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الدورة الثانية والستون

البند ١٣ من جدول الأعمال المؤقت

حقوق الطفل

تقرير مقدم من السيد خوان ميغيل بيتيت، المقرر الخاص المعني بمسألة بيع الأطفال
وبغاء الأطفال واستغلال الأطفال في المواد الإباحية

إضافة

بعثة المقرر الخاص إلى ألبانيا*

(٣١ تشرين الأول/أكتوبر إلى ٧ تشرين الثاني/نوفمبر ٢٠٠٥)

* يعمم موجز تقرير هذه البعثة بجميع اللغات الرسمية. أما التقرير نفسه فيرد في مرفق هذا الموجز ويعمم باللغة التي قدم بها فقط.

موجز

زار المقرر الخاص ألبانيا في الفترة من ٣١ تشرين الأول/أكتوبر إلى ٧ تشرين الثاني/نوفمبر ٢٠٠٥. وذهب إلى تيرانا، وكورسا، وإلباسان. وعقب زيارته إلى ألبانيا، ذهب في بعثة إلى اليونان في الفترة من ٨ إلى ١٥ تشرين الثاني/نوفمبر ٢٠٠٥، وذلك للتعلم في فهم العناصر عبر الوطنية لظواهر من قبيل الاتجار بالأطفال والهجرات الكثيفة للأطفال غير المصحوبين، وهي محط تركيز كلا التقريرين. واستعملت توصيات لجنة حقوق الطفل الصادرة في آذار/مارس ٢٠٠٥ مرجعاً ومقياساً لتقدير مدى التقدم والتحدي الذي تواجهه البلد لبناء نظام فعال لحماية الطفل.

وألبانيا بلد يمر بمرحلة انتقال، بكل ما تشمله هذه المرحلة من تحديات وإنجازات وعوائق.

وفي مجال الاتجار بالأطفال، سجلت ألبانيا إنجازات عديدة: فقد شكّلت الأطر التشريعية والمؤسسية وأطر السياسات العامة؛ والوعي أخذ في الازدياد في المجتمع؛ وصارت الشرطة أفضل تدريباً على التعامل مع هذه الجريمة والتحقيق فيها؛ وتحسنت مراقبة الحدود؛ وأنشئت محكمة الجرائم الخطيرة ومكتب النائب العام لشؤون الجرائم الخطيرة وزاد إنشاؤها من إمكانيات ملاحقة المجرمين؛ وأنشئ مركز وطني لاستقبال ضحايا الاتجار؛ وعينت الحكومة منسقاً رفيع المستوى لموضوع الاتجار، هو نائب وزير الداخلية؛ والمنظمات غير الحكومية، وتعتمد في تمويلها على الجهات المانحة الدولية، اكتسبت خبرة قيمة في مجال تنفيذ برامج إعادة التأهيل لضحايا الاتجار وتقديم الخدمات الاجتماعية لصالح المجتمعات المحلية.

ومع ذلك، لا تزال هناك تحديات كثيرة. فقد ذهبت الإنجازات شوطاً طويلاً في مجال مراقبة الحدود والقدرة على الملاحقة ولكنها قصرت كثيراً في مجال الوقاية وإعادة إدماج ضحايا الاتجار. ولا يزال الاتجار الداخلي والاستغلال الجنسي للأطفال قائمين إلى حد كبير دون مواجهة، وإن كانا السببين الجذريين للاتجار والاستغلال. ويلزم الكثير لبناء قدرة عناصر الدولة والعناصر المهنية الأخرى في خط المواجهة، لكي تستجيب لمسائل حماية الأطفال من منظور حقوق الطفل.

ويقدم المقرر الخاص سلسلة توصيات هدفها المساهمة في بناء وتعزيز نظام لحماية الطفل.

Annex

**REPORT SUBMITTED BY THE SPECIAL RAPPORTEUR ON
THE SALE OF CHILDREN, CHILD PROSTITUTION AND
CHILD PORNOGRAPHY, JUAN MIGUEL PETIT, ON HIS
MISSION TO ALBANIA
(31 OCTOBER TO 7 NOVEMBER 2005)**

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Introduction

1. The Special Rapporteur conducted a country mission to Albania from 31 October to 7 November 2005. The Special Rapporteur would like to thank the Government of Albania for allowing him to undertake a fruitful visit and for agreeing on it despite the recent establishment of the newly elected Government. The Special Rapporteur expresses his deep gratitude to the United Nations Children's Fund (UNICEF) for its commendable assistance in the organization of the agenda. The Special Rapporteur highly values UNICEF's involvement in all stages of the visit. He hopes that this fruitful collaboration will continue to ensure follow-up to the recommendations of this report, which is intended to be a contribution to the development and strengthening of a child protection system in Albania. The Special Rapporteur also thanks the other international organizations for their interest in the visit and the open exchange of views and information.

2. The mission visited Tirana, Korca and Elbasan. The Special Rapporteur had over 40 meetings and direct contact with over 100 people. He met representatives of the Government, the Parliament and the judiciary. In particular, he was honoured to meet with the Chairperson of the Parliament, the Deputy Prime Minister, the Minister of Foreign Affairs, the Minister of Interior, the Minister of Justice, the Minister of Labour, Social Affairs and Equal Opportunities, and the Minister of Education and Science. He met representatives of the local authorities, the police, the judiciary, prosecutors, international organizations, donors and the media. He visited shelters, schools and programmes delivering social services to children.

3. The Special Rapporteur would like to express his appreciation for the many non-governmental organizations (NGOs) he was able to meet. He would like to thank Terre des Hommes, Save the Children, and the NGO coalition All Together Against Child Trafficking (BKTF) for taking an active role in the preparation of the visit. The Special Rapporteur thanks the children and families he met during the visit for sharing their experiences, concerns and hopes with him.

4. The visit to Albania was followed by a mission to Greece from 8 to 15 November 2005. The purpose of coupling these visits was to better understand and shed light on the transnational elements of phenomena like child trafficking and migration flows of unaccompanied children, which are the main focus of both reports. In this respect, the present report is to be read in conjunction with the report on the visit to Greece (E/CN.4/2006/67/Add.3). At the same time, the Special Rapporteur wishes to stress that, as it is part of his methods of work in conducting country visits, he looked at both countries in a comprehensive manner and did not limit his analysis to the interlinkages between Albania and Greece.

I. BACKGROUND

5. Albania is a country in transition. After 40 years in isolation under the totalitarian regime of Enver Hoxha, in 1991 Albania started moving its first steps towards democracy. Albania is still a young democracy and the transition has been longer and more difficult than expected. The breakdown of a pyramid scheme in 1997 resulted in a political and economic crisis. The war in Kosovo in 1999 brought more than 500,000 Kosovars into the country. Huge migration flows in

the early 1990s changed the age structure of the population. Over a third of the 3.1 million inhabitants are under 18. Internal movements have led to largely unplanned urbanization, which contributed to environmental degradation. Migration towards Western Europe deprived the national labour market of the most educated and skilled workers. Despite the impressive economic growth during the last decade,¹ Albania continues to be one of the poorest countries in Europe with one quarter of the population living in poverty.² There are 120,000 families, 14 per cent of the population, who meet the “poverty requirements” to receive social aid from the State for an amount of US\$ 30 per month on average.

6. “It is a painful transition”, said the Chairperson of the Parliament to the Rapporteur. “We know the country is poor. There is despair. This makes it easy for traffickers”, remarked the Deputy Prime Minister. Corruption is a major problem and the consequent lack of trust in institutions is an obstacle to the development of a healthy democracy. “When dictatorship collapsed, people thought and still think that freedom is individualism”, commented a journalist met by the Special Rapporteur.

7. The goal of gaining access to the European Union (EU) is a major incentive to achieve targets that would bring Albania closer to Europe. Targets include tangible results in the fight against organized crime, trafficking of human beings being part of that. International aid contributed to many achievements in this area. Nevertheless, international pressure to show results in fighting trafficking concentrated most investments in policing and border control while more resources are needed to address the root causes of the phenomenon. Challenges remain open on many fronts. Providing answers is a collective responsibility.

8. The Special Rapporteur is encouraged by the positive attitude of the Government vis-à-vis his visit and welcomes the Government’s commitment to promote children’s rights and its indication of child trafficking and education as priorities. He was pleased to see the achievements in this area, some of which have been prompted by the concluding observations of the Committee on the Rights of the Child (CRC) adopted in March 2005.³

9. This visit is intended to be a follow-up to the process started with the examination of Albania by CRC and a contribution to the collective efforts to provide answers to the challenges that Albania is called to face to build a functioning democracy and an equitable society for its children.

II. CHILD TRAFFICKING

A. Trafficking today

10. Albania is a source country for persons trafficked for the purpose of sexual exploitation and forced labour. Since the collapse of communism in 1991, Albania has emerged as a source of trafficking. Poverty, unemployment, the low status of women in rural areas and the desire for a better life in the West created the perfect conditions to lure people abroad under false pretences. The massive uncontrolled migration flows of the early 1990s occurred in the context of a difficult and complex transition in a region ravaged by enduring conflict, which made national and international organized criminal networks flourish around trafficking.

11. Under international pressure, in 2001 the Government started addressing the problem with the steady adoption of measures to counter the phenomenon. In June 2001 an inter-ministerial working group was set up to draft the National Plan of Action (NPA). In December 2001, the Government adopted the National Strategy against Trafficking in Human Beings (decree No. 674), which incorporates the National Plan of Action. At the end of 2001, the new Department of Trafficking had been established within the Ministry of Public Order. Anti-Trafficking Units had been then established in each of the 12 Directorates of Police to work on trafficking cases.

12. Since then, much investment has been put into broad anti-trafficking initiatives and many achievements can be reported.

13. While there is a clear decline in the number of women trafficked for prostitution from other countries through Albania, which indicates that Albania is not being used as a transit country,⁴ data remain uncertain as to whether the phenomenon is actually decreasing. Staff of the International Organization for Migration working on anti-trafficking programmes reported they have no evidence of a decrease of trafficking. On the contrary, the victims they assist are increasing, to an average of 50-90 new cases of young women between ages 15 and 20 assisted every year.

14. The main destination countries have been Italy and Greece as well as other European countries, including France, the United Kingdom, Austria, Belgium, Switzerland, Germany, the Netherlands and the Balkan countries. During its peak in the late 1990s until 2002, trafficking routes were mainly through the sea. The "Vlora route" was the most used for trafficking and smuggling of human beings through medium-size speedboats that could hold up to 30-40 people. The improved control of sea routes on both the Italian and Albanian coasts and the ban on the use of speedboats have reduced trafficking by sea. This made traffickers change their routes, increasingly using land routes, through The former Yugoslav Republic of Macedonia and Greece.

B. Forms of exploitation

15. The prevailing form of exploitation of children trafficked to Greece used to be begging and washing car windows in the streets. In recent years, due to interventions of the Albanian and Greek authorities and the increased awareness of the population, trends indicate a decline in children who fall victim to trafficking.⁵ Albanian children are not visible in the streets of Greek cities any more. After 2000, forms of exploitation shifted to the sale of small items (handkerchiefs, icons, telephone cards) and flowers.

16. All interlocutors interviewed by the Special Rapporteur, from the police to NGOs, including social workers working in shelters for victims of trafficking, confirmed that many children are trafficked with some form of consent of their parents and family. "Children are seen as an asset to help the family to cope. They are like a survival mechanism", remarked a representative of the Christian Children's Fund. "Boys going abroad are seen as heroes, if they come back they become losers. For girls working in prostitution, the villagers think that at least in this way they contribute to sustain their families. But if they come back to the village, the stigma against them is just unbearable", said a representative of Save the Children.

17. The anti-trafficking police in Tirana reported a case of an Albanian woman who was approached by a network of traffickers while she was pregnant. The traffickers paid her a return ticket and a salary to go to the Greek city of Ioanina and deliver her baby in a private clinic. The woman returned to Albania without the baby, who was presumably trafficked for illegal adoption. Five traffickers were arrested and convicted in relation to this case. The Albanian police did not have any knowledge of the judicial developments of the case on the Greek side or on the whereabouts of the baby.

18. The anti-trafficking police in Korca identified and investigated the cases of four women in similar circumstances who were approached by traffickers while pregnant, went to deliver in a private clinic in Greece and left their babies there.

19. Trafficking for the purpose of sexual exploitation mainly affects girls and young women. There appears to be a growing internal prostitution market. More local women are engaged in prostitution, replacing the former trend for foreign women to be sexually exploited in Albania on their way to Western Europe.⁶ The Special Rapporteur is concerned about the lack of or limited acknowledgement of the existence of the problems of sexual exploitation and internal trafficking. All social workers interviewed by the Special Rapporteur confirmed that prostitution, including child prostitution, exists in Albania and it is probably increasing. The Harm Reduction Centre, an organization which provides assistance to drug users, reported that part of the population they assist are sex workers, including men. There are also minors in prostitution. Social workers of the Centre reach sex workers in parks but it is difficult to identify them. The work of the Centre is a qualitative indication of the existence of prostitution in Albania.

20. The director of the Vatra shelter for victims of trafficking, based in Vlora, called the attention to the problem of re-trafficking. Many of the women and girls assisted by the shelter have been re-trafficked. This is mainly due to the failure to provide adequate support to reintegration and the strong ties between the victims and their traffickers.

C. Root causes of trafficking and factors that contribute to protecting against the risk of trafficking

21. Root causes leading to trafficking relate to the social environment, the community and family situation and ultimately to individual factors. Child victims of trafficking come from families with a poor economic level, and with various social problems, including a lack of adequate housing, a high rate of unemployment, birth registration problems and lack of school attendance.

22. Most of the trafficked children have come from dysfunctional families, which results in neglect of the children by one or both parents. Early marriages are also a concern in this context. Parents who married at a very young age with big financial difficulties, a phenomenon relatively common in some communities of Albania, are less prepared and have fewer means to protect their children from the risks of abuse and exploitation.

23. Most victims of trafficking for sexual exploitation have a history of violence and abuse.
24. Many of the children victims of trafficking are from the Roma and Egyptian communities (see paragraphs 45-54 below on Roma and Egyptian children).
25. None of the factors highlighted can be identified as a direct and sufficient cause of trafficking, but when combined with other factors, it makes the families and the children weaker and contributes to the development of social, economic and psychological problems. Conversely, protective factors contribute to preventing the risk of and vulnerability to child trafficking. Different combinations of these factors make families and individuals in similar conditions more vulnerable and exposed or more protected and resistant to child trafficking. Even if living in the same economic situation and belonging to the same minority, differences can be found between families who have trafficked their children and families who have not. Factors that make families more resistant to child trafficking are: (a) a less problematic personal history of the parents and/or higher resilience; (b) more social capital and better social relationships both with the community of origin and the wider society; (c) less development of social problems and/or a higher capacity to cope with them fruitfully; (d) greater capacity to be empathetic with and to have a more adequate perception of their children; (e) greater capacity to find alternative resources to be materially and psychologically satisfied with their life; (f) higher self-esteem as adults, persons and parents; (g) higher sensitivity to the social control of the community, associated to a better integration of the family in the group.⁷

III. RELATED CONCERNS

A. Unaccompanied children

26. The wish to migrate is pervasive in many communities in Albania. After the collapse of the communist regime, Albanians left the country in large numbers. Up to 20 per cent of the population left the country over more than a decade, making Albania one of the countries with the highest emigration flows in the world. On the basis of the population census undertaken in 2001, it is presumed that approximately 710,000 Albanians - 390,000 men and 320,000 women - migrated abroad. Because of the massive and irregular character of Albanian emigration, there are no accurate official estimates about the location of Albanian emigrants.⁸ In recent years, there seems to have been a continuous decrease of emigration due to the increase of border control, the fight against the trafficking of human beings, the improvement of the social-economic conditions in Albania and the improvement of political stability and public order in the country.⁹
27. Despite the recent decrease in migration, children grow up in an environment that sees migration as the solution to economic and social difficulties. A survey of UNICEF undertaken in 2001 indicated that 44 per cent of children and youth expressed the wish to go abroad. In its initial periodic report to CRC, the Government reported that “on the basis of the incomplete statistics available with the Equal Opportunity Committee, about 4,000 children have emigrated unaccompanied by their parents (3,000 to Greece and 1,000 to Italy)”.¹⁰ CRC noted that the departure of children from Albania to neighbouring countries is a significant problem.¹¹

28. The Christian Children's Fund shared with the Special Rapporteur the findings of a recent research on migration of unaccompanied children undertaken in four districts in the north-east of the country, close to the border with Kosovo (Serbia and Montenegro) and the former Yugoslav Republic of Macedonia. The findings of the research confirmed a large tendency to migrate. Each of the roughly 250 persons interviewed during the research said that they knew of about 20 cases of children who went abroad. This gives a qualitative indication of the magnitude of the phenomenon. The population that remain in these villages are consequently mainly the elderly, women and small children. Men and adolescents are all gone. The children leaving are mainly boys between 12 and 18. Girls normally leave with some male company.

29. Ninety per cent of the people interviewed thought that unaccompanied children abroad beg, work in exploitative situations or are illegally adopted. People interviewed had the sense that most girls abroad are in prostitution. This means that most people within the community are aware of the risks of exploitation that unaccompanied children face abroad. Nevertheless, they consider that migration is a viable solution and in many cases a coping mechanism for families, which expect support from the work of their children abroad.

30. Parents of children who went abroad identified the lack of extra-curricular activities in villages as an additional reason pushing children to leave. If the community has nothing to offer, nothing keeps children in their village. In some cases, parents pay smugglers to help their children go abroad. The NGO International Civil Service reported that the average cost of smuggling a child to the EU is 3,000 euros, which children have then to pay back to smugglers through their work.

31. There is a widespread belief that if children reach the EU, especially the United Kingdom, they will be well treated and will not be deported. This belief does not correspond to reality, as many unaccompanied children are in fact deported from EU countries.

32. The Special Rapporteur is particularly concerned at the situation of unaccompanied children who are returned to Albania from Greece.

33. The border police at the Albanian border with Greece near Korca informed the Special Rapporteur that every week there are few cases of unaccompanied children deported from Greece to the border. They all entered Greece illegally by crossing the border through the mountains, often with the help of some local guide.

34. The Greek police deport unaccompanied children to the border with Albania by bus, in most cases without any kind of background documentation. The Greek police only give a list of names to the Albanian border police, who then proceed with the identification, interview and registration of each child deported. If the border police identify suspected cases of victims of trafficking, they alert the anti-trafficking police.

35. The lack of background documentation on children deported makes it more difficult for the Albanian authorities to activate the protection and assistance services that NGOs can provide. This lack of or limited collaboration from the Greek police is especially worrisome for victims of trafficking, who are returned as illegal migrants instead of being given the protection to which they are entitled.

36. In this respect, the Special Rapporteur refers to general comment No. 6 (2005) on the treatment of unaccompanied and separated children outside their country of origin, recently adopted by CRC: "Return to the country of origin shall in principle only be arranged if such return is in the best interests of the child."¹²

37. While at the border, the Special Rapporteur happened to witness the arrival of a group of young men and boys deported to the Albanian border by bus from different locations in Greece. The Special Rapporteur talked with a 14-year-old boy who entered Greece by crossing the mountains. He spent two weeks in a Greek village. One night at around 3 a.m., he was caught by the police while sleeping. He was taken to a prison. The following evening, when he met the Special Rapporteur, he was deported to the Albanian border. It was the second time he had gone to Greece.

38. The lack of infrastructure to host children when deported at the border is another concern. The organization of the trip from the border to children's hometowns, including the contact with the family, might take a few days and there is no infrastructure to host and assist children in the meantime.

B. Domestic violence and sexual abuse

39. Domestic violence is still a taboo in Albanian society. It remains underreported but is common, as are other forms of ill-treatment and abuse, including sexual abuse.¹³

40. Albanian society has a history of male domination. Gender equality is a relatively new principle and has not yet been embraced by a significant percentage of the population.

41. Gender roles within the family typically see abusive husbands as dominant in decision-making, while women are expected to tend the house, mind the children and obey their husbands.¹⁴

42. Some male partners prohibit women from going to work. The Special Rapporteur was reported an emblematic case of a young girl assisted by an NGO in Korca. She had recently had a baby daughter but not the financial means to take care of her. The NGO is helping the woman to try to maintain a link with the baby and prevent her abandonment. The woman used to work in a factory but the boyfriend, currently residing in the United States, ordered her through some friends of his to stop working. The community has not expressed any kind of solidarity vis-à-vis the woman, on the contrary, it is believed that her role is to obey her partner's orders, even if this means depriving her of the means to sustain herself and her daughter.

43. There is a gap in the legislation to report domestic violence. At present, a child needs parental consent to file a complaint. This is obviously a big obstacle in reporting cases of abuse against parents.

44. There are only two shelters for ill-treated women. This is not enough in a society strongly imbued with a culture of domination and gender inequality and where different forms of physical and psychological violence are widespread and largely accepted.¹⁵

C. The Roma and Egyptian communities and their children

45. Roma and *Evjit* (Egyptian) people have been living in Albania for over 600 years.
46. Roma and Egyptian communities are discriminated against in all spheres of life and the accumulation of disadvantages results in multiple forms of exclusion and marginalization.
47. The high unemployment rate affects the Roma disproportionately. While the national unemployment rate is estimated at 18 per cent, among the Roma it can be up to 90 per cent.¹⁶ Health, access to education and housing conditions have steadily deteriorated. The enjoyment of economic, social and cultural rights is affected by stigmatization and discrimination suffered by Roma. “As soon as they see our colour, it is clear that we have to pay get services”, said a group of Roma reporting cases of corruption in the health and education sectors. Even corruption impacts more severely on Roma.
48. Roma and Egyptian families are often large. This implies more difficulties to maintain decent living standards and results in a higher incidence of social problems, such as domestic violence, battering of children and women, divorce, alcohol abuse, teenage pregnancies, inability to manage family resources.
49. Early marriages, which are quite common in these communities, further weaken the cohesion of families, in addition to resulting in health problems for the girls.
50. Lack of birth registration is another problem affecting these communities as well as other marginalized and disadvantaged communities. Lack of registration is an obstacle to attending school and makes children more vulnerable to trafficking. It has to be noted that if parents fail to register their children through the standard administrative procedure within 45 days after birth, registration can only take place through a judicial procedure, which is less accessible and more costly. The court proceedings are bureaucratic and slow. Claimants have to pay a fine, an additional burden for people in economic difficulties.
51. A high percentage of Roma children are illiterate.¹⁷ In addition to poverty, other factors influencing this situation are the linguistic difficulties, the long distance from school and a deeply rooted mentality that does not value education.
52. Members from these families easily fall victim of criminal individuals and groups, who exploit Roma in various forms, including trafficking. Trafficking for sexual exploitation is the prevailing form of trafficking affecting the Roma communities.¹⁸
53. Child trafficking hits more severely the Roma and Egyptian communities. Persistent patterns of discrimination and exclusion is coupled with the existence of rooted stereotypes and the denial of the rights of minorities are factors, external to these communities, which contribute to make these communities and its members more vulnerable to trafficking.

54. The NGO *Amaro Drom*, the Albanian Roma Union, works on the empowerment and integration of Roma in the Albanian society through initiatives of community development that include, in a non-exhaustive list, vocational training, income-generating activities, training of young Roma leaders and registration of children at school.¹⁹

D. Child labour

55. The transformation to a market economy in Albania generated a large shadow economy in which child labour is largely used. According to the Albanian Institute of Statistics, 32 per cent of children between the ages 6 and 17 in the country work.

56. The most visible form of child labour is street work. Children working in the streets are mainly boys employed in small trade and services, transport and street construction. Girls are used for begging and washing cars.

57. A large number of children are employed in the formal sector but work in hazardous occupations under dangerous conditions in the sectors of construction, mining, and shoe and clothing factories. They are employed as permanent workers, seasonal or daily workers.

58. Child labour in agriculture has always been widespread. Children in rural areas, in particular girls, tend to begin work young, at 5 to 7 years of age. The use of child labour in family farms is considered part of the "family solidarity", even when children are exposed to pesticides and perform dangerous work for an excessive number of hours.²⁰

E. The media

59. Despite an increased attention of the media to child protection, the Special Rapporteur is concerned about the numerous negative examples reported to him on the way media portray children. Journalists report on children seeking sensationalism often without respecting their right to privacy. Most worrisome is the way the media report on trafficking of human beings. It often happens that the media disclose or make recognizable the identity of victims of trafficking by revealing details that allow their identification by traffickers. "Media working in that way are useful to traffickers", protested NGOs.

60. A code of conduct on media reporting exists, but it is not really implemented nor referred to by professionals in the sector. Similarly, there are no rewards or incentive for ethical reporting.

F. Corruption

61. Corruption is widespread in all spheres of public administration. Paying to get services, especially in the health sector, is a common practice experienced by the majority of the population. Every day, corruption impacts more heavily on the disadvantaged groups, those who already experience poverty, marginalization and discrimination. Corruption reinforces their exclusion.

62. The Special Rapporteur welcomes the stand of the present Government to fight corruption at all levels. He hopes that the battle against corruption will be a common effort involving all sectors of society and all parties in the political arena and will not be used as a political weapon monopolized by some against others.

IV. RESPONSES

A. Legal framework

63. Albania has ratified the main international instruments on human rights. As for international instruments more closely related to the protection of children's rights and the fight against trafficking, Albania has not ratified the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography or the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

64. The Albanian Constitution, adopted in 1998, is the highest law in the country. According to article 54 of the Constitution, children are entitled to special protection. Ratified international instruments have superiority upon national law.

65. Albania signed a number of bilateral agreements with Belgium, Germany, Greece, Hungary, Italy, Romania and Switzerland for cooperation between police and for readmission of Albanian citizens residing abroad illegally.

66. At the time of the visit, the Government was considering the draft text of a bilateral agreement with Greece on the return of unaccompanied minors. The Special Rapporteur recommends its prompt signature and implementation.

67. The crime of trafficking in human beings was introduced in the Criminal Code in 2001. Article 128 (b) of the Criminal Code punishes the crime of trafficking in human beings with a penalty of up to 15 years of prison.

68. Prostitution is a crime in Albania. The Criminal Code prohibits soliciting prostitution, mediating acts of prostitution and gaining from prostitution. Prostitutes can be sentenced up to three years of imprisonment. The practice is not to prosecute minors but, legally, they can be prosecuted. It has to be noted that in most cases adult prostitutes started prostituting themselves before 18. If they are not prosecuted when they are under 18, they can be sentenced soon after they reach adult age.

69. The legal framework lacks a definition of the crimes of sale of children and child pornography.

B. Law enforcement

70. In 2001, the anti-trafficking police was established. The anti-trafficking police is part of the Directorate of Organized Crime and Witness Protection and has representation in 12 regions

of the country. In 2001, the anti-trafficking police referred over 100 cases of trafficking to the Prosecutor's Office. This number decreased to some 90 cases in 2004. At the time of the visit, cases referred to the Prosecutor's Office were 27 for 2005.

71. In 2004, the Court of Serious Crimes was established. It is the competent court for cases of trafficking in human beings as well as another 39 crimes. Since it has been operational, the Court issued 39 sentences of conviction on trafficking, of which 5 concerned child trafficking; 166 persons were convicted for the crime of trafficking. This is more than what the judiciary in the whole country did in five years. The high rate of convictions gives credibility to this new institution and people seem to trust this court, as well as the Prosecutor's Office for serious crimes, the specialized branch of the Prosecutor's Office competent for investigating cases of trafficking. Despite the disadvantage of being just one Court and one Prosecutor's Office for serious crimes for the whole country, these institutions seem to be more efficient and credible in prosecuting traffickers.

72. Both the judge and the prosecutor met by the Special Rapporteur reported positive experiences of collaboration with other countries in exchange of information, especially with Italy. "It is easier to collaborate between specialized courts", said the judge of the Court of Serious Crimes. The Special Rapporteur was pleased to see that the judges and prosecutors working in the Court and Prosecutor's Office for Serious Crimes are conversant with international standards and principles on children's rights. "Before 2002, law practitioners were not so familiar with the legal notion of trafficking", said a judge. This also explains the major increase of prosecutions and convictions of traffickers in the last few years.

73. Both the judge and prosecutor met by the Special Rapporteur signalled three areas that needed improvement: (a) protective measures for victims beyond the duration of the judicial proceeding; (b) witness protection; and (c) compensation for victims.

74. During the judicial proceeding, judges can order protective measures for victims of trafficking, such as psychological assistance. Nevertheless, judges cannot order such protective measures to assist victims once the judicial procedure is closed. This is a gap of the current system. If judges cannot order measures of assistance, nobody has legal obligation vis-à-vis victims.

75. In 2003, a law on witness protection was adopted. Since the law has been in force, the anti-trafficking police have protected six witnesses. The limited capacity to ensure protection of witnesses has severe consequences on the will of victims to denounce traffickers. "We do not encourage any more victims of trafficking to testify", said social workers employed in shelters for victims of trafficking, "Victims who testify put their life in danger and endanger the security of the shelter and the other girls living there."

76. The Special Rapporteur was reassured to learn about the efforts under way towards the implementation of the law on witness protection. By-laws have been adopted and there are budget allocations for the costs involved in witness protection. Bilateral agreements are also needed because witnesses have to be relocated to other countries to ensure their safety.

77. In principle, victims of trafficking can ask compensation for moral damages. In practice, nobody does, as the legal framework is not adequate. A specific law should establish clear procedures and rules.

C. Institutions and policies

78. The Special Rapporteur welcomes the fact that the present Government has adopted education and the fight against child trafficking as priorities.

79. The National Strategy on Children 2001-2005 was the policy framework for child protection in Albania. The report on the implementation of the strategy constituted the Government's report submitted to CRC. The Special Rapporteur welcomes the fact that the new National Strategy on Children 2006-2010 was designed on the basis of the recommendations of CRC.

80. The Child Rights Unit is placed under the Minister of Labour and Social Affairs (MOLSA) and has 12 regional focal points. The Child Rights Unit is responsible for monitoring the implementation of the strategy on children. The Special Rapporteur was pleased to learn that a child specialist has been appointed in the Policy Department of MOLSA. This demonstrates the Government's commitment to ensure that child protection issues are integrated in the reform of the social services.

81. The Special Rapporteur recommends institutionalizing this position, now externally funded. The Special Rapporteur is concerned that, at the time of his visit, there were no budget allocations for the implementation of the strategy. He hopes that the necessary budget allocations will be made available.

82. The Albanian Committee on the Rights of the Child is an inter-ministerial body composed of representatives of eight ministries. The Committee is a multidisciplinary advisory body that coordinates government policies and actions on children. The Committee designed the strategy on children.

83. The National Strategy against Child Trafficking and the accompanying Action Plan 2004-2010 were approved in March 2005.

84. The Inter-Ministerial Committee on Anti-Trafficking is in charge of the implementation of the strategy on trafficking. The Coordinator of the Committee is the Deputy Minister of Interior, whom the Special Rapporteur met only two weeks after he took office. The Coordinator cited prevention, institutional coordination and awareness-raising as her priorities. The signature of the bilateral agreement with Greece on the return of unaccompanied minors and the improvement of statistical information on trafficking were indicated as short-term objectives.

85. The National Steering Committee on Child Labour has been in place since November 2001. It is chaired by the MOLSA and is composed by representatives of the Ministries of Labour, Education, Justice and Interior, the President's Office, employers' and workers' organizations and NGOs. It is an advisory body that provides policy guidance to the Government on child labour.

A Child Labour Unit within MOLSA acts as national focal point for child labour. Child Labour Committees at the local level have recently been established in some districts.

86. The Special Rapporteur was positively impressed by the commitment expressed by the Chairperson of the Parliament to protect and promote children's rights. The Chairperson considered that the Parliament can be more visible in the media on issues related to child protection. This could be done in collaboration with organizations active in this area. The Parliament can also play a monitoring role in relation with the National Strategy on Children by asking the Government to regularly report to the Parliament on the status of implementation of the strategy. The Special Rapporteur wishes that the wealth of ideas emerged at the meeting with the Chairperson of the Parliament will be implemented. The Parliament is the highest institutional expression of democracy. Its active role in child protection will raise the profile of national efforts in this area.

87. The social system has traditionally been centralized. The current policy is to decentralize social services to municipalities, which will then manage the budget and outsource the delivery of services to NGOs. Social inspectors will monitor standards of care. The decisions to decentralize and to outsource the delivery of social services to NGOs are welcome. NGOs have a flexibility that the public administration, with its rules and procedures, does not have. This is an asset to work more efficiently in the area of social services. Nevertheless, the shift to a decentralized system will pose challenges that should be carefully assessed. Capacity-building is necessary to ensure that social inspectors will have the means to monitor standards of care and to ensure that local authorities have the knowledge and skills to carry out their new responsibilities, including needs assessment, community planning, management and coordination of services. Attention will have to be paid to avoid the risk of corruption at the local level once the municipalities administer budgets they did not used to have.

88. The Albanian Ombudsman office was established in 2000. It has a subsection on child rights. Following the recommendation of the Committee on the Rights of the Child²¹ as of May 2005 the Ombudsman can receive complaints. Children can submit a complaint without parental consent. So far, the complaint procedure has not been used very much. The institution and the complaint procedure are still very new and not well known. The Ombudsman's office recently made a video on the institution to raise awareness of its existence and the use of this mechanism.

89. In Elbasan, an interesting experience of institutional coordination at the local level is under way. Institutions and NGOs, including the police and social services, formed the Anti-Trafficking Coordination Group to coordinate activities on trafficking and related issues. The group meets every other month and works on a case-by-case basis. Cases are presented to the group, which tries to find a solution on the basis of the respective institutional competencies.

90. The municipality of Kukes has a Child Protection Unit. It has two dedicated social workers who provide outreach and intake psychosocial services with children and families at risk. The unit maintains a database on case files and coordinates referral and response. The unit has a small multidisciplinary team and chairs a multisectoral group of stakeholders to review, assess and refer

individual cases. The experience of the Child Protection Unit in Kukes can serve as a model of child protection at the local level which can be replicated throughout the country.

D. Programmes

91. Since 2001, several experiences in counter-trafficking have been developed. Most of them are implemented by civil society with a strong presence of international organizations and aid. The experience gained in responding to child trafficking is considerable in Albania. Lessons learned and good practices have been collected.²² They represent a valuable capital for all actors operating in this field. Nevertheless, a lot remains to be done.

92. This section of the report is not meant to be a comprehensive overview of the existing programmes nor an in-depth analysis but rather an illustration of some experiences to highlight achievements and constraints.

1. Shelters and rehabilitation programmes for victims of trafficking

93. The Vatra shelter for victims of trafficking in Vlora was the first shelter in the country. Since its opening in 2001, the shelter has assisted 1,176 young women and girl victims of trafficking. Thirty per cent were girls between ages 13 and 18. Eighty per cent of the victims of trafficking returned to Albania pass through this shelter; 80 per cent of the victims are referred to the shelter by the police, 10 per cent through the network of NGOs. The remaining 10 per cent of victims seek the assistance of the shelter at their own initiative.

94. The referral mechanism does not work as it should. Many victims of trafficking are returned to Albania as irregular migrants. Countries of destination refrain from identifying victims of trafficking to avoid their obligations towards them. Countries of destination tend to deport quickly by labelling everybody as an irregular migrant. On the Albanian side, the identification of victims of trafficking in Albania worsens national statistics on counter-trafficking, as it makes figures on the dimensions of trafficking grow, at a moment when the country is under the spotlight of international scrutiny for its efforts to fight organized crime. This makes countries of origin reluctant to identify persons deported as irregular migrants as victims of trafficking, even if they actually are victims of trafficking.

95. In many cases, the identification of victims of trafficking takes place because of the work of social workers from the shelter who are called by the police to be present at the border and to meet and interview people deported back to Albania as irregular migrants.

96. The reintegration programme provided to victims of trafficking by the existing shelters is in steps stretched over a period of one to two years. The shelter managed by the NGO Different and Equal has a four-stage programme: identification of needs; a reintegration plan (e.g. attending school, vocational training); search for a job through the job coordinator; and “half-way homes”, when girls and women live in apartments on their own rented by the NGO.

97. Despite the achievements of shelters and reintegration programmes in providing care to victims of trafficking, several constraints undermine their effectiveness.

98. All experts agreed that the most difficult part of the programme is reintegration in society. The major risk is re-trafficking. Save the Children realized that 40 per cent of the girls assisted through the rehabilitation programme went back to prostitution within the first three months after having left the programme. If the families of victims do not accept them back in their homes, the possibility of a successful reintegration drops drastically. The lack of an institutionalized system of foster-care families, which could be an alternative to the family, adds to the difficulties in reintegrating victims of trafficking. In the case of children, reintegration in schools is a problem as the school system does not allow attendance of school at an older age.

99. In a context of chronic unemployment, vocational training provided by rehabilitation programmes is often not enough to find a job. Deprived of family support and stigmatized by society, with unstable and limited sources of income that are often not even enough to pay the rent of a shared apartment, it is hard for these girls and young women, heavily traumatized by the violence and exploitation suffered, to start a new life.

100. More support is needed for victims of trafficking. The State should accord them a special status with entitlements associated to it in a number of areas, such as education, legal assistance, health care, as well as facilitated procedures related to documentation (passport, residence permit, etc.). Assistance should also be provided to find sustainable solutions for victims of trafficking. For instance, the State could pay part of the rent of the apartments where girls and young women start living after having left the shelter.

101. Reintegration is a long process, which goes beyond the duration of the rehabilitation programme. Monitoring and some form of assistance are needed for a few years. This is not only a responsibility of NGOs working in this area, it is primarily a responsibility of the State, which has obligations towards victims of trafficking.

102. Another problem is the lack of specialized staff to deal with child victims of trafficking. At present, shelters have a mixed population of adolescents and young women.

103. The Special Rapporteur visited the national reception centre for victims of trafficking. The reception centre is a secure place hosting three different groups: irregular foreign migrants awaiting deportation; children at risk of being trafficked; and women and girl victims of trafficking. Although the three groups are separated, the situation of children at risk separated from adult migrants by just one floor within the same building is a concern. As it was not designed for this purpose, the centre does not seem to be technically resourced, either in terms of expertise and facilities, to deal with children at risk.

2. Focus on prevention: social work in the communities

104. Child trafficking is not an isolated social phenomenon. It is an expression and an alarming symptom of unsolved socio-economic problems. Contributing factors and root causes

include poverty, families without opportunities for development, communities lacking social services, stigmatized minorities, persistent discriminatory practices against women and an educational system inadequate for today's challenges. Addressing these problems is fundamental to counter-trafficking. Addressing these problems means working on prevention.

105. During the visit, the Special Rapporteur could see a number of experiences in the areas of prevention and community work.

106. Children being trafficked or at risk of being trafficked are mainly school dropouts. Preventing school dropout reduces the risk of being trafficked. In Korca, the NGO *Ndihmë Për Fëmijët* (NPF), Help for Children, provides extra-school assistance to children in difficulty, many of whom are from the Roma communities. One of the achievements of the project, operational since 1998, is the decrease in number of dropouts, including among communities where early marriages are common and which normally result in girls leaving school before having completed the nine years of compulsory school.²³

107. The community centre run by Children of the World Albania close to the Roma settlement in Kino Studio, a poor neighbourhood of Tirana, provides social services to the community ranging from psychological support to activities for the families, assistance in the registration of children, home visits, extra-school support assistance, etc. Social workers of the centre regularly visit the settlement and are aware of the family situations of the whole neighbourhood. They managed to gain the trust of the community and the children, who acknowledge the value of their support.

108. The Harm Reduction Centre provides assistance to drug users in Tirana. Social workers of the centre work in the streets to establish and maintain contact with drug users. Part of their target population is in prostitution. This was the only experience presented to the Special Rapporteur of social work reaching out to women, men and children in prostitution. The fact that prostitution is illegal probably prevents social work explicitly aimed at providing assistance to people in prostitution, including rehabilitation programmes for children sexually exploited within the country. If sexual exploitation takes place abroad in the form of trafficking, victims can benefit from rehabilitation programmes, while children sexually exploited in Albania do not receive any kind of assistance. For the Albanian law, they commit a crime, even if they are not de facto prosecuted for it.

V. CONCLUSIONS

109. Albanian society has to assume that its most precious goods are its children. They must be protected and provided with the material, affective and educational conditions to allow their development. This is the future of the country. Nowadays, several factors endanger the development of children's potentialities. The Government and society at large are called to make firm and consistent efforts to ensure that children can live as children and not to serve adults' interests.

110. In the area of child trafficking, Albania has several achievements to report: the legislative, institutional and policy frameworks are in place; there is more awareness in society;

the police is better trained to deal with and investigate this crime; border control has improved; the establishment of the Court of Serious Crimes and the Prosecutor's Office for serious crimes has increased the prosecution capacity; and NGOs have gained valuable expertise in delivering rehabilitation programmes for victims of trafficking and in providing social services to communities.

111. Nevertheless, challenges remain open in several areas. Achievements are mainly in the areas of prosecution and border control and far less in addressing the root causes of trafficking. If, on the one hand, international pressure and aid to fight trafficking contributed to a large extent to achievements in this area, on the other hand prioritizing anti-trafficking initiatives, especially those that can yield quick and tangible results together with those more closely associated with migration control, have distracted from looking at underlying variables linked to trafficking, including socio-economic exclusion, previous incidents of violence and abuse and other root causes, which the establishment of protection mechanisms would help to address.

112. The tendency to migrate remains large and particularly widespread among young people and adolescents. The phenomenon of unaccompanied children and the risks of exploitation associated to it are a concern. In particular, the collaboration between Greece and Albania in this area needs improvement. Despite the efforts under way, stigmatization of Albanians in the Greek population was reported as persisting.

113. Prostitution within the country exists and seems to be increasing, including child sexual exploitation. While the country progressed a lot in equipping itself with the means to fight transnational trafficking, there is resistance to acknowledging the existence of the problem of sexual exploitation within Albania. The illegality of prostitution makes prostitutes, especially adolescents, more exposed to exploitation and abuse.

114. The Special Rapporteur was pleased to register many examples of how the recommendations of the Committee on the Rights of the Child are being taken into account. He welcomes the indication of education and fight against trafficking as priorities of this Government. He recommends broadening these priorities to the construction of a functioning child protection system as an overarching goal.

115. The experience gained in anti-trafficking programmes is advanced in Albania. NGOs and international organizations have been working on anti-trafficking programmes since the late 1990s. One important lesson learned in this area is to give priority to prevention by addressing the root causes of the phenomenon in a holistic manner. The most critical part of rehabilitation programmes is long-term reintegration.

VI. RECOMMENDATIONS

116. The Special Rapporteur believes that the construction of a functioning child protection system should be a priority for the country, the overarching objective

of policies and programmes touching upon children. The foundations of the institutional and policy framework are there. To this end, the Special Rapporteur recommends:

(a) To give priority to the implementation of the national strategy on children and the one on combating child trafficking, ensure the harmonization between them and other strategies related to children. Adequate resources are to be allocated to that end and a monitoring system established. Implementation of the recommendations of the CRC should continue. Monitoring and accountability mechanisms should be established;

(b) To ensure that children's rights are protected through an adequate national institutional set up (a functioning and high-profile Committee on Children's Rights within the Government, with focal points in regions) focusing on identification, assessment and referral of children at risk and their families to appropriate support services;

(c) Institutional experiences at the local level, such as the Child Protection Unit in the municipality of Kukes, the coordination group in Elbasan and the Child Labour Committees at the district level, should be strengthened and replicated when appropriate.

117. Social programmes for communities are clearly missing in Albania. The implementation of social policies that serve as a protection net for children should be a priority. All political sectors should work around this goal adopting a multisectoral approach and Parliament is the appropriate setting to initiate discussions and identify objectives. Programmes in the area of education, prevention of violence, support to families as well as vocational training and leisure activities should be a priority to prevent marginalization and exclusion of thousands of children. This is particularly crucial for youth and young women. The establishment of youth centres where these programmes could be offered is recommended.

118. The Special Rapporteur further recommends creating the profession of specialized social workers with a specific expertise to work in prevention and protection programmes for children and communities at risk as well as in the reintegration of child victims. The European Union could provide aid and expertise in this area.

119. On the legislation, the Special Rapporteur recommends that Albania:

(a) Ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;

(b) Consider the possibility of decriminalizing prostitution as a crime for which prostitutes can be sentenced;

(c) Define the crimes of the sale of children and child pornography;

(d) Allow children to file complaints on abuse without parental consent;

(e) Adopt a law on clear and accessible procedures enabling victims of trafficking to get compensation;

(f) Improve processes related to legal guardianship when families are involved in trafficking their children.

120. In the area of investigation and prosecution of the crime of trafficking, the position of victims/witnesses is particularly vulnerable. The Special Rapporteur recommends that Albania:

(a) Take measures to ensure that the law on witness protection is implemented and witnesses are adequately protected;

(b) Enable judges to order measures of assistance for victims of trafficking beyond the duration of the judicial proceeding;

(c) Ensure that child specific protocols are incorporated into such measures, with the guiding principle of the best interests of the child.

121. On unaccompanied children, the Special Rapporteur recommends that Albania:

(a) Sign and implement the bilateral agreement with Greece on the return on unaccompanied minors;

(b) Take measures in line with the general comment on the treatment of unaccompanied and separated children outside their country of origin recently adopted by the Committee on the Rights of the Child²⁴ and ensure that the best interests of the child are the primary consideration in the search for short and long-term solutions;

(c) Set up facilities to host unaccompanied children returned to the border and awaiting to be re-accompanied to their home towns and ensure personnel have appropriate knowledge and skills to work with children;

(d) Consider setting up a bilateral Commission on Children, composed of representatives of Greek and Albanian authorities as well as NGOs, to handle in a cooperative manner issues related to unaccompanied children and child victims of trafficking. The Commission could also be the institutional framework to deal with the case of the Albanian children who went missing from the institution Aghia Varvara in Greece (see report on Greece, E/CN.4/2006/67/Add.3).

122. The Special Rapporteur encourages the Government to continue strengthening collaboration with other countries, especially with Greece, on matters related to migration and trafficking in human beings, in particular at the police level.

123. The Special Rapporteur recommends researching the phenomenon of child sexual exploitation in Albania and taking measures to address it, including measures to avoid the development of a black market in child prostitution.

124. On domestic violence and abuse, the Special Rapporteur recommends that Albania:

(a) Train the police on how to best assist victims of domestic violence when reporting cases of abuse and to consider setting up ad hoc premises in police stations with specialized personnel, with a view to creating a more friendly environment for victims to help them overcoming fear and reluctance to report cases of abuse;

(b) Establish procedures and protocols so that key professionals in contact with children, e.g. teachers, health practitioners and social workers, know how to identify, report and refer cases of suspected abuse and a follow-up procedure is in place. The psychologists recently introduced in schools can play a role in this respect.

125. The substantial number of children not registered at the civil registry is a concern. Unregistered children are deprived of their most basic rights and exposed to higher risks of exploitation and abuse. The Special Rapporteur urges the Government to adopt measures to facilitate procedures for birth registration.

126. Regarding anti-trafficking programmes, the Special Rapporteur recommends that Albania:

(a) Focus on prevention in communities with social programmes targeted at children at risk and their families, including the establishment and strengthening of community-based services;

(b) For children who cannot stay with their families, develop community-based alternatives to residential care, including a foster care system;

(c) Invest more in longer-term reintegration efforts and monitor their impact;

(d) Remedy the current lack of social workers with specific expertise in dealing with child victims of trafficking, violence, exploitation, abuse and neglect. Capacity-building in this area is needed as are protocols and standards of care;

(e) Respond to child trafficking as a broader child-protection issue and ensure that appropriate institutional mechanisms are in place to identify, assess and refer children at risk of or affected by trafficking to appropriate support services.

127. Regarding education the Special Rapporteur recommends that Albania:

(a) Undertake campaigns on children's rights and the fundamental role of education. The revised Plan of Action for the first phase (2005-2007) of the World Programme for Human Rights Education can be used as a reference;²⁵

(b) Reinforce the role of primary schools as a keystone to fight against trafficking and other risks of child exploitation. Teachers should receive an adequate salary and training to better respond to the needs of children and their families. They should work in cooperation with social workers, psychologists and other professionals;

(c) Introduce life-skills development in school curricula. Specific attention should be given to the importance of family relations and the role of schools as the first instances of integration of a child with the external world;

(d) Ensure access to pre-school education for all children.

128. Social programmes are mostly implemented by civil society with international aid. It is time for the State to take up responsibilities in social matters, capitalizing on the experiences of NGOs and supporting their activities and programmes. The Special Rapporteur recommends strengthening the role of local social services in: proactively identifying and referring children at risk; monitoring standards of care; assessing the situation and developing community child and family protection plans; and serving as focal point for coordinated referral and response.

129. The Special Rapporteur encourages the Government to address the problem of corruption at all levels. The envisaged decentralization of social services will give prominence to the municipalities. New risks of corruption might arise. The Special Rapporteur recommends being vigilant over the risks of corruption at the local level once the municipalities will administer budgets they were not used to have.

130. The Special Rapporteur recommends adopting measures to promote media reporting on children in a way that is not only fully respectful of their rights but also instrumental for the protection and promotion of children's rights. Codes of conduct, incentives for ethical reporting and other initiatives can be implemented.

131. The Special Rapporteur welcomes the commitment expressed by the Chairperson of the Parliament on child protection and encourages Parliament to play an active and visible role to promote and protect children's rights.

132. The Government is encouraged to seek the assistance of the United Nations country team (UNCT) and other international organizations in implementing the recommendations of this report. In particular, the UNCT can provide assistance in monitoring the implementation of the national strategies on children and in combating child trafficking; in institutional and capacity-building initiatives, including in assessing and drawing lessons from experiences of coordination and institutional set ups on children operating at the local level; in providing guidelines and tools to set up procedures and protocols to identify and report cases of child abuse; in carrying out evaluations of rehabilitation programmes for victims of trafficking; in setting up a system to monitor standards of care provided by social services; in visibility initiatives on child protection in partnership with the Parliament. The Office of the High Commissioner for Human Rights can be requested to provide assistance in the national implementation of the Plan of Action of the World Programme for Human Rights Education.

Notes

- ¹ From a very low gross domestic product (GDP) of about 700 United States dollars per capita in 1992, in 2004 it was estimated at about 1,740 United States dollars. United Nations Albania, *Common country assessment*, 2004, p. 9.
- ² United Nations Albania, op. cit., p. 15.
- ³ CRC/C/15/Add.249.
- ⁴ In February 2004 the South-East European Cooperation Initiative (SECI) officially considered that Albania ceased to be a country of transit. Amici dei Bambini, *Prevention and fight against child trafficking in Albania in the form of illegal and commercial adoption*, Tirana, July 2005, p. 7.
- ⁵ Terre des Hommes, *Trafficking of Albanian children in Greece*, January 2003, p. 11.
- ⁶ UNICEF, OHCHR, OSCE, *Trafficking in human beings in South-Eastern Europe*, March 2005, p. 101.
- ⁷ Draft study on child trafficking among the Albanian Jevq and Roma, expected to be published in 2006, pp. 3-4.
- ⁸ *National strategy on migration*, A project of the Albanian Government managed in cooperation with the International Organization for Migration (IOM), 2005 (www.migrantinfo.gov.al/NSM_ENG/web-content/PAGES/index.html).
- ⁹ *National strategy on migration*, op. cit.
- ¹⁰ CRC/C/11/Add.27, para. 269.
- ¹¹ CRC/C/15/Add.249, para. 66.
- ¹² CRC/GC/2005/6, para. 84.
- ¹³ See also CRC/C/15/Add.249, para. 48.
- ¹⁴ UNICEF, *Domestic violence against women in Albania*, p. 7.
- ¹⁵ Tamo A., Karaj T., *Violence against children in Albania*, Tirana, July 2005.
- ¹⁶ Amaro Drom, *Innocent smiles, Trafficking in persons report in the Albanian Roma community*, Tirana, June 2005, p. 4.
- ¹⁷ Sixty-four per cent of Roma between 7 and 20 and 40 per cent of Roma between 20 and 40 are illiterate. Source: Ibidem.
- ¹⁸ Amaro Drom, op. cit., p. 8.

¹⁹ Amaro Drom, *Community development*, Tirana, 2005.

²⁰ ILO IPEC, *Albania country profile*.

²¹ CRC/C/15/Add.249, para. 14.

²² Terre des Hommes, *Child trafficking in South-Eastern Europe: the development of good practices to protect Albanian children*, November 2004 and Save the Children, *Responding to child trafficking*, Tirana, May 2004.

²³ For more information on the programme, see Terre des Hommes, *Child trafficking ...*, op. cit., pp. 24-33.

²⁴ CRC/GC/2005/6.

²⁵ A/59/525/Rev.1, (available on www.ohchr.org/english/issues/education/training/programme.htm).
