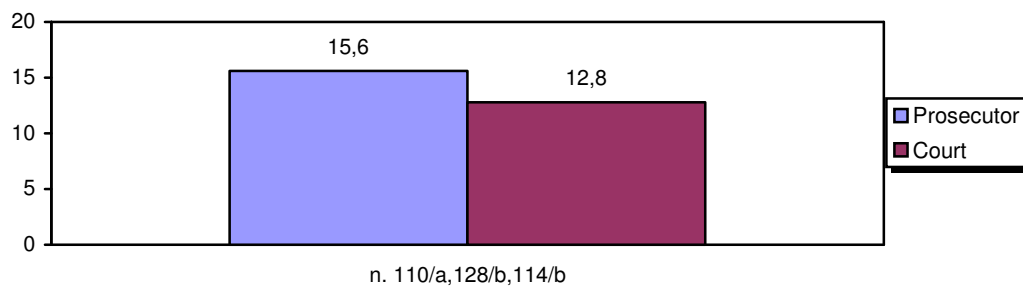
During 2004, 11 cases with 13 persons were sent in court for trafficking of human beings from the Serious Crime Prosecution Office. They consist of 11.8 % of the cases sent to the court.

**Number % of the cases sent to the cort by 2004**

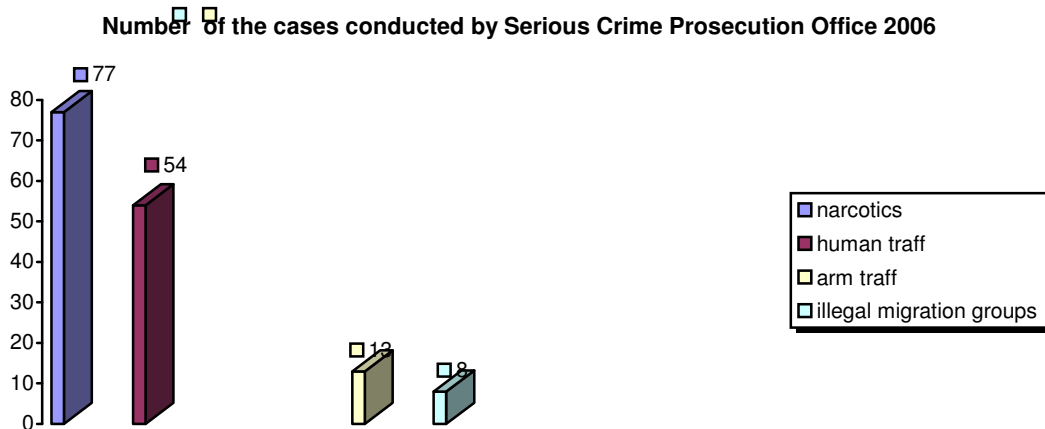


On 2005 the prosecution office conducted investigation in 69 cases During the 2005, for the trafficking of human beings had been sentenced 37 persons in 18 cases. One is sentenced with life imprisonment.

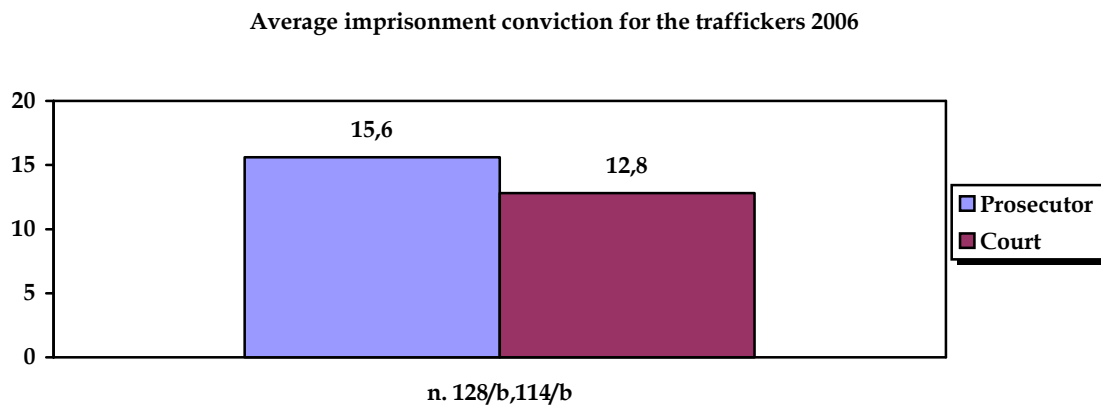
**Average imprisonment conviction for the traffickers 2005**



On 2006 the prosecution office conducted investigation in 54 cases.



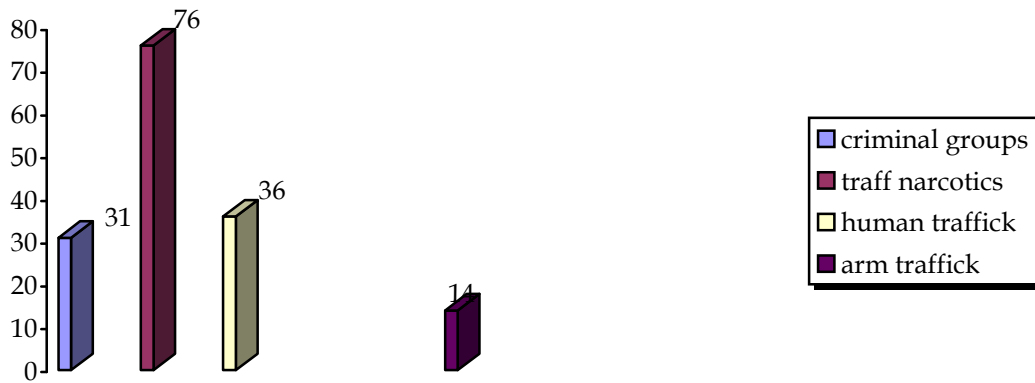
During 2006 for trafficking of human beings has been sentenced 20 persons in 16 cases. 4 of them for trafficking of children.



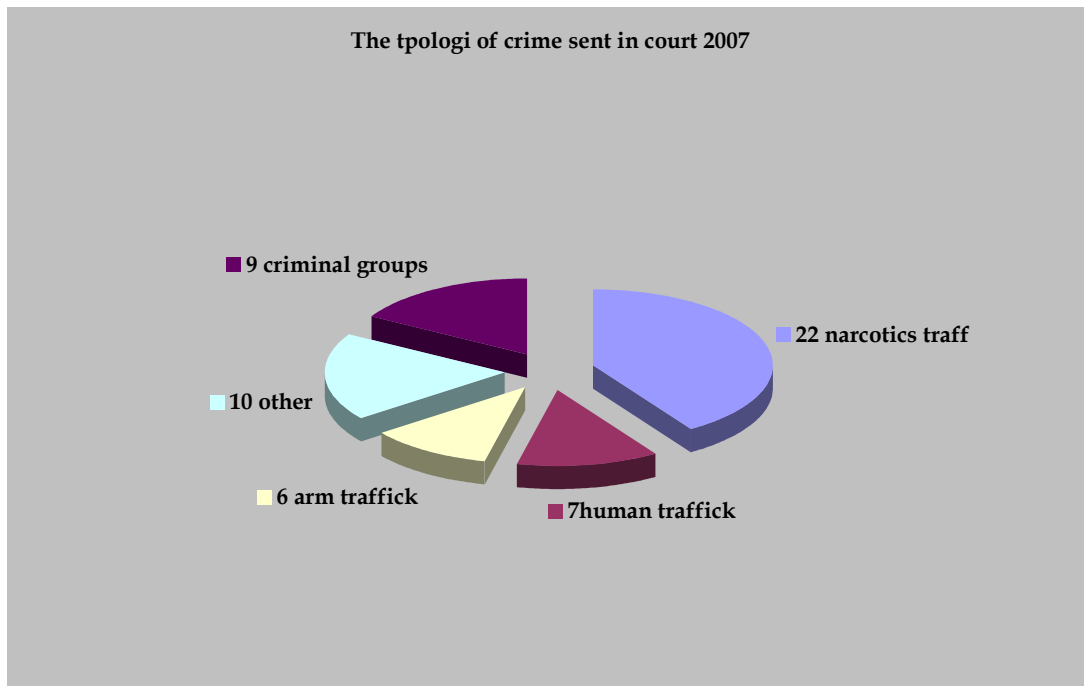
During 2006 were conducted 28 cases regarding criminal activities committed by criminal groups but no one for the trafficking of human beings. One of them was for illegal migration.

On 2007 were conducted 36 cases for trafficking of human beings. From 31 criminal groups under investigation in only one of them we are undergoing investigation for trafficking of human beings. In seven others the criminal groups are involved in illegal migration. Mainly of the groups are involved on trafficking of narcotics.

### Number of the cases investigated 2007



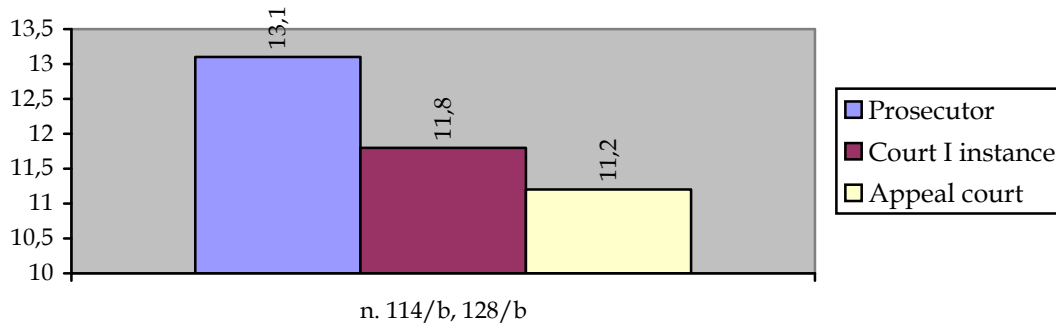
On 2007 were sent in court 11 persons in 7 cases for trafficking of human beings. The relation with the cases of narcotics or other case trafficking sent in court we may present



On 2007 were sentenced 8 persons in 7 cases. From those 2 cases were for trafficking of children.

Average conviction applied to the traffickers

### Average imprisonment conviction for the trafficking of human beings 2007



From this data we can arrive in a conclusion that the number of trafficking cases are decreasing. Albania is improving its capacity on controlling this phenomenon. This optimistic situation was caused from different factors. The first one is the opinion of the public on the serious action of the state against this crime. Heavy imprisonment conviction and assets sequestration have made general prevention. The second one is the good job made by the National Coordinator Against Trafficking of human beings in applying the national strategy against this phenomenon. The level of warrens for this phenomenon is growing day to day. The third one is the efforts of the state to have a better control of the borders.

What is shown now a day is that criminal groups are hardly involved in trafficking of narcotics and illegal migration. In the last one during the last year we prosecuted many police officers involved in this activity.

Coming to the Albanian criminal groups dealing with trafficking of human beings our knowledge regarding them comes from cases where the international cooperation is present. This due to the facts that those criminal groups are established mainly in the destination countries. In those countries they can organize the exploitation of the victims and profit the many. The contact with Albania of those groups are in two aspects. Someone was sent to recruit any victim and accidentally can be arrested and the second moment is the moment of

investment. Another reason for that is the fact that the cases coming up from proactive investigation are very rare. In very big percentages, our cases are based on reactive investigation which as you know are limited in possibilities . The capacity of the police to do proactive investigations is not in a desirable level.

Although in our investigation we can get a lot of information and intelligent regarding many aspects of trafficking and Albanian criminal groups.

As I mentioned above the trafficking started as an enterprise based on the family ties or social relations. From 1993-1994 till 1997 we can see trafficking cases where the organisation is not significant. Individuals coming from abroad after some years were trafficked victims by their own efforts. From 1997-1998 till 2002-2004 we can see the increasing of the level of organization of such groups but after 2004 it seems that they have change their orientation on the activities or they have changed the countries of recruiting victims. So we can see that apart Albanian victims they exploit for a long time they are involved in recruiting victims of other nationalities. Mostly the Albanian criminal groups are presented on the nature of core groups or devolved hierarchies and in the major number they have acted individually. Very few of them may have rich the level of a rigid hierarchy. Their characteristic is the ethnic nature organised and the brutal violence against their victims. In those groups the role of the chief is evident but the relation with the other members are not extremely disciplinary.

From our cases with the Italian authority we have seen the collaboration of the Albanian criminals with the Italian criminal groups where firstly the Albanian groups plays the role of suppliers of the sex market with the Albanian women and the Italian groups were organising the exploitation . Later on the Albanian groups took advantage creating their close circle of recruiting till exploitation of the victims. So they started to control many sex places fighting with other ethnic criminal groups or between them.

In the case against Genci Hysa, Kujtim Xhaferi, Marjeta Lika and Teuta Lika we can see the extreme violation of the traffickers against the victims since the first one killed the victim SK because she try to get contact with her family. The case is related to the murder of SK in 25.4.2002 in the city of Kiavari near Genoa in Italy. The author stabbed her and threw her in a garbage basket.

Very interesting is the case against Arjan Kane and his group regarding the organization, the modus operandi and money laundry. This group has operated in Italy at the region of Vigevano near Milan. The group was active between 1999 and 2003. By false marriage and with different names they sent many girls in Italy. Once a new victim arrived in Italy they used the previous victim to convince and to train the new victim. They invest their proceeds in Albania which are sequestrated by so called anti-mafia law.