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THE ROLE OF JUDICIAL REFORMS IN STRENGTHENING THE RULE OF LAW AND DEMOCRATIC GOVERNANCE IN WESTERN BALKAN COUNTRIES: A COMPARATIVE ANALYSIS OF EU INTEGRATION DYNAMICS

DUŠAN PEJAKOVIĆ

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Abstract

*This paper explores the role of judicial reforms in enhancing the rule of law and democratic governance in four Western Balkan countries: Albania, Serbia, Montenegro, and North Macedonia. These nations, each at varying stages of European Union (EU) accession, face ongoing challenges related to judicial independence, political interference, and high-level corruption. The research adopts a comparative case study approach, drawing on EU progress reports, academic literature, and national reform strategies to evaluate how judicial reforms — driven largely by EU conditionality, particularly Chapters 23 (Judiciary and Fundamental Rights) and 24 (Justice, Freedom, and Security) of the *acquis Communautaire* — have impacted governance structures. The study assesses key indicators of judicial independence, transparency, and accountability across the four countries. While significant reforms have been implemented, all the aforementioned countries struggle with entrenched political influence and limited judicial capacity. The uneven progress in judicial reforms underscores the difficulties of balancing external EU pressure with internal political dynamics. This research concludes that judicial reforms have contributed to strengthening democratic governance in some areas, but their effectiveness varies widely across the region. The paper recommends further measures, including empowering civil society, intensifying anti-corruption initiatives, and increasing institutional capacity-building, to ensure the long-term sustainability of these reforms. Ultimately, the study highlights the central role of judicial reforms in facilitating EU integration and consolidating democratic governance in the Western Balkans.*

Keywords: judicial reforms, rule of law, democratic governance, Western Balkans, EU accession, judicial independence, corruption

Introduction

The enlargement of the European Union (EU) has been a driving force behind political, economic, and judicial reforms in the Western Balkans. Since the 2003 Thessaloniki Summit, Albania, North Macedonia, Serbia, Montenegro, Bosnia and Herzegovina, and Kosovo have pursued EU accession, a process that necessitates meeting the Copenhagen criteria. These criteria emphasize democratic governance, human rights, and, crucially, the rule of law. Among these, judicial reforms are central, as they underpin institutional integrity and

democratic stability. Despite sustained efforts, challenges such as corruption, political interference, and insufficient legal harmonization persist across the region. This study explores how judicial reforms impact the rule of law and democratic governance, with particular attention to the role of EU conditionality in driving reforms.

While judicial reforms are essential for EU accession, their effectiveness varies significantly across the Western Balkans. Although external pressure from the EU has catalyzed reform efforts, many countries still struggle with deeply entrenched challenges that undermine the sustainability of these changes. This research seeks to address a critical gap in the literature: the extent to which EU-driven judicial reforms lead to substantive improvements in governance rather than superficial compliance. This research examines whether reforms represent genuine institutional transformation or merely strategic compliance with EU benchmarks without substantive change.

This study improves upon existing research by moving beyond broad analyses of EU conditionality to offer a comparative case study approach that highlights specific national contexts. It evaluates not only formal judicial reforms but also their practical implementation and governance impact, addressing criticisms that previous studies have largely focused on legal harmonization without assessing deeper institutional changes.

This study investigates the following key questions:

- How have judicial reforms influenced the rule of law in Western Balkan countries?
- What role does EU conditionality play in shaping these reforms, and what are its limitations in fostering genuine institutional change?
- To what extent do these reforms contribute to democratic governance and political stability?

This research focuses on Albania, Serbia, Montenegro, and North Macedonia, countries that are at varying stages of EU accession. Bosnia and Herzegovina and Kosovo are excluded due to their unique challenges: Bosnia's complex political structure and Kosovo's unresolved international status make direct comparisons less viable. The study examines the effectiveness of judicial reforms, the challenges faced, and the broader implications for democratic governance. This selection also enables direct comparative analysis of reform implementations, challenges, and unintended consequences across diverse political contexts.

By concentrating on these four countries, this research provides a more structured comparative analysis, filling a gap in the literature where studies often treat the Western Balkans as a homogenous bloc without recognizing country-specific variations in judicial reform progress and governance impact.

A qualitative comparative case study approach is used, combining literature review, EU progress reports, and policy analyses. The study relies on secondary data sources, which may limit the depth of insight into contemporary developments. Nonetheless, this approach allows for a systematic evaluation of judicial reform efforts across different national contexts.

This research improves upon the existing studies by synthesizing data from multiple sources to provide a nuanced assessment of reform effectiveness. Unlike previous research that primarily relies on EU progress reports, this study cross-references findings with independent

assessments, thereby offering a more balanced perspective on the challenges and achievements in judicial reforms.

Theoretical Framework and Literature Review

This research is framed within Europeanization theory and the EU's conditionality framework. Europeanization describes the process through which candidate countries adapt their institutions and policies to align with EU norms. The EU's enlargement policy, particularly through conditionality mechanisms, serves as a key driver of reform.

Schimmelfennig and Sedelmeier's model of Europeanization highlights that compliance with EU norms is driven by a combination of conditionality and normative persuasion. In the context of judicial reform, the EU's conditionality framework is particularly influential, as Chapters 23 and 24 of the EU acquis specifically address judiciary and fundamental rights, as well as justice, freedom, and security.

This study contributes to the research gap by critically assessing the interplay between external conditionality and domestic political realities. Unlike previous studies that focus on compliance metrics, this research explores the depth and sustainability of judicial reforms beyond formal alignment with EU requirements.

EU Conditionality and Judicial Reforms in the Western Balkans

EU conditionality hinges on the principle of incentives: progress in accession negotiations or financial aid is contingent upon compliance with EU rules. Kochenov (2008) argues that this mechanism has been instrumental in prompting judicial reforms aimed at ensuring judicial independence, reducing corruption, and harmonizing legal systems with EU standards. However, scholars such as Bieber (2015) and Kmezic and Bieber (2017) caution that these reforms often remain superficial, driven more by the need to meet EU benchmarks than by genuine commitment to institutional change. This research examines how EU conditionality may inadvertently encourage 'strategic compliance' rather than substantive reform, particularly in countries where political elites maintain informal influence over judicial institutions.

This research builds upon these critiques by offering an in-depth comparison of judicial reforms in four countries, assessing whether reforms have led to tangible improvements in the judiciary's independence and efficiency rather than mere procedural compliance.

Additionally, this study considers the role of civil society organizations as potential catalysts for genuine reform when political will is lacking, examining how their effectiveness varies across different national contexts.

Challenges in Rule of Law and Democratic Governance

Despite EU-driven reforms, rule of law challenges persist across the Western Balkans. The European Commission's Progress Reports highlight ongoing political interference in judicial appointments, institutional inefficiencies, and entrenched corruption. Elbasani (2013) attributes these challenges to historical legacies of authoritarian rule and weak institutional capacity, which hinder the development of an independent judiciary. This research also

explores how well-intentioned reforms may produce unintended consequences that undermine their effectiveness, such as personnel shortages following vetting processes.

Specific country cases further illustrate these difficulties. Obradović-Wochnik (2018) documents how political elites in Serbia manipulate judicial appointments to maintain control over the judiciary. In Albania, the ambitious 2016 Judicial Reform Package, which aimed to vet judges and prosecutors, has faced resistance from political actors, slowing its implementation (Trimçev, 2020).

By focusing on the sustainability of reforms rather than their formal adoption, this research fills a gap in literature where studies often overemphasize legal changes without analyzing their long-term governance implications.

Comparative Perspectives on Judicial Reforms

Comparative research offers insight into the differential impact of EU-driven reforms across the region. Perry (2019) highlights how judicial reforms in Bosnia and Kosovo, though formally implemented, remain constrained by deep-rooted political and social divisions. Groenendijk (2019) notes that Kosovo's efforts to align its judiciary with EU standards face additional barriers due to its unresolved international status. These studies underscore the need to assess judicial reforms not only in terms of formal adoption but also in their actual implementation and impact on governance.

This research enhances comparative studies by incorporating governance indicators to measure the real-world effectiveness of judicial reforms, addressing a critical gap in existing literature.

Methodology

The methodology includes structured comparative analysis of key indicators across all four countries, highlighting variations in reform approaches, implementation challenges, and outcomes. This research is based on secondary data, which may not fully capture the latest political dynamics or informal institutional practices. While EU reports provide valuable insights, they may reflect an institutional bias toward formal compliance over substantive reform. Future research could benefit from interviews with policymakers, legal experts, and civil society actors to provide a more comprehensive perspective on judicial reforms. Despite these limitations, the research offers insights into both formal compliance with EU requirements and the substantive impacts of reforms on judicial independence and democratic governance.

By addressing the research gap through a detailed comparative approach and governance-focused analysis, this study provides fresh insights into the strengths and weaknesses of judicial reforms in the Western Balkans, contributing to a more comprehensive understanding of EU-driven legal transformations.

Judicial Reforms and the Rule of Law in Western Balkans: A Comparative Analysis

Albania: Judicial Reforms and the Vetting Process

Albania has taken significant steps in recent years to align its judiciary with European Union (EU) standards, positioning itself as a leader in judicial reform among the Western Balkan countries. The EU accession process has applied substantial pressure, leading to a sweeping overhaul in Albania's judicial system, particularly after the introduction of the 2016 Judicial Reform Package. This package aimed to address long-standing issues in the Albanian judiciary, including corruption, lack of transparency, and political interference, which had severely undermined public confidence and judicial efficacy (EU, 2023). Despite the ambitious scope of these reforms, challenges remain in fully realizing an independent and effective judiciary (Transparency International, 2023).

Judicial Reform Package of 2016: A Transformational Approach

The Judicial Reform Package of 2016, a landmark initiative backed by the EU and the United States, was introduced to overhaul Albania's judiciary and reduce pervasive corruption. The package, widely regarded as one of the most comprehensive judicial reform efforts in the region, included a new Constitution amendment and a suite of laws aimed at restructuring the judicial system from the ground up. A key component of this reform was the vetting process for judges and prosecutors, which aimed to evaluate the integrity, background, and competence of judicial officials (European Commission, 2022).

This vetting process, conducted by the Independent Qualification Commission (IQC), has led to the dismissal or resignation of many judges and prosecutors deemed unfit for office, especially in cases involving unsubstantiated wealth or questionable ethical conduct. Between 2018 and 2023, over half of Albania's judges and prosecutors faced scrutiny, and numerous high-profile officials were dismissed or voluntarily resigned (EU, 2023). However, this process, while essential to rooting out corruption, has also strained the capacity of the judiciary, leaving significant gaps that hinder judicial efficiency and prolong case resolution times (Transparency International, 2023).

Institutional Reforms and the Establishment of Oversight Bodies

The 2016 reform package also led to the creation of several independent institutions designed to ensure judicial independence and accountability. These include the High Judicial Council (HJC), responsible for the selection, promotion, and disciplinary oversight of judges, and the High Prosecutorial Council (HPC), which performs similar functions for prosecutors. The establishment of the Special Anti-Corruption Structure (SPAK) and the National Bureau of Investigation (NBI) are further examples of institutions created to target corruption and organized crime, which have long plagued Albania's governance structures (Transparency International, 2023).

SPAK, tasked specifically with prosecuting high-level corruption and organized crime, has been instrumental in addressing previously untouchable networks within Albania. Despite initial resistance from powerful political actors, SPAK has carried out high-profile

investigations into influential figures, signaling Albania's commitment to a corruption-free judiciary. Although these cases mark progress, experts argue that SPAK's scope and resources remain limited, highlighting the need for continuous EU support and additional resources to maintain its efficacy (European Commission, 2022).

Unintended Consequences and Implementation Challenges

While Albania's judicial reforms have yielded positive outcomes in terms of transparency and accountability, they have also produced several unintended consequences that threaten their long-term sustainability. The vetting process, though crucial for eliminating corrupt officials, has created a significant personnel shortage in the judiciary, with over half of judges and prosecutors either dismissed or resigned (Transparency International, 2023). This shortage has led to substantial case backlogs, delayed justice, and increased workloads for remaining judicial personnel, ultimately undermining public confidence in the efficiency of the judicial system (European Commission, 2023).

Furthermore, the reforms have generated tensions between formal compliance with EU benchmarks and substantive change in judicial practices. While Albania has successfully established new institutions like SPAK and NBI, these bodies often lack sufficient resources and political autonomy to fulfill their mandates effectively (Bieber, 2020). The focus on high-profile corruption cases, while important for public perception, has sometimes diverted attention from addressing systemic low-level corruption that affects citizens' daily interactions with the justice system (Transparency International, 2023).

EU Conditionality and Sustained External Pressure

Albania's judicial reforms have been propelled by the EU's stringent conditionality associated with Chapters 23 and 24 of the *acquis*, which focus on the judiciary, fundamental rights, and justice, freedom, and security. The EU has continuously conditioned Albania's progress in accession negotiations on substantial progress in judicial independence and anti-corruption measures. This external pressure has been pivotal in maintaining the momentum for reform, especially in a political environment where entrenched elites have historically resisted change (EU, 2023).

The EU's 2023 Enlargement Report for Albania highlights significant advancements in judicial restructuring but also stresses the persistent need for Albania to address political interference, a challenge amplified by the country's strong networks of patronage. Although EU conditionality has catalyzed legal changes and encouraged the establishment of independent institutions, the effectiveness of these reforms is frequently tested by political actors seeking to leverage influence in judicial appointments and decision-making processes (European Commission, 2023).

Political Interference and Corruption: Persistent Obstacles

Political interference remains one of the most significant impediments to a fully independent judiciary in Albania. Research and reports from the European Commission and international NGOs such as Transparency International have documented instances where political actors attempt to influence judicial appointments and decisions. This issue has fueled

public skepticism, as citizens perceive the judiciary to be susceptible to elite interests rather than committed to impartiality and justice (Transparency International, 2023).

Corruption within the judiciary, although reduced, continues to be a considerable challenge. While SPAK has taken critical steps to prosecute high-profile corruption cases, low-level corruption remains pervasive, reflecting the broader societal issue of informal patronage networks that extend into the judicial system. The EU has recommended stricter oversight and accountability mechanisms, but structural changes to deeply embedded networks of corruption require not only legal reforms but also a cultural shift in governance practices (European Commission, 2023).

Civil Society Engagement and Public Trust

Civil society organizations have played a crucial role in monitoring and supporting Albania's judicial reforms. Despite facing challenges such as limited resources and occasional political pressure, these organizations have significantly contributed to reform implementation through advocacy, public awareness campaigns, and independent monitoring (Transparency International, 2023). For instance, civil society groups were instrumental in advocating for the creation of SPAK and maintaining support for the vetting process despite resistance from political elites with vested interests in maintaining the status quo (Kmezić & Bieber, 2017).

The vetting process and the visible crackdown on corruption have marginally improved public trust in Albania's judiciary. Surveys indicate that Albanians are increasingly confident in SPAK's commitment to reducing high-level corruption, a trend that aligns with EU aspirations for a more transparent judicial system. Nonetheless, public trust remains fragile, with many Albanians still doubting the judiciary's independence from political influence (EU, 2023).

Serbia: Strategic Compliance and Political Interference

Serbia's judicial reform process has been marked by both progress and setbacks, as the country continues to grapple with issues of political interference, institutional weakness, and entrenched corruption. Despite making commitments to align its judiciary with European Union (EU) standards as part of its accession negotiations, Serbia has faced numerous challenges in fostering genuine judicial independence and accountability. Since opening EU accession negotiations in 2014, Serbia has been subject to intense scrutiny under Chapters 23 and 24 of the EU acquis, which address judicial reforms, fundamental rights, and justice, freedom, and security (European Commission, 2023). However, while Serbia has taken formal steps to improve transparency and accountability, critics argue that many reforms remain superficial, often implemented to meet EU benchmarks on paper without resulting in substantive change (Bieber, 2020).

Judicial Reform Measures and Legislative Changes

To meet EU expectations, Serbia has introduced several legislative and structural changes aimed at enhancing the independence and efficiency of its judiciary. In 2018, Serbia adopted a new set of laws on the organization of the judiciary, aimed at depoliticizing judicial appointments and improving transparency. These laws included amendments to the

Constitution that sought to limit political influence over the judiciary by strengthening the role of judicial councils in the appointment and dismissal of judges (Transparency International, 2023). Under these amendments, the High Judicial Council and the State Prosecutorial Council were granted greater powers, and mechanisms were introduced to ensure that appointments are based on merit rather than political considerations (European Commission, 2023).

Despite these reforms, political influence continues to pervade Serbia's judiciary. Observers note that while constitutional changes have established a framework for judicial independence, they have not fully eliminated avenues for political interference. Many judicial appointments still face allegations of political bias, and prominent politicians have been accused of attempting to influence judicial outcomes in cases that affect their interests or the interests of their affiliates. This has raised doubts about the commitment of Serbia's ruling elites to the principles of judicial independence and rule of law (European Commission, 2022).

Unintended Consequences and Strategic Compliance

A critical examination of Serbia's judicial reforms reveals a pattern of "strategic compliance" with EU requirements rather than genuine institutional transformation (Bieber, 2020). This approach has produced several unintended consequences that undermine the reforms' effectiveness. For instance, while Serbia has formally implemented constitutional amendments to strengthen judicial councils, in practice, political elites continue to exercise influence through informal networks and patronage systems (Transparency International, 2023). This creates a facade of reform that satisfies EU benchmarks without addressing the underlying issues of political interference and corruption.

The focus on procedural compliance has also diverted attention from substantive improvements in judicial efficiency and quality. Court backlogs remain substantial, and citizens continue to experience delays in accessing justice, despite the formal adoption of EU-recommended reforms (European Commission, 2022). Furthermore, the emphasis on high-profile anti-corruption measures has sometimes resulted in selective prosecution, where cases involving opposition figures receive more attention than those implicating government allies, further eroding public trust in judicial impartiality (Transparency International, 2023).

The EU Conditionality Mechanism and Its Limits

The EU's conditionality mechanism, which conditions Serbia's progress in accession negotiations on meeting the requirements outlined in Chapters 23 and 24, has played a significant role in driving Serbia's judicial reforms. The EU regularly monitors Serbia's compliance through annual progress reports, and Serbia's eligibility for financial aid and advancement in accession talks is contingent on tangible improvements in its judicial sector (Bieber, 2020). In response, Serbia has made some progress, particularly in areas such as improving judicial infrastructure, adopting anti-corruption laws, and enhancing transparency in judicial processes (Transparency International, 2023).

However, the impact of EU conditionality on Serbia's judiciary has been limited by several factors. Scholars argue that the Serbian government often views EU demands as procedural benchmarks rather than substantive goals, leading to reforms that fulfill EU criteria in form

but not in function. For instance, while Serbia has formally implemented numerous EU-recommended anti-corruption measures, enforcement remains weak, and convictions in high-level corruption cases are rare. This discrepancy between formal compliance and genuine reform reflects what Bieber (2020) describes as "strategic compliance," where Serbian authorities enact surface-level reforms primarily to advance their EU accession aspirations without a genuine commitment to institutional change.

Political Interference and Its Consequences

Political interference in Serbia's judiciary remains one of the most significant obstacles to achieving true judicial independence. The Serbian judiciary has frequently been criticized for its susceptibility to pressure from political elites, particularly in cases that are politically sensitive or involve prominent figures. Political influence often manifests in subtle ways, such as the use of informal networks to sway judicial appointments and decision-making (Transparency International, 2023). For example, the European Commission's 2022 Progress Report highlighted concerns about the continued prevalence of politically motivated dismissals and appointments within Serbia's judiciary, which undermine judicial impartiality and erode public trust (European Commission, 2022).

One notable example of political interference is the case of the Special Anti-Corruption Prosecutor, an office established to combat high-level corruption and organized crime. While this office was intended to operate independently, its activities are often constrained by political actors who exert influence through both formal and informal channels. High-profile cases involving government officials or influential business figures are frequently delayed or dismissed, leading to widespread perceptions that the judiciary selectively enforces the law. This lack of impartiality has significantly weakened public confidence in the judiciary and contributed to growing political apathy among Serbian citizens (Transparency International, 2023).

Civil Society Challenges and Resilience

Civil society organizations in Serbia have faced significant harassment and intimidation when monitoring judicial reforms or investigating cases involving government officials (European Commission, 2023). Despite these challenges, organizations like Transparency International Serbia have continued to advocate for judicial independence and accountability, providing critical oversight of reform implementation and exposing instances of political interference (Transparency International, 2023). These efforts have been essential in maintaining pressure for genuine reform, though their impact is often limited by restricted access to information and limited resources.

The EU has recognized the importance of a vibrant civil society in Serbia's judicial reform process and has provided funding and support for civil society initiatives. However, the effectiveness of these efforts is hampered by the government's increasingly hostile stance toward independent media and NGOs that challenge official narratives (Bieber, 2020). The restriction of civic space not only undermines judicial reforms but also threatens Serbia's broader democratic development, highlighting the interconnected nature of judicial independence and democratic governance.

Montenegro: Political Stability and Reform Momentum

Montenegro's judicial reform journey has gained notable momentum in recent years, positioning the country as a leading candidate for European Union (EU) accession among Western Balkan states. Often described as the "28th member by 2028," Montenegro has distinguished itself in the EU negotiation process through strategic reforms, political stability, and legislative advancements (European Commission, 2024). This progress was symbolized in 2024 by Montenegro's receipt of the European Commission's Initial Benchmark Achievement Report (IBAR), which assessed that the country had met critical initial benchmarks across important negotiation chapters, including Chapter 23 on Judiciary and Fundamental Rights. The IBAR recognition marked a significant milestone in Montenegro's EU trajectory and reinforced its reputation as a model for judicial and institutional reform in the region (Transparency International, 2023).

Judicial Reform Achievements and Legislative Advancements

Since launching accession negotiations with the EU in 2012, Montenegro has consistently committed to judicial reforms, focusing on establishing a transparent, independent, and efficient judicial system (European Commission, 2024). The adoption of new laws governing judicial appointments, disciplinary procedures, and case management has been instrumental in modernizing Montenegro's judiciary. These laws, harmonized with EU standards, are designed to reduce political influence in judicial appointments by strengthening the autonomy of key institutions, such as the Judicial Council and the Prosecutorial Council (Bieber, 2020).

In 2024, Montenegro amended its Constitution to further restrict political interference by bolstering the role of independent bodies in judicial oversight, requiring that judges and prosecutors be appointed based on meritocratic principles rather than political affiliation (European Commission, 2024). Additionally, the judiciary has embraced digital reforms, including electronic case management systems to enhance transparency and reduce backlogs. These technological advancements have significantly improved public access to legal processes and bolstered the efficiency of Montenegro's judiciary, aligning it more closely with EU expectations (Transparency International, 2023).

Unintended Consequences and Implementation Challenges

While Montenegro has made significant strides in judicial reform, several unintended consequences have emerged that merit critical examination. The focus on formal compliance with EU benchmarks has sometimes overshadowed deeper structural issues within the judiciary (Bieber, 2020). For instance, despite the adoption of comprehensive anti-corruption legislation, enforcement remains inconsistent, particularly in cases involving influential political or business figures (Transparency International, 2023). This gap between legislative frameworks and practical implementation raises questions about the sustainability of Montenegro's reforms beyond the accession process.

Furthermore, the emphasis on high-profile institutional changes has sometimes diverted resources and attention from addressing low-level corruption and improving judicial efficiency at the grassroots level. Citizens continue to report difficulties in accessing justice for routine matters, and court backlogs persist despite digitalization efforts (European

Commission, 2024). These challenges highlight the need for a more balanced approach to reform that addresses both formal institutional structures and the practical aspects of judicial functioning that directly impact citizens.

The Significance of the IBAR Achievement

Montenegro's receipt of the IBAR in 2024 underscores the EU's acknowledgment of Montenegro's progress toward establishing judicial independence, reinforcing anti-corruption efforts, and protecting fundamental rights (European Commission, 2024). The IBAR, a crucial marker of Montenegro's progress on Chapters 23 and 24, reflects the EU's confidence in Montenegro's commitment to institutional reform and acknowledges the country's substantial achievements in meeting EU benchmarks (Bieber, 2020). Unlike other Western Balkan countries where reforms have often been superficial or implemented to satisfy short-term objectives, Montenegro has demonstrated a genuine commitment to strategic and sustainable reform. The establishment of transparent mechanisms to monitor reform outcomes has contributed to building trust between Montenegro and EU institutions, enhancing Montenegro's standing as a reliable candidate for EU membership.

Political Stability as a Catalyst for Judicial Reform

Montenegro's political stability has been a significant factor in facilitating judicial reforms and progress in EU negotiations. Unlike other Western Balkan nations marked by political instability and partisan conflict, Montenegro has maintained continuity in its reform agenda, allowing for long-term institutional improvements, especially within the judiciary (Transparency International, 2023). Consensus-building efforts across Montenegro's political landscape have been critical to advancing EU recommendations and sustaining the pace of accession-related reforms. Additionally, Montenegro's commitment to EU integration as a national objective, transcending political affiliations and agendas, has strengthened its institutional alignment with EU expectations (Bieber, 2020).

Montenegro's stability has facilitated partnerships with EU institutions that provide technical assistance, financial aid, and policy guidance for judicial reforms. The alignment of Montenegro's political and economic objectives with EU goals has fostered a conducive environment for continued reforms, helping insulate the judiciary from undue political influence and creating a framework for lasting institutional change (European Commission, 2024).

Civil Society's Role in Monitoring and Advocacy

Civil society organizations in Montenegro have played a crucial role in supporting judicial reforms and holding authorities accountable for implementation (Transparency International, 2023). Organizations like the Network for Affirmation of NGO Sector (MANS) have been particularly active in monitoring corruption cases, advocating for transparency, and providing independent assessments of reform progress (European Commission, 2024). These efforts have significantly contributed to Montenegro's IBAR achievement by ensuring that formal reforms translate into meaningful changes in judicial practice.

The case of MANS demonstrates the potential impact of civil society when given space to operate effectively. By consistently exposing corruption cases and advocating for stronger anti-corruption measures, MANS has created public pressure for genuine reform implementation even when political will has wavered (Kmezić & Bieber, 2017). This example illustrates how civil society can serve as a critical bridge between formal institutional changes and practical accountability mechanisms, ultimately strengthening the rule of law and democratic governance.

Anti-Corruption Initiatives and Accountability Mechanisms

Corruption remains a pressing issue in Montenegro, as in other parts of the Western Balkans. However, the Montenegrin government has actively pursued anti-corruption initiatives to address this challenge and underscore its commitment to the rule of law. For example, the creation of the Special Anti-Corruption Prosecutor's Office has marked a significant step in combating high-level corruption; this office is empowered to operate independently of political influence and has the authority to investigate cases involving high-profile political and business figures (Transparency International, 2023).

Montenegro has also introduced transparency and accountability measures within the judicial system, such as protections for whistleblowers, which enable citizens to report corruption without fear of retaliation. Furthermore, the establishment of an online portal for reporting corruption and monitoring cases has empowered civil society and media organizations to engage actively in promoting accountability. To prevent conflicts of interest, judges and prosecutors are now subject to strict asset declaration requirements, reducing concerns about financial misconduct within the judiciary (European Commission, 2024).

Despite these advancements, Montenegro faces ongoing challenges in ensuring consistent and impartial enforcement of anti-corruption laws. Observers note that while Montenegro's legal framework is comprehensive, enforcement remains inconsistent, with high-profile cases sometimes experiencing delays in the judicial process. In response, the EU has recommended that Montenegro enhance the operational capacity of its anti-corruption bodies and provide specialized training for judicial personnel involved in corruption cases (Bieber, 2020).

North Macedonia: Balancing Reforms and Regional Tensions

North Macedonia's journey toward European Union (EU) accession has been marked by significant strides in judicial reform, alongside complex political and regional challenges. Despite being recognized as a candidate for EU membership since 2005, the country's accession has been slowed by political disputes, historical tensions, and institutional challenges (European Commission, 2022). However, in recent years, North Macedonia has made notable progress in strengthening its judicial system, aligning its legal framework with EU standards, and promoting democratic governance (Transparency International, 2021). While challenges remain, especially regarding the implementation of anti-corruption measures and judicial independence, North Macedonia is positioning itself as a serious candidate for EU membership, with judicial reform as a core pillar of its efforts (EU Council, 2022).

Legislative Progress and Institutional Reform in the Judiciary

North Macedonia's judicial reforms have focused on addressing longstanding issues of political interference, corruption, and inefficiency in the judicial system (Venice Commission, 2019). In recent years, the country has implemented a series of legislative measures aimed at enhancing judicial independence and promoting transparency within judicial institutions. For example, amendments to the Law on the Judicial Council have strengthened the Council's autonomy in appointing and disciplining judges, reducing the influence of political entities in judicial appointments. This move has been crucial in addressing EU concerns about the independence and accountability of North Macedonia's judiciary (European Commission, 2022).

Additionally, the country has invested in modernizing its judicial infrastructure through digitalization. The introduction of electronic case management systems has improved case tracking and reduced delays, which has long been a problem in North Macedonia's judiciary (OSCE, 2021). Furthermore, the digitalization efforts facilitate better transparency, allowing citizens to track the progress of their cases online and thereby increasing public confidence in the judicial process. These technological reforms are in line with EU recommendations and have positioned North Macedonia as a promising candidate for EU membership (Council of Europe, 2022).

Unintended Consequences and Regional Complexities

While North Macedonia has made commendable progress in judicial reform, several unintended consequences and unique challenges have emerged. Most notably, regional political tensions, particularly disputes with neighboring countries like Bulgaria over historical and cultural issues, have diverted political attention and resources from judicial reform implementation (Council of Europe, 2022). These external pressures have created a situation where judicial reforms sometimes take a backseat to diplomatic negotiations, slowing the momentum of institutional change and complicating EU accession efforts (European Commission, 2022).

Furthermore, the emphasis on formal legislative changes has sometimes outpaced capacity-building efforts within the judiciary. As a result, new laws and procedures are not always effectively implemented due to insufficient training, resources, or institutional support (OSCE, 2021). This gap between formal reform and practical implementation highlights the challenge of achieving substantive change rather than mere legal compliance, a common issue across the Western Balkans but particularly acute in North Macedonia given its complex political landscape (Bieber, 2020).

Anti-Corruption Efforts and Accountability Mechanisms

Corruption has historically been a significant barrier to North Macedonia's EU aspirations, with concerns raised over high-level corruption cases involving political figures and the business elite (Transparency International, 2021). To address this, North Macedonia has adopted comprehensive anti-corruption strategies, aimed at enhancing accountability and reducing opportunities for illicit practices. A key component of these strategies has been the establishment of specialized anti-corruption units within the judiciary, as well as an Anti-Corruption Commission empowered to investigate and prosecute corruption cases. These

institutions are mandated to operate independently, and their activities are closely monitored by the EU, which has emphasized the importance of effective anti-corruption measures in the accession process (European Commission, 2022).

In recent years, North Macedonia's anti-corruption framework has demonstrated notable successes, including high-profile convictions of public officials involved in corrupt activities (OSCE, 2021). The Special Prosecutor's Office, which was established to handle sensitive corruption cases, has played a critical role in prosecuting cases that had previously stalled due to political interference. However, challenges remain, particularly regarding the consistency of enforcement and the independence of anti-corruption bodies (EU Council, 2022). While the government has made strides in bolstering the capacity of anti-corruption institutions, civil society and EU observers have noted that political pressure continues to impact their effectiveness (Venice Commission, 2019).

Civil Society and Public Engagement

Civil society organizations in North Macedonia have been instrumental in advocating for judicial reform and monitoring implementation (Transparency International, 2021). These organizations have pushed for greater transparency in judicial processes, advocated for anti-corruption measures, and raised public awareness about the importance of an independent judiciary. Their efforts have been particularly valuable in cases where government commitment to reform has wavered due to political considerations or external pressures (OSCE, 2021).

In several instances, civil society pressure has forced the government to pursue reforms despite initial resistance. For example, advocacy groups were key in pushing for the adoption of stricter anti-corruption laws and greater transparency in judicial appointments (Council of Europe, 2022). These efforts demonstrate the potential impact of civil society in driving reform when given sufficient space to operate and access to decision-making processes. However, civil society organizations in North Macedonia still face challenges in terms of limited resources, occasional political pushback, and difficulty in sustaining public engagement on complex judicial issues (Transparency International, 2021).

Comparative Analysis of Judicial Reforms

A comparative analysis of judicial reforms across Albania, Serbia, Montenegro, and North Macedonia reveals significant variations in approach, progress, and challenges. While all four countries have implemented reforms in response to EU conditionality, their effectiveness and sustainability differ markedly due to varying political contexts, institutional capacities, and levels of genuine commitment to reform.

Aspect	Albania	Serbia	Montenegro	North Macedonia
Key Reforms	Vetting process, SPAK/NBI establishment, judicial councils	Constitutional amendments, anti-corruption laws, judicial councils	Constitutional amendments, digitalization efforts, IBAR achievement	Merit-based appointments, digital case management, anti-corruption units
Challenges	Personnel shortages, political interference, low-level corruption	Superficial compliance, political manipulation, selective prosecution	Inconsistent anti-corruption enforcement, resource limitations	Inconsistent enforcement, regional political tensions
Political Dynamics	EU pressure vs. entrenched patronage networks	Ruling elites' resistance to genuine reform	Consensus-driven reforms, EU alignment	Post-Prespa diplomatic focus, internal political continuity
Judicial Independence	Partial progress (vetting) but persistent political influence	Limited autonomy, political bias in appointments	Strengthened autonomy via judicial councils	Mixed results (merit-based appointments vs. political pressures)
Role of Civil Society	Advocacy for transparency, monitoring reforms	Harassed but persistent advocacy for accountability	Active oversight (e.g., MANS)	Civil society pressures for accountability
EU Conditionality Impact	Catalyst for structural reforms but strained by political resistance	Drives superficial compliance rather than substantive change	Facilitates reform momentum, IBAR achievement	Supports institutional alignment but complicated by regional tensions

Source: Compiled by author based on data from European Commission (2022, 2023,2024), Transparency International (2023), and Bieber (2020).

While Montenegro and Albania show tangible progress in formal reforms, Serbia's reliance on "strategic compliance" (Bieber, 2020) and North Macedonia's regional challenges underscore the variability in EU conditionality's effectiveness. Montenegro's relative success can be attributed to its political stability and consensus-driven approach to EU integration, which has allowed for more sustainable reform implementation (European Commission, 2024). In contrast, Serbia's reforms often appear designed to satisfy EU criteria on paper without fundamentally altering power dynamics within the judiciary (Transparency International, 2023).

Albania's vetting process represents the most ambitious attempt at judicial overhaul but has created significant personnel shortages that threaten the judiciary's functionality (European

Commission, 2023). North Macedonia's reforms, while promising, have been complicated by regional disputes that divert political attention from judicial strengthening (Council of Europe, 2022). These differences highlight the importance of considering country-specific contexts when evaluating judicial reforms and designing EU conditionality frameworks.

Civil Society and Public Engagement: Case Studies of Impact

Civil society organizations have played pivotal roles in shaping judicial reforms across the Western Balkans, often serving as catalysts for change when political will wavered. Despite facing varying degrees of government resistance and resource constraints, these organizations have significantly influenced reform implementation and monitoring.

In Albania, civil society groups were instrumental in advocating for and supporting the vetting process despite resistance from political elites with vested interests in maintaining the status quo (Transparency International, 2023). Organizations like the Albanian Helsinki Committee provided critical oversight of the vetting procedures, ensuring that they adhered to due process standards while maintaining pressure for thorough reviews. This civic engagement helped sustain the vetting process despite political attempts to undermine it, demonstrating the potential impact of organized civil society pressure (Kmezić & Bieber, 2017).

Serbia presents a more challenging environment for civil society, with organizations facing harassment and intimidation when they criticize government actions or investigate sensitive cases (European Commission, 2023). Despite these obstacles, organizations like Transparency International Serbia have persistently exposed judicial bias in high-profile cases and advocated for greater transparency in judicial appointments (Transparency International, 2023). Their resilience in the face of government pressure highlights both the importance of civil society in reform processes and the challenges of maintaining civic space in politically resistant environments.

Montenegro offers perhaps the most positive example of civil society impact on judicial reform. Organizations like MANS have played a crucial role in monitoring anti-corruption efforts, providing independent assessments of reform progress, and building public support for judicial independence (European Commission, 2024). MANS' consistent advocacy and monitoring activities contributed significantly to Montenegro's IBAR achievement, illustrating how civil society can effectively bridge the gap between formal reform adoption and practical implementation (Transparency International, 2023).

In North Macedonia, civil society organizations have successfully advocated for anti-corruption laws and greater transparency in judicial processes, though their impact has been somewhat limited by regional political tensions (OSCE, 2021). NGOs like the European Policy Institute have provided valuable analysis of reform implementation, helping to maintain focus on judicial strengthening despite competing political priorities (Council of Europe, 2022). Their efforts underscore the important role of civil society in keeping judicial reform on the political agenda even when external factors threaten to overshadow it.

Despite these positive examples, civil society's impact across the region remains constrained by several factors, including limited resources, political backlash, and difficulty in sustaining public engagement on complex judicial issues (Kmezić & Bieber, 2017). To maximize civil society's potential contribution to judicial reform, the EU and Western Balkan

governments must ensure that civic space is protected and that civil society organizations have meaningful opportunities to participate in reform design, implementation, and monitoring.

Critiquing EU Conditionality: Sustainable Reforms vs. Superficial Compliance

EU conditionality has been a primary driver of judicial reforms in the Western Balkans, yet its effectiveness in fostering genuine institutional change varies significantly across countries. While EU requirements have catalyzed formal legal and structural changes, they have sometimes failed to address the underlying political dynamics that hinder judicial independence and accountability (Bieber, 2020).

In Serbia, EU conditionality has led to numerous legislative changes and institutional adjustments, yet political elites continue to exert significant influence over the judiciary through informal networks and selective enforcement (European Commission, 2023). This pattern of "strategic compliance" allows Serbian authorities to advance in the accession process without fundamentally altering power relationships or strengthening judicial independence (Bieber, 2020). The focus on meeting formal benchmarks rather than achieving substantive outcomes raises questions about the long-term sustainability of these reforms and their impact on democratic governance.

Albania presents a more complex case, where EU conditionality has driven ambitious reforms like the vetting process, yet implementation challenges and political resistance have limited their effectiveness (Transparency International, 2023). While the EU has successfully pushed for structural changes in Albania's judiciary, it has been less effective in addressing the underlying cultural and political factors that facilitate corruption and patronage networks (European Commission, 2023). This suggests that EU conditionality, while necessary, may not be sufficient to ensure lasting judicial reform without complementary efforts to transform political cultures and strengthen institutional capacity.

Montenegro's experience with EU conditionality has been relatively positive, with the country making substantial progress in aligning its judiciary with EU standards (European Commission, 2024). However, even in this case, concerns persist about the gap between formal compliance and practical implementation, particularly in anti-corruption enforcement (Bieber, 2020). Montenegro's IBAR achievement, while significant, reflects procedural alignment with EU requirements rather than a comprehensive transformation of judicial practices and political relationships (Transparency International, 2023).

North Macedonia's reform efforts have been complicated by regional political tensions, highlighting the limitations of EU conditionality in contexts where external factors significantly influence domestic politics (Council of Europe, 2022). While EU requirements have driven important legislative changes, their implementation has sometimes been subordinated to broader political considerations, particularly related to disputes with neighboring countries (European Commission, 2022). This underscores the need for EU conditionality to be more adaptable to specific country contexts and more attentive to the political realities that shape reform possibilities.

Some scholars argue that sustained EU pressure is necessary to incentivize reforms in politically resistant environments, and that even imperfect reforms contribute to gradual institutional change (Kmezić & Bieber, 2017). According to this view, EU conditionality

creates opportunities for domestic reformers and civil society to push for greater judicial independence, even if progress is incremental. However, others contend that without addressing the fundamental power dynamics that undermine judicial independence, formal reforms risk becoming "checklist" exercises rather than transformative changes (Bieber, 2020). They argue that EU conditionality should focus more on outcomes, such as the actual independence of judicial decision-making, rather than procedural compliance with legislative and institutional requirements.

To enhance the effectiveness of EU conditionality in promoting sustainable judicial reforms, several adjustments may be necessary. First, the EU could develop more nuanced benchmarks that assess not only formal compliance but also practical implementation and outcomes (European Commission, 2023). Second, greater emphasis could be placed on supporting civil society and independent media as watchdogs for judicial independence and accountability (Transparency International, 2023). Finally, EU conditionality could be more explicitly linked to political dynamics, with clearer consequences for governments that allow political interference in the judiciary despite formal reforms (Bieber, 2020).

Impact of Judicial Reforms on Democratic Governance

Strengthening Democratic Institutions and Rule of Law

Judicial reforms have played a critical role in supporting the broader democratization process in the Western Balkans. By improving judicial independence and reducing political interference, these reforms aim to enhance the separation of powers, a core pillar of democratic governance. The impact of these reforms on democratic institutions, however, varies significantly across countries and depends on the depth and sustainability of the changes implemented.

In Albania, the vetting process and the establishment of SPAK have marginally reduced high-level corruption and improved judicial accountability, contributing to stronger democratic institutions (EU, 2023; Transparency International, 2023). The removal of corrupt judges and prosecutors has created space for more professional and independent judicial decision-making, enhancing the judiciary's role as a check on executive power. However, personnel shortages resulting from the vetting process have strained judicial capacity, creating backlogs that delay justice and potentially undermining public trust in the system (European Commission, 2023). This unintended consequence highlights the tension between accountability and institutional functionality that characterizes Albania's reform process.

Montenegro's reforms, bolstered by political stability and consensus on EU integration, have improved transparency and efficiency in the judiciary, positioning it as a regional leader in institutional alignment with EU standards (European Commission, 2024). Constitutional amendments strengthening judicial councils and merit-based appointments have reduced political influence in judicial selection, enhancing judicial independence and, by extension, democratic checks and balances. Digital reforms have also improved public access to judicial processes, increasing transparency and citizen engagement with the legal system (Transparency International, 2023).

In contrast, Serbia's superficial reforms have not significantly curbed political elites' control over the judiciary, weakening checks on executive power and limiting the democratizing

potential of judicial changes (Bieber, 2020; Transparency International, 2023). Despite formal constitutional amendments and institutional adjustments, political influence in judicial appointments and decision-making persists, undermining the separation of powers that is essential for democratic governance. This illustrates how judicial reforms that lack substantive political commitment may fail to strengthen democratic institutions, even if they satisfy formal EU requirements.

North Macedonia presents a mixed picture, with notable progress in establishing merit-based judicial appointments and digital case management systems, yet persistent challenges in fully insulating the judiciary from political pressures (Council of Europe, 2022). Regional disputes, particularly with Bulgaria, have sometimes diverted political attention from judicial strengthening, illustrating how external factors can impact domestic governance reforms (European Commission, 2022). Nevertheless, the institutional changes implemented have created a more solid foundation for judicial independence, which is essential for democratic consolidation in the long term.

Civic and Political Participation: A Mixed Landscape

The impact of judicial reforms on civic engagement and political participation varies across the Western Balkans, reflecting the different approaches to reform and levels of public trust in judicial institutions. Effective judicial reforms can encourage civic participation by assuring citizens that their rights will be protected and that powerful actors will be held accountable, fostering a more engaged democratic citizenry.

In Albania and Montenegro, improvements in judicial transparency and anti-corruption efforts have modestly enhanced public confidence in the judiciary, encouraging greater civic engagement with legal processes (European Commission, 2024). Civil society organizations in these countries have actively monitored reform implementation, providing independent oversight that strengthens accountability and public awareness of judicial functions. This increased engagement not only supports the reform process itself but also contributes to broader democratic participation by empowering citizens to assert their rights and hold authorities accountable.

However, in Serbia and to some extent in North Macedonia, persistent corruption and political bias in the judiciary have discouraged civic participation, fueling apathy and cynicism about democratic processes (Transparency International, 2023). When citizens perceive the judiciary as partial or corrupt, they are less likely to trust democratic institutions more broadly, leading to reduced political engagement and weakened democratic accountability. This highlights the critical role of judicial integrity in sustaining a vibrant democratic culture and active citizenry.

The Role of Civil Society in Shaping Governance

Civil society organizations across the Western Balkans have significantly influenced judicial reforms and governance practices, often pushing for changes that political elites might otherwise resist. These organizations serve as crucial links between citizens and institutions, advocating for greater transparency, accountability, and responsiveness in the judiciary and broader governance structures.

In Albania, civil society groups pressured for the creation of SPAK despite political resistance, illustrating their capacity to drive institutional change even in challenging political environments (Transparency International, 2023). By mobilizing public support and leveraging international pressure, these organizations helped overcome entrenched interests that opposed stronger anti-corruption mechanisms, demonstrating how civil society can transform the governance landscape.

Similarly, in Montenegro, organizations like MANS have consistently monitored judicial reforms and anti-corruption efforts, contributing significantly to the country's IBAR achievement (European Commission, 2024). Their persistent advocacy has forced greater transparency in judicial processes and helped maintain reform momentum when political will has fluctuated. This example highlights civil society's role not only in initiating reforms but also in ensuring their effective implementation over time.

In Serbia, despite facing harassment and intimidation, organizations like Transparency International Serbia have continued to expose judicial bias and advocate for greater accountability (Transparency International, 2023). Their resilience in challenging political interference in the judiciary underscores civil society's crucial role in defending democratic norms and rule of law principles, even in environments where civic space is constrained.

North Macedonia's civil society has successfully advocated for anti-corruption laws and greater transparency in judicial appointments, though their impact has been somewhat limited by regional political dynamics (OSCE, 2021). Nevertheless, their persistent focus on judicial independence has helped keep these issues on the political agenda, ensuring that external disputes do not entirely overshadow internal governance reforms.

Despite these positive examples, civil society organizations across the region face significant challenges, including limited resources, political backlash, and difficulty in sustaining public engagement on complex judicial issues (Kmezić & Bieber, 2017). Strengthening their capacity and protecting their independence are essential for ensuring that judicial reforms contribute to more responsive and accountable governance in the Western Balkans.

Critical Perspectives on EU Conditionality

EU conditionality has been a key driver of judicial reforms in the Western Balkans, but its limitations in fostering genuine democratic governance are increasingly evident. While formal compliance with EU benchmarks has led to legislative and institutional changes, these have not always translated into substantive improvements in judicial independence or democratic accountability.

Serbia's case most clearly illustrates the limitations of EU conditionality, as the country has implemented numerous formal reforms while maintaining political control over the judiciary through informal mechanisms (Bieber, 2020). This "strategic compliance" allows Serbia to advance in the accession process without fundamentally altering power relationships that undermine judicial independence and democratic governance. Such superficial reforms may satisfy technical benchmarks but fail to strengthen democratic institutions in meaningful ways.

For sustainable reforms that genuinely enhance democratic governance, the EU must move beyond procedural compliance to emphasize outcomes and practical implementation. This

requires greater attention to capacity-building within judicial institutions, stronger support for civil society oversight, and more robust mechanisms for monitoring and addressing political interference in the judiciary (European Commission, 2023). Without these complementary approaches, EU conditionality risks driving reforms that change formal structures without transforming the underlying power dynamics that shape governance practices.

Additionally, the EU must recognize the diversity of political contexts across the Western Balkans and tailor its conditionality frameworks accordingly. What works in Montenegro's relatively stable political environment may be less effective in Serbia's more resistant political landscape or North Macedonia's complex regional situation (Transparency International, 2023). By developing more nuanced approaches that account for these variations, the EU can enhance the democratizing potential of judicial reforms and support more authentic governance improvements across the region.

Discussion and Recommendations

Key Findings

The comparative analysis reveals that while judicial reforms have made significant progress across the Western Balkans, their impact on strengthening the rule of law and democratic governance varies widely across countries, reflecting differences in political commitment, institutional capacity, and historical context. The research demonstrates a clear distinction between formal compliance with EU requirements and substantive institutional change that genuinely enhances judicial independence and accountability (Bieber, 2020).

Montenegro stands as the regional leader in judicial reform implementation, as evidenced by its 2024 IBAR achievement, political stability, and consensus-driven approach to EU integration (European Commission, 2024). These factors have allowed Montenegro to translate formal reforms into more substantial improvements in judicial independence. Albania's ambitious 2016 Judicial Reform Package, particularly its vetting process, has yielded tangible results in addressing corruption, though the dismissal of judges has created significant personnel shortages that threaten judicial functionality (Transparency International, 2023). North Macedonia has made moderate progress in establishing merit-based appointments and digitalization reforms, though regional disputes, particularly with Bulgaria, have sometimes diverted political attention from judicial strengthening (Council of Europe, 2022).

In contrast, Serbia demonstrates a pattern of what Bieber (2020) terms "strategic compliance," implementing reforms that satisfy EU benchmarks on paper while political elites maintain control through informal channels. This approach has limited the democratizing impact of judicial reforms and highlights a critical gap in the EU's conditionality framework, which often emphasizes procedural compliance over substantive outcomes (European Commission, 2023).

Our comparative analysis further revealed significant variation in civil society's effectiveness across countries. In Montenegro and Albania, civil society organizations have successfully advocated for transparency and accountability, contributing to reform momentum despite resistance from political elites (European Commission, 2024). However, in Serbia, these organizations face harassment and intimidation, limiting their ability to monitor reform

implementation effectively (Transparency International, 2023). This variance underscores the importance of a protected civic space for sustainable judicial reform.

Additionally, the research identified several unintended consequences of judicial reforms, most notably in Albania, where the vetting process created severe personnel shortages that strained judicial capacity and delayed case resolutions (European Commission, 2023). This highlights the need for reform strategies that balance accountability measures with institutional functionality to avoid undermining public trust in the judicial system.

Lessons for the EU and Western Balkans

The EU's conditionality framework has proven effective in incentivizing formal judicial reforms, but our analysis reveals significant limitations in its capacity to foster genuine institutional transformation. While EU pressure has driven legislative changes and institutional restructuring across the Western Balkans, the implementation and sustainability of these reforms remain key challenges (Kmezić & Bieber, 2017). The case of Serbia most clearly illustrates this limitation, as the country has implemented numerous reforms to satisfy EU benchmarks while maintaining political control over the judiciary through informal mechanisms (Bieber, 2020).

To address these shortcomings, the EU must move beyond assessing formal compliance to evaluate the practical impact of reforms on judicial independence and democratic governance. This requires a more nuanced understanding of each country's political dynamics and institutional contexts, as what works in Montenegro's relatively stable environment may be less effective in Serbia's more resistant political landscape (Transparency International, 2023). The EU should develop more sophisticated monitoring mechanisms that capture not only legislative changes but also practical implementation and outcomes, such as the impartiality of judicial decision-making in politically sensitive cases.

Furthermore, our research underscores the importance of political will in ensuring reform sustainability. In Montenegro, political consensus on EU integration has facilitated more meaningful reforms, while in Serbia, political elites' resistance has limited reform impact despite formal compliance (European Commission, 2024). This suggests that the EU should focus not only on legal harmonization but also on capacity-building measures to ensure that judicial institutions can operate independently in practice and withstand political pressure.

Civil society has emerged as a crucial factor in promoting reform sustainability, as evidenced by organizations like MANS in Montenegro and Albanian advocacy groups that supported the vetting process despite political resistance (Transparency International, 2023). The EU should therefore place greater emphasis on protecting civic space and empowering civil society organizations to monitor judicial reforms and hold authorities accountable for implementation. This approach would create domestic pressure for genuine reform alongside external EU conditionality, potentially addressing the limitations of the current framework.

Policy Recommendations

Based on our comprehensive analysis, we propose the following recommendations to enhance the effectiveness and sustainability of judicial reforms in the Western Balkans:

1. **Strengthening Judicial Independence:** Western Balkan governments should prioritize reforms that ensure the full independence of judicial bodies, particularly in the appointment and oversight of judges and prosecutors. This requires not only formal legislative changes but also practical measures to insulate judicial councils from political influence, such as transparent merit-based selection procedures and secure tenure provisions (European Commission, 2023). Special attention should be paid to informal networks of influence that may undermine formal independence guarantees, as seen in Serbia (Transparency International, 2023).
2. **Addressing Strategic Compliance:** The EU should refine its conditionality framework to target substantive outcomes rather than merely procedural compliance. This could involve developing more nuanced benchmarks that assess the practical independence of judicial decision-making, particularly in politically sensitive cases (Bieber, 2020). The EU should also consider implementing a staged approach to funding and accession progress, with financial support tied to demonstrated improvements in judicial performance rather than legislative changes alone.
3. **Combatting Corruption:** The EU should intensify its monitoring of corruption cases, ensuring that judicial reforms include mechanisms to hold politically connected individuals accountable. This requires strengthening specialized anti-corruption bodies like Albania's SPAK and Serbia's Special Prosecutor's Office with adequate resources, autonomy, and protection from political interference (Transparency International, 2023). Additionally, the EU should support comprehensive asset declaration systems and whistleblower protections to enhance accountability within the judiciary.
4. **Capacity Building:** Investments in judicial training and infrastructure are essential for the long-term sustainability of reforms, particularly in countries like Albania where personnel shortages threaten judicial functionality (European Commission, 2023). Training programs should focus not only on technical legal knowledge but also on fostering a culture of independence and ethical conduct among judicial personnel. Digital infrastructure investments, as seen in Montenegro and North Macedonia, can enhance efficiency and transparency, contributing to greater public trust in the judiciary (OSCE, 2021).
5. **Enhancing Civil Society Engagement:** Civil society organizations should be empowered to play a more active role in overseeing the judicial system and advocating for greater accountability. This requires legal protections for civil society actors, particularly in environments like Serbia where they face harassment (Transparency International, 2023). The EU should provide targeted funding and capacity-building support for organizations engaged in judicial monitoring, while Western Balkan governments should establish formal mechanisms for civil society input in reform design and implementation (Kmezić & Bieber, 2017).
6. **Mitigating Unintended Consequences:** Reform strategies should anticipate and address potential unintended consequences, such as the personnel shortages caused by Albania's vetting process. This requires careful sequencing of reforms, adequate resource allocation, and contingency planning to ensure that accountability measures do not undermine judicial functionality (European Commission, 2023). Transitional measures, such as temporary appointments or expedited training programs, may be necessary to maintain judicial capacity during reform implementation.

7. **Country-Specific Approaches:** The EU should tailor its reform strategies to each country's specific challenges and political context, recognizing that a one-size-fits-all approach is unlikely to succeed across the diverse political landscapes of the Western Balkans. For instance, in Montenegro, where political consensus exists, the EU might focus on deepening reforms and addressing implementation challenges, while in Serbia, additional pressure and incentives may be needed to overcome political resistance to genuine reform (Bieber, 2020).

Conclusion

This research emphasizes that judicial reforms are essential for establishing the rule of law and enhancing democratic governance in the Western Balkans. Our comparative analysis highlights that while the European Union's conditionality framework has been instrumental in pushing judicial reforms forward, the practical impacts vary widely across the region due to entrenched political interference, corruption, weak institutional capacity, and differing levels of genuine commitment to reform.

The findings reveal a significant gap between formal compliance with EU requirements and substantive institutional change that genuinely enhances judicial independence and democratic governance. This pattern is most evident in Serbia, where "strategic compliance" allows political elites to maintain control over the judiciary while ostensibly meeting EU benchmarks (Bieber, 2020). In contrast, Montenegro's consensus-driven approach and political stability have facilitated more meaningful reforms, culminating in its 2024 IBAR achievement (European Commission, 2024). These divergent outcomes underscore the limitations of the EU's current conditionality framework and highlight the need for more nuanced approaches that prioritize substantive outcomes over procedural compliance.

Our analysis of individual countries further illustrates this variability. In Albania, comprehensive judicial reforms, particularly the 2016 Judicial Reform Package and vetting process, have made strides in tackling corruption and reducing political influence. However, the unintended consequence of severe personnel shortages has strained judicial capacity and delayed case resolutions, potentially undermining public trust (Transparency International, 2023). Similarly, Montenegro has gained recognition for its judicial reforms, bolstered by political stability and digitalization efforts, but requires more effective anti-corruption enforcement to fully realize its reform potential (European Commission, 2024).

Serbia and North Macedonia present more complex cases. Serbia's reforms often fall short due to persistent political influence and strategic compliance with EU standards, highlighting the challenges of fostering genuine reform in politically resistant environments (Transparency International, 2023). North Macedonia has achieved moderate progress by strengthening judicial independence and adopting anti-corruption measures, though these efforts are hindered by regional political tensions, particularly with Bulgaria, which divert attention and resources from domestic reform priorities (Council of Europe, 2022).

Civil society has emerged as a crucial factor in promoting reform sustainability, though its effectiveness varies significantly across countries. In Montenegro and Albania, civil society organizations have successfully advocated for transparency and accountability, while in Serbia, these organizations face harassment and intimidation that limit their effectiveness (European Commission, 2023). This variance underscores the importance of protecting civic

space and empowering civil society as essential components of a comprehensive reform strategy.

To achieve sustainable judicial reform, the EU and Western Balkan states must adopt strategies that go beyond formal compliance to address the underlying political dynamics that shape reform outcomes. Strengthening institutional independence, curbing political interference, investing in judicial capacity, and protecting civil society engagement are crucial elements of this approach. The EU's continued support in capacity building and technical assistance will be key in fostering resilient judicial institutions that can withstand political pressure and support long-term democratic governance.

Looking forward, these countries must deepen reforms that genuinely empower the judiciary and reduce corruption, aligning more closely with EU principles of judicial independence and accountability. This requires not only legislative changes but also cultural shifts within judicial institutions and broader political systems. If these goals are met through a more nuanced and context-sensitive approach to reform, judicial strengthening can serve as a foundation for the Western Balkans' successful EU integration, reinforcing democratic stability and the rule of law across the region.

References:

- Bieber, F. (2015). *The Western Balkans and the EU: The Hour of Europe?* Central European University Press.
- Bieber, F. (2020). Antagonistic EU Conditionality: The Challenge of Deep Reform in the Balkans. *Journal of Democracy*, 31(1), 40-51.
- Council of Europe. (2022). *Report on Judicial Independence in North Macedonia*. Council of Europe.
- Elbasani, A. (2013). *Europeanization and Democratization in the Western Balkans: Institutional Compatibility and External Pressure*. Routledge.
- European Commission. (2022). *North Macedonia Progress Report*. Directorate-General for Enlargement.
- European Commission. (2022). *Serbia Progress Report*. Directorate-General for Enlargement.
- European Commission. (2023). *Serbia Progress Report*. Directorate-General for Enlargement.
- European Commission. (2023). *Albania Progress Report*. Directorate-General for Enlargement.
- European Commission. (2024). *Montenegro Initial Benchmark Achievement Report (IBAR)*. Directorate-General for Enlargement.
- European Union Council. (2022). *EU Conditionality and Accession Prospects for Western Balkan Countries*. EU Council.
- Groenendijk, K. (2019). Judicial Harmonization and Rule of Law Challenges in Kosovo. *Journal of Comparative Law*, 54(2), 67-83.
- Kochenov, D. (2008). *EU Enlargement and the Failure of Conditionality*. Kluwer Law International.

- Kmezić, M., & Bieber, F. (2017). *Justice in Transition: Judicial Reforms in the Western Balkans*. Palgrave Macmillan.
- Obradović-Wochnik, J. (2018). Serbia's Struggle for Rule of Law: Political and Judicial Interference. *Southeast European and Black Sea Studies*, 18(2), 145-159.
- Organization for Security and Cooperation in Europe (OSCE). (2021). *Judicial Reform and Digitalization in North Macedonia*. OSCE.
- Perry, V. (2019). Post-Conflict Judicial Reforms in Bosnia-Herzegovina and Kosovo: Challenges and Progress. *Conflict, Security & Development*, 19(4), 298-319.
- Schimmelfennig, F., & Sedelmeier, U. (2005). *The Europeanization of Central and Eastern Europe*. Cornell University Press.
- Transparency International. (2021). *Corruption Perceptions Index*. Transparency International.
- Transparency International. (2023). *Judicial Independence and Corruption in the Western Balkans*. Transparency International.
- Trimçev, F. (2020). Albania's Judicial Reform Package: Successes and Struggles. *European Politics and Society*, 21(3), 327-341.
- Venice Commission. (2019). *Opinion on the Reforms of the Judiciary in North Macedonia*. Council of Europe, Venice Commission.

BEYOND EXPLOITATION: CONFRONTING THE DEEPENING CRISIS OF HUMAN TRAFFICKING IN ALBANIA

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Abstract

This article explores the escalating crisis of human trafficking in Albania and the broader Balkan region, focusing on the need to address its deeper, structural causes. It examines the transnational nature of trafficking for sexual exploitation, forced labor, and organ trafficking, with particular attention to vulnerable groups, such as women, girls, and unaccompanied children. The study analyzes contributing factors, including poverty and social marginalization, and assesses the effectiveness of current policies and programs. The study underscores the urgency of augmenting support mechanisms and protection for all individuals affected by human trafficking in Albania and the Balkan region. As the crisis deepens, policymakers, practitioners, and researchers need to work collaboratively in addressing the root causes of human trafficking and implementing comprehensive interventions. By moving beyond the immediate manifestations of exploitation, the research advocates comprehensive preventive measures and robust victim support mechanisms. The findings highlight the urgency of coordinated efforts at national and international levels to combat this complex issue and ensure protection for all affected individuals.

Keywords: Modern Slavery, Transnational Crime, Western Balkans, Regional Cooperation, Albania, Human Trafficking, Exploitation, Migration

Introduction

Human trafficking remains one of the most pressing human rights challenges of our time, affecting millions of individuals across the globe. In Albania and the broader Balkan region, this issue has taken on alarming proportions, making it imperative to explore its complexities beyond surface-level manifestations of exploitation. This article delves into the growing crisis of human trafficking in the region, shedding light on its root causes, the vulnerabilities of those most affected, and the effectiveness of existing measures to combat this crime (Craig and Gary, 2019). As a source, transit, and destination country, Albania finds itself at the center of trafficking networks, with women, girls, and unaccompanied children being particularly vulnerable due to economic hardship, social marginalization, and limited access to education. Women, girls, and unaccompanied children are particularly vulnerable due to factors such as poverty, limited education, and social marginalization. The predominant forms of exploitation in the region include sexual exploitation, forced labor, organ trafficking, and, in some instances, the recruitment of child soldiers (Gabhan, 2006). Given

the transnational nature of this crime, traffickers often operate through deceptive practices, coercion, and the use of force, making it increasingly difficult for authorities to combat the issue effectively.

The primary objective of this study is to offer a thorough analysis of human trafficking in Albania, while also considering the broader Balkan region due to the transnational nature of the crime and the geographical proximity of these countries. Although Albania serves as the focal point of this research, the Balkan region is integral to the analysis, as human trafficking does not adhere to national borders. Albania, like its neighboring countries, functions as both a source and transit route for trafficked individuals, often serving as a pathway for migrants whose ultimate destination lies beyond the region. This shared predicament underscores the interconnected challenges faced by Balkan states in addressing trafficking networks, enforcing legal frameworks, and strengthening victim protection measures.

While human trafficking is a multifaceted issue, this study focuses on one of its most vulnerable groups—unaccompanied children. Lacking stable protective structures and facing heightened exposure to traffickers, these children are among the most defenseless victims of exploitation. This research aims to provide a nuanced understanding of their plight while contributing to broader policy discussions on how governments and international organizations can more effectively combat human trafficking. By examining legal frameworks, institutional responses, and socioeconomic factors, this study seeks to fill critical gaps in the literature and policy discourse surrounding human trafficking in Albania and the wider Balkan region.

To achieve its objectives, this study adopts a qualitative methodology integrating an extensive literature review, policy analysis, and case studies. Drawing from primary and secondary sources, including international organization reports, domestic legislation, and scholarly publications, the research conducts a comparative analysis of key legal frameworks such as the UN Palermo Protocol (2000) and the EU Directive on Trafficking in Human Beings (2011/36/EU). A focal point is the evaluation of Albania's Law 8733 (2001), which criminalizes adult trafficking under Article 110/a of the Penal Code, to assess its efficacy in disrupting trafficking networks and safeguarding victims.

Human trafficking, a grave violation of human rights and a modern form of slavery, exploits individuals through forced labor, sexual exploitation, organ trafficking, and other coercive practices (Ngwe et al., 2012; World Bank, 2023). As a transnational crime, it thrives on deception, systemic vulnerabilities, and weak institutional protections, disproportionately affecting marginalized groups such as unaccompanied children (Needham et al., 2018). In Albania and the Balkans, where trafficking persists as a source, transit, and destination nexus, the clandestine nature of the crime complicates victim quantification, necessitating mixed method approaches to capture its full scope (Buckley, 2021). This study emphasizes the urgent need for coordinated regional and international efforts, combining preventive measures, victim support mechanisms, and stringent policy enforcement to address structural drivers like poverty, social marginalization, and legislative gaps (Haynes, 2014; Murphy & Lazzarino, 2023).

By analyzing the implementation of Albania's anti-trafficking laws alongside international frameworks, the research identifies critical disconnects between policy intent and on-the-ground outcomes. For instance, while the Palermo Protocol and EU Directive provide robust

transnational guidelines, local enforcement often falters due to resource constraints and corruption. The study advocates for strengthened cross-border collaboration, child-centered protections, and grassroots NGO engagement to mitigate risks for vulnerable populations, particularly Roma and Egyptian communities. Ultimately, this work contributes to a more informed, holistic response to human trafficking—one that prioritizes human dignity over punitive or fragmented measures—and underscores the imperative of sustained, multidisciplinary action in the Balkans and beyond.

The Transnational Dynamics and Contributing Factors of Human Trafficking in Albania

Human trafficking is the process of recruiting, transporting, transferring, harboring, or capturing an individual through the use of force, deception, or coercion for the purpose of exploitation (U.S. Department of Health & Human Services, 2017). The Balkan region, including Albania, serves as a source, transit, and destination for human trafficking, reflecting the transnational nature of this crime. Albania, alongside other Balkan countries, is a key corridor through which trafficking victims are funneled, with the ultimate destination often being wealthier Western European countries. The region's geographical positioning, weak institutional oversight, and persistent socio-economic vulnerabilities create an environment conducive to trafficking networks. Victims, particularly women and children, are subjected to sexual exploitation, forced labor, and, in rare cases, organ trafficking. While historically, human trafficking in Albania disproportionately affected women and girls, recent years have witnessed a troubling increase in the trafficking of men and boys for labor exploitation, particularly in sectors such as agriculture, construction, and illegal enterprises (Davy & Metanj, 2022). Traffickers capitalize on economic hardship, limited employment opportunities, and social marginalization to exploit victims, offering false promises of work, education, or a better life abroad (Sinoruka, 2022).

Unaccompanied children are particularly at risk of trafficking due to the absence of protection and care. Many are lured under false pretenses, only to be subjected to forced labor, sexual exploitation, or even forced criminality (Chamie, 2016). Accurately identifying the number of trafficking victims in this region is a challenging endeavor due to the secretive and clandestine nature of this criminal activity. Nevertheless, based on assessments by the International Organization for Migration (IOM), it is evident that in the Balkan region, the number of trafficking victims may reach tens of thousands. The hidden and illicit characteristics of human trafficking further complicate law enforcement efforts, allowing traffickers to operate with impunity in certain regions.

Albania, much like its neighboring Balkan states, plays a multifaceted role in human trafficking. It is simultaneously a country of origin, transit, and, in some cases, a final destination for trafficked individuals (Vathi, 2015). In this context, the primary form of trafficking in the region is sexual exploitation. Women and girls remain the most vulnerable to sexual exploitation, with victims frequently deceived by traffickers promising employment opportunities or marriage abroad. Once trafficked, they face physical and sexual abuse, forced drug use, and are subjected to debt bondage as a means of control. Traffickers often employ violence and threats to maintain control over their victims (Kamusella, 2012). Albania has been classified as a Tier 2 country in the U.S. Department of State's 2022 Trafficking in Persons Report, indicating that while progress has been made in addressing

trafficking, the government still falls short of fully meeting minimum standards for elimination (US Department of State, 2022).

Beyond sexual exploitation, another aspect of trafficking in the region is that of forced labor trafficking. Victims of this form of trafficking are compelled to work in exploitative conditions, often in sectors such as agriculture, construction, and domestic work. They endure long working hours without breaks and receive minimal financial compensation, while their living conditions fall below acceptable standards (Davis, 2011). Some victims also live under the constant threat of physical abuse and threats to their safety and that of their families. Furthermore, in certain cases, particularly concerning the trafficking of men and boys, the process is more complex than outright coercion or abduction. Many of these individuals, seeking to migrate illegally to Western Europe, particularly the United Kingdom, knowingly engage with traffickers, paying significant sums of money for illegal transport. Traffickers, operating highly organized smuggling networks, often use small boats or dinghies to transport migrants across perilous routes such as the English Channel. In these cases, while individuals willingly put themselves in the hands of traffickers, they remain vulnerable to exploitation, as traffickers frequently impose financial debts, subject them to inhumane travel conditions, and, in some instances, force them into exploitative labor situations upon arrival (United Kingdom Home Office, 2022).

A critical dimension of this phenomenon is that many individuals embarking on these dangerous journeys do so with the knowledge and, in some cases, the support of their families. Unlike traditional narratives of trafficking, which often depict victims as being forcibly taken against their will, many Albanian migrants are making calculated, albeit desperate, decisions to leave their home country (Hynes et al., 2022). The economic situation in Albania, coupled with limited employment prospects and the allure of higher wages abroad, motivates individuals to take extreme risks. Families, fully aware of the precarious nature of these crossings, sometimes facilitate the migration process by pooling money to pay traffickers (BBC News, 2022). However, what begins as a voluntary migration effort can quickly turn into exploitation as many migrants find themselves indebted to smuggling networks, forced into illegal labor or criminal activities to repay their passage. Others are abandoned midway, stranded without legal status or resources in foreign countries (Council of Europe, 2022). These individuals, though initially complicit, frequently become entrapped in exploitative conditions, underscoring the blurred line between voluntary migration and trafficking. Even when families are aware of the risks, economic pressures, and systemic marginalization—particularly in Roma communities—compel them to prioritize potential remittances over safety, tacitly endorsing arrangements that escalate into trafficking (Chamie, 2016; US Department of State, 2022). Furthermore, victims of human trafficking frequently hesitate to seek assistance due to a combination of deep-seated fears, systemic barriers, and societal factors. The widespread fear of reprisals by traffickers, who may threaten victims or their loved ones, represents a significant deterrent to seeking help (Ramaj, 2023).

Social media platforms, particularly TikTok, have played an increasingly significant role in the recruitment and coercion of potential trafficking victims. Traffickers use targeted advertisements to reach specific demographics—often young men from economically disadvantaged backgrounds—offering them supposed opportunities for migration (Binns, 2023). Some traffickers go as far as publicly post the schedules of small boat departures, providing direct access to their services. While some individuals are aware of the risks involved, others are lured into these networks under misleading promises of safe passage and

legitimate work opportunities Cockerell, 2023). These platforms serve as digital marketplaces where traffickers and smuggling facilitators communicate openly, often circumventing content moderation policies through coded language and encrypted messaging apps (Latonero, 2011).

The factors contributing to trafficking in Albania and the Balkan region are deeply rooted in socio-economic and political instability. Poverty, unemployment, and economic disparity create a pool of individuals susceptible to traffickers' manipulative tactics. In Albania, many individuals, particularly from marginalized communities, face economic exclusion, making them more likely to accept deceptive offers of work abroad. Similarly, systemic corruption within law enforcement and the judicial system enables traffickers to evade prosecution and continue their operations with relative ease (Council of Europe, 2022). The involvement of corrupt officials, whether through passive negligence or active collusion, weakens anti-trafficking measures and perpetuates a cycle of exploitation.

Traffickers systematically exploit vulnerable individuals by targeting those living in poverty, seeking employment, or requiring assistance through false promises of improved livelihoods, job opportunities, or marriage (Craig, 2010). Once recruited, victims endure exploitative conditions—including forced labor, physical and sexual abuse, and confiscation of identity documents—that perpetuate cycles of coercion (Neale, 2023). Poverty, a pervasive issue in Albania with over 30% of the population below the poverty line, exacerbates vulnerability, compelling individuals to accept precarious migration or labor arrangements despite inherent risks (Serrano, 2022). Economic instability, characterized by unemployment rates exceeding 12% and widespread informal labor markets, further entrenches this dynamic, leaving many with no viable alternative to exploitative sectors (Limanowska, 2016).

Compounding these challenges, corruption permeates law enforcement and judicial systems, enabling traffickers to evade prosecution through bribery or political influence, thereby undermining victims' access to justice (Instat, 2011). Corrupt officials may allow migrants to cross borders illegally in exchange for bribes or exploit migrants with excessive fees for permits or visas. This corruption scenario poses a threat to the rights and safety of migrants and refugees. In general, corruption plays a significant role in creating a cycle of victimization where individuals are exploited and trafficked due to legal impunity and the absence of punishment for traffickers and smugglers. Effective anti-corruption measures are crucial to combat human trafficking and mass migration, as they have the potential to provide protection for individuals and hold traffickers accountable for their illegal actions (Feigenblatt, 2021). Victims of human trafficking and mass migration are particularly susceptible to exploitation and victimization, especially when operating in environments affected by corruption. Traffickers and smugglers often target vulnerable individuals, including those suffering from poverty or facing limitations in education and employment, using false promises to support them in trafficking situations (US Department of State, 2023).

The COVID-19 pandemic intensified these systemic failures, straining governmental resources, reducing law enforcement capacity, and amplifying financial insecurity among vulnerable populations. Lockdowns spurred traffickers to adopt online recruitment tactics, leveraging social media to target individuals with fraudulent job offers or migration schemes, complicating authorities' efforts to disrupt networks (UN Women, 2019). Concurrently, the Balkan migration corridor—a critical route to Western Europe—has become a hotspot for trafficking, with migrants and refugees coerced into forced labor or sexual exploitation en

route to perceived safety (US Department of State, 2023). Albania's role as a transit country underscores the transnational nature of this crisis, necessitating regional cooperation to dismantle cross-border criminal operations and protect mobile populations.

Addressing these intertwined challenges demands a multi-faceted strategy. Strengthening law enforcement capacity and anti-corruption measures is paramount to dismantling trafficking networks and ensuring accountability. Simultaneously, poverty reduction programs, coupled with public awareness campaigns targeting high-risk groups, can mitigate vulnerability by educating communities on trafficking risks and available protections (US Department of State, 2022). Expanding victim support services—including legal aid, healthcare, and reintegration programs—through Albania's National Referral Mechanism must prioritize marginalized populations, such as rural communities and the Roma, who face systemic exclusion (UN Women, 2019). Regional collaboration, including intelligence-sharing and joint operations with EU agencies like Europol, is critical to disrupting trafficking routes and harmonizing legal frameworks across borders.

Efforts to combat trafficking, such as Albania's National Referral Mechanism (NRM) and cross-border collaborations with EU agencies like Europol, have yielded limited success. While the NRM provides medical care, legal aid, and temporary shelter, bureaucratic delays and underfunding restrict access for rural and Roma populations (UN Women, 2019). The 2022 U.S. Trafficking in Persons Report categorizes Albania as Tier 2, acknowledging improved prosecutions but highlighting persistent gaps in victim identification, particularly for migrants coerced into forced criminality in the UK (US Department of State, 2022). Addressing these challenges demands nuanced strategies: disrupting online recruitment networks through stricter regulation of social media algorithms, creating safe migration pathways to reduce reliance on traffickers, and integrating grassroots NGOs into policy design to address localized vulnerabilities. Critically, interventions must recognize the agency of some victims—who may initially consent to risky journeys—while dismantling the systemic inequities that transform aspiration into exploitation (Europol, 2024). Only through such integrated, rights-based approaches can the cycle of trafficking be disrupted, ensuring dignity and safety for vulnerable populations in the Balkans and beyond.

The Effectiveness of Policies and Programs Created to Prevent and Combat Trafficking

To address the issue of human trafficking, Albania has undertaken a series of political measures and programs aimed at preventing, combating, and providing support to the victims of this phenomenon. These measures encompass legislative activities, efforts to strengthen law enforcement, and services offered to assist the victims (GIZ, 2020). However, there is an urgent need to enhance the effectiveness of these policies and programs in Albania, as trafficking continues to be a serious challenge in our country. Trafficking, in addition to causing considerable harm to the victims, also poses a threat to economic development, social stability, and the rule of law (UNODC, 2008). Through the implementation of effective policies and programs, Albania has the opportunity to reduce the prevalence of trafficking, protect affected populations, and promote a fair and equitable society.

Human trafficking represents a significant issue in Albania and the Balkan region, where many individuals are affected and trafficked for forced labor, sexual exploitation, and other forms of exploitation. To improve the effectiveness of policies and programs aimed at

preventing, combating, and providing support to trafficking victims, several ways can be effective in the Albanian context (COE, 2020). The legal framework for combating trafficking in Albania requires a deep improvement to ensure better protection of victims and the prevention of the trafficking phenomenon. Enhancing this framework includes a comprehensive review of existing laws and ensuring their alignment with international standards established for this issue. Additionally, the preparation and training of law enforcement agencies to assist in the investigation and prosecution of trafficking cases are critical. However, the existing efforts of the Albanian Government to address this issue, including the enactment of some new legislation and the establishment of a new National Referral Mechanism for Trafficking Victims, need to be updated and enhanced, as the current version dates back to 2012 (Ministria e Brendshme, 2012).

Furthermore, raising awareness of the risks of trafficking and educating the affected population is essential for preventing this phenomenon. These efforts involve collaboration with educational institutions, community organizations, and the media to educate individuals about the dynamics of trafficking and how to identify and report potential cases. In this way, the stigma associated with trafficking can be reduced, and victims can be encouraged to come forward and seek assistance (UNODC, 2008). The Albanian government should consider using public awareness campaigns to help citizens understand the risks of trafficking and promote the reporting of suspected cases.

Albania must offer a wide range of supportive services to trafficking victims, including access to medical care, legal assistance, and psychological counseling. At the same time, the government must ensure that victims are not penalized for criminal acts committed in their trafficking situations and have access to secure shelter (Ministria e Brendshme, 2016). Trafficking victims require a comprehensive range of support services to help them rebuild their lives. The Albanian government must engage in improving access to these services and ensure the necessary resources for financing and the appropriate personnel. To address this phenomenon, it is also important to address the root causes of trafficking, such as poverty, economic instability, and corruption. This includes implementing policies and programs that promote overall economic growth and reduce poverty, as well as intervening in the fight against corruption and strengthening the rule of law (Paz-Fuchs, 2016). The government should prioritize policies that encourage general economic growth, and job creation, and improve citizens' access to education and training. This can help reduce vulnerability to trafficking by improving economic opportunities for the population at risk.

Trafficking is a global problem, and Albania must closely cooperate with other countries and international organizations to combat this phenomenon. This includes sharing information and intelligence, providing mutual legal assistance, and collaborating in cross-border investigations. The Albanian government should work to deepen its cooperation with neighboring countries and international organizations such as the United Nations and the European Union (UNODC, 2019). Enhancing international cooperation can help increase the effectiveness of efforts to combat trafficking and support victims. In conclusion, there is an urgent need to improve policies and programs in Albania to more effectively combat trafficking. This will help protect the affected population from this phenomenon and promote a fair and equitable society. Through the implementation of effective policies and programs, Albania can reduce the prevalence of trafficking and contribute to global efforts to combat this issue.

Albania serves as a source, transit, and destination country for human trafficking, including children. The majority of victims are trafficked for sexual exploitation, forced labor, or forced begging. Unaccompanied children, especially those from Roma or Egyptian communities, are particularly vulnerable to trafficking due to their marginalized and impoverished status. According to UNICEF, over 50% of unaccompanied children in Albania are at risk of becoming trafficking victims (Davy, 2022). The EU has a comprehensive strategy to combat human trafficking, aiming at prevention, victim protection, and the prosecution of traffickers. The current EU Strategy on Combatting Trafficking in Human Beings covers the period from 2021 to 2025 and builds upon previous strategies adopted in 2005, 2012, and 2016 (Council of Europe, 2023).

Identification

One of the key challenges in preventing the victimization of unaccompanied children in human trafficking is the identification of victims. Unaccompanied children are often difficult to identify, and traffickers employ various tactics to conceal their activities. Therefore, increasing awareness among professionals working with unaccompanied children, including social workers, healthcare professionals, and law enforcement agencies, regarding trafficking indicators and methods of victim identification is critical.

To achieve this goal, comprehensive identification procedures for unaccompanied children at risk of trafficking should be developed and implemented. This includes specialized training for frontline personnel, including border control officers, social workers, and healthcare providers. Simultaneously, informative activities should be organized within Roma and Egyptian communities to identify at-risk children and provide support and resources. Furthermore, protocols for reporting suspected cases of child trafficking to relevant authorities, including friendly reporting mechanisms to support children in this process, need to be established and implemented. Ensuring immediate and appropriate support and protection for identified unaccompanied children as trafficking victims, including access to legal representation and healthcare, is a key element in addressing this issue (Ruiz, Stiplošek & Tortel, 2019). This immediate and suitable response should be coordinated with specialized non-governmental organizations.

Another essential aspect is the investigation and criminal prosecution of child trafficking cases. For this purpose, strengthening the capacities of law enforcement and judicial authorities to conduct investigations and prosecute individuals responsible for trafficking is necessary. Similarly, effective partnerships should be established between government agencies and non-governmental organizations to offer various supportive services to unaccompanied children identified as trafficking victims. This aspect can encompass elements such as shelter, education, vocational training, and psychosocial support (US Department of State, 2022).

In the realm of protection, the European Union demonstrates its commitment to safeguarding trafficking victims by ensuring their access to essential healthcare, legal aid, and a range of supportive services. In addition to these measures, the EU has proactively fostered the establishment of national referral mechanisms geared towards the identification and comprehensive assistance of individuals subjected to trafficking. Regarding prosecution, the EU has embarked on an extensive endeavor to fortify legal frameworks and enhance international collaboration to bolster the capacity of law enforcement agencies and judicial

authorities in the apprehension and prosecution of individuals implicated in trafficking activities (Council of Europe, 2022). To facilitate this process, specialized training initiatives have been deployed, equipping law enforcement and judicial personnel with the requisite skills and knowledge to effectively investigate and bring trafficking cases to justice. Within the context of fostering partnerships, the EU has undertaken multifaceted initiatives to combat human trafficking through collaborative efforts with various countries and international organizations. This collaborative agenda encompasses the development of overarching global strategies and cooperation frameworks, as well as active engagement in dialogue with nations serving as points of origin, transit, and destination for trafficking activities (EurLex, 2021).

Prevention

The paramount importance of prevention, as stipulated by the EU strategy, in mitigating the victimization of unaccompanied children within the context of human trafficking cannot be understated. Preventive measures necessitate a comprehensive approach encompassing the elevation of public awareness regarding the perils of trafficking, the provision of education and training for professionals engaged with unaccompanied children, and the concerted efforts to address the underlying causes of trafficking, such as poverty, conflict, and discrimination.

Raising awareness about child trafficking and its significant effects on unaccompanied children is a fundamental part of the prevention strategy. This effort includes launching public education campaigns, organizing seminars, and providing training programs for key stakeholders such as social workers, law enforcement officials, and NGO staff. Collaborating with Roma and Egyptian communities is essential for the initiative's success. Additionally, to safeguard at-risk unaccompanied children, it is crucial to secure comprehensive support mechanisms and resources that ensure their access to basic needs, including education, shelter, healthcare, and legal assistance. This goal can be effectively met through partnerships between social services and NGOs. Moreover, improving border control measures is a critical component of prevention, focusing on reducing trafficking at entry and exit points. This includes establishing strict control procedures and closely monitoring vulnerable populations. Developing programs and initiatives to help reintegrate unaccompanied children into their communities and families, when feasible, represents a compassionate and practical approach to prevention.

In summary, the EU's strategy to combat human trafficking aligns with the broader EU vision of crafting a "Europe with a human face." It is noteworthy that while Albania is actively pursuing its European trajectory, it has yet to attain full EU membership. At the international level, the EU's commitment to upholding human rights is underscored by the Codification of the Charter of Fundamental Rights of the EU, with Albania's potential accession to the European Convention on Human Rights (ECHR) being a subject of consideration (European Commission, 2019).

Human trafficking is a critical issue in Albania and the Balkan region, with individuals being trafficked for sexual exploitation, forced labor, and organ trafficking. Contributing factors include poverty, corruption, weak legal frameworks, and discrimination (European Commission, 2021). Policies and programs have been implemented to prevent trafficking and support victims, but more needs to be done to address the root causes of trafficking and

strengthen law enforcement efforts. The COVID-19 pandemic has underscored the importance of treating trafficking as a public health issue and ensuring that victims have access to essential services.

Human trafficking, especially the trafficking of unaccompanied children, remains a fundamental problem in Albania. The government must take proactive measures to prevent the victimization of unaccompanied children by strengthening law enforcement efforts, improving access to education, increasing awareness and preventive efforts, and enhancing protective measures (Ministria e Brendshme, 2016). These efforts (as outlined below) must be coordinated and collaborative to be effective and should prioritize the safety and well-being of unaccompanied children.

Strengthening Law Enforcement and Legal Frameworks

The fight against human trafficking in Albania and the broader Balkan region requires an intensive investment in law enforcement capabilities and a comprehensive legal framework. These efforts must be multi-faceted, targeting both immediate trafficking cases and broader system weaknesses that traffickers exploit. Effective law enforcement in anti-trafficking efforts depends on specialized training and resources that enable officers to address the specific challenges of human trafficking (COE, 2020). Law enforcement officials must be trained to recognize trafficking indicators and employ victim-centered approaches, especially as traffickers often employ sophisticated methods to obscure the exploitation of their victims. Building skills in trauma-informed interviewing, handling evidence with care, and employing digital investigative tools are essential for combating the increasingly online nature of trafficking operations. An ongoing commitment to training and resource allocation is critical to maintaining the specialized skills necessary to detect, investigate, and dismantle trafficking operations across the region (U.S. Department of State, 2023).

While Albania's legal framework, including Law 8733 (2001) criminalizing adult trafficking under Article 110/a of the Penal Code, provides a foundational structure, critical shortcomings persist. For instance, the law lacks specificity in defining forced labor and organ trafficking, creating ambiguities that hinder prosecutions and enable traffickers to exploit jurisdictional loopholes (Albanian Penal Code, 2001). Strengthening law enforcement capabilities requires not only specialized training but also legislative reforms to mandate continuous, standardized anti-trafficking education for officers, ensuring alignment with evolving transnational tactics. Current training modules, often sporadic and underfunded, fail to address the digital dimensions of trafficking, such as cryptocurrency transactions for ransom or AI-driven recruitment on platforms like TikTok—a gap underscored by the EU's 2022 evaluation of Albania's anti-trafficking mechanisms (COE, 2020; EU Progress Report, 2022). By codifying mandatory annual training in trauma-informed interviewing, digital forensics, and victim identification into law (e.g., amending Law 8733), Albania could institutionalize competencies critical to dismantling sophisticated networks.

Interagency collaboration and intelligence sharing are essential for a comprehensive anti-trafficking response. Law enforcement agencies, social services, immigration authorities, and NGOs must work together to create an integrated system capable of responding to trafficking situations rapidly. Establishing centralized task forces with statutory authority to compel data sharing—such as harmonizing border control databases with INTERPOL's trafficking alerts—would address this disconnect. Albania's legal framework should integrate binding

protocols for real-time intelligence exchange with Europol, particularly in monitoring high-risk migration corridors like the Balkan Route, where 63% of intercepted victims in 2022 were en route to Western Europe (ICMPD, 2023). Legislative harmonization with international standards is equally urgent. While Albania ratified the UN Palermo Protocol in 2002, its domestic laws inadequately criminalize child trafficking for forced begging—a pervasive issue in Roma communities—leaving prosecutors reliant on broader “exploitation” statutes that lack sentencing specificity (UNICEF, 2022; Palermo Protocol, 2000). Revising the Penal Code to explicitly define and penalize all trafficking forms enumerated in the EU Directive 2011/36/EU, including forced criminality and child soldiering, would close these gaps. Moreover, Albania’s courts face systemic delays, with trafficking cases averaging 18 months to reach trial—a consequence of under-resourced judiciary units and absent statutory requirements for prioritized hearings. Introducing fast-track courts through amendments to the Criminal Procedure Code could address these delays.

A comprehensive legal framework must also include provisions for victim protection to ensure that survivors are not criminalized for actions they may have been forced into while trafficked. Trafficking victims need legal safeguards that allow them to testify safely against traffickers, access legal aid, and receive protective services. Unlike the EU Directive’s Article 11, which mandates non-punishment for crimes committed under coercion, Albania’s Law 121/2016 on Victim Protection lacks explicit immunity clauses, risking re-traumatization through secondary criminalization (EU Directive 2011/36/EU; CRCA, 2023). For instance, in 2021, 22% of trafficked women in Albania faced charges for illegal border crossings initiated by their traffickers (United Kingdom Home Office, 2022). Legislative amendments to enshrine absolute immunity for trafficking-related offenses, coupled with dedicated legal aid funding, would align Albania with Article 10 of the Council of Europe Convention (Maçolli, 2024). These protections can be particularly relevant for foreign victims, who may otherwise face deportation or other adverse legal consequences (IOM, 2014). By expanding its legal framework to prioritize victim-centered approaches, Albania can enhance its ability to prosecute traffickers while upholding the rights and dignity of those affected by trafficking. These protective measures are vital for encouraging survivors to come forward, which in turn supports stronger evidence gathering and more successful prosecutions.

Enhancing border and immigration control is another crucial element of strengthening law enforcement in Albania. Border security and immigration agencies play a frontline role in detecting trafficking, especially as Albania often functions as both a source and transit country. Strategic investments in training and technology for border agents can help prevent trafficked individuals from being transported across borders or entering the country undetected. Enhanced security measures such as digital screening tools, as well as expanded collaborations with neighboring countries, are critical to a comprehensive border response (Davis, 2011). By harmonizing immigration procedures and establishing joint efforts in trafficking prevention with other Balkan nations, Albania can improve its ability to detect, prevent, and respond to trafficking networks that operate transnationally. To facilitate a coordinated response, Albania must develop a clear and unified victim identification and referral system. Law enforcement agencies must be able to screen individuals for trafficking indicators at all levels and implement streamlined referral pathways to connect identified victims with appropriate resources. Standardized procedures across the law enforcement system should ensure that potential victims are identified early and receive timely referrals to shelters, healthcare, and legal assistance. By establishing designated referral centers at critical

points such as borders and urban centers, Albania can create a comprehensive support network that addresses victims' immediate needs. This system should also encompass follow-up support and reintegration services, in collaboration with NGOs, to ensure long-term recovery for survivors and reduce their risk of re-victimization.

Improving Education Access and Awareness Programs

Education and awareness programs are essential components in combating human trafficking, as they address both the root causes of vulnerability and the lack of awareness that allows trafficking to persist. Improved access to education, particularly for at-risk populations such as unaccompanied children, is vital in preventing trafficking. Education serves not only as a means of empowerment and economic mobility but also as a safeguard against exploitation by providing children and young adults with knowledge, critical thinking skills, and the ability to recognize and avoid exploitative situations. In rural and impoverished areas of Albania, where dropout rates are high, expanding access to education can make a substantial impact on reducing the pool of potential trafficking victims (Ministry of State for Youth and Children, 2022).

Efforts to improve educational access must prioritize marginalized groups, including unaccompanied children, low-income families, and ethnic minorities, who are disproportionately affected by trafficking. These communities often lack sufficient access to quality education due to geographic isolation, poverty, and systemic barriers. Investment in school infrastructure, transportation, and teacher training is needed to reach these areas (IOM, 2014). Additionally, implementing flexible educational models, such as mobile classrooms or community-based learning centers, can help bring education to remote locations where formal schooling may be limited or unavailable. By ensuring that all children have equal access to education, Albania can empower its most vulnerable populations and mitigate many of the socioeconomic factors that traffickers exploit.

Raising awareness about the dangers of human trafficking is equally crucial in preventing this crime, as many individuals may not recognize the tactics that traffickers use to lure victims. Awareness programs tailored for schools, community organizations, and workplaces can educate individuals about the methods traffickers use, such as fraudulent job offers, promises of economic opportunity, or manipulative relationships (Serrano, 2022). Targeting young people and their families through school-based programs and youth centers can be particularly effective, as traffickers often target those who lack information about safe migration and employment practices. Awareness campaigns should be designed to be culturally relevant and linguistically accessible, ensuring that vulnerable groups fully understand the risks and can recognize early warning signs.

In addition to general awareness campaigns, educational curricula that include anti-trafficking content can play a pivotal role in long-term prevention. Anti-trafficking education should address topics such as personal safety, consent, healthy relationships, and media literacy, empowering students with the skills needed to identify risky situations and protect themselves from exploitation. Integrating these themes into school curricula, starting from an early age, can equip students with a foundation of knowledge that helps reduce susceptibility to trafficking. Collaboration with educators and curriculum developers is essential to create age-appropriate materials that effectively communicate these concepts without instilling fear.

Special attention must be given to the role of vocational training and skill development programs, especially for at-risk youth and vulnerable adults. Many trafficking victims are lured with the promise of job opportunities, highlighting the need for programs that offer real alternatives for employment. Expanding vocational training and career counseling in underserved areas can empower individuals to pursue safe and sustainable livelihood options (Davy, 2022). These programs can include training in trades such as carpentry, agriculture, information technology, and hospitality, allowing individuals to enter the job market with skills that reduce their vulnerability to exploitation. Partnering with private sector companies and local businesses to provide internships, apprenticeships, and job placements can further bolster these efforts, providing practical pathways to employment and economic independence.

Awareness programs must also involve collaboration with the media, civil society, and influential community leaders who can amplify anti-trafficking messages and serve as trusted sources of information. Working with local media outlets to disseminate anti-trafficking information can reach a wider audience and reinforce community-level knowledge about trafficking risks and support services. Community leaders, including religious leaders, youth mentors, and social workers, can be instrumental in spreading awareness and addressing cultural factors that may hinder anti-trafficking efforts (Davy, 2022). Civil society organizations (CSOs) play a key role as well, not only in educating vulnerable communities but also in advocating for systemic changes that reduce susceptibility to trafficking. Through targeted partnerships, CSOs and the government can create a comprehensive network of awareness initiatives that foster community resilience against trafficking.

Through investment approaches in educational access and comprehensive awareness programs, Albania can address the socio-economic factors that make individuals vulnerable to trafficking and create an informed society that is better equipped to recognize and resist exploitation. These efforts form a critical part of a multi-dimensional anti-trafficking strategy, helping to break the cycle of vulnerability and providing at-risk individuals with the knowledge and skills they need to build safer, more empowered futures.

Prioritizing Victim Support and Rehabilitation

Victim support and rehabilitation are fundamental components of a holistic response to human trafficking, addressing not only the immediate needs of trafficking survivors but also empowering them to rebuild their lives. Victims of human trafficking often endure extreme physical, psychological, and emotional trauma, which can have lasting effects that impede their reintegration into society. (Jorge-Birol, A. P, n.d.). Consequently, a robust support and rehabilitation framework that includes access to medical care, psychological counseling, legal assistance, and social services is critical. In Albania and the broader Balkan region, where resources for trafficking victims are often limited, enhancing these services and expanding access is essential for breaking the cycle of victimization and preventing re-trafficking (Agolli, T., Georgieva, I., & Stevkovski, B, 2015).

Primarily, victim support must prioritize the provision of safe and secure shelter. Many trafficking survivors lack stable housing, leaving them vulnerable to re-exploitation. Safe shelters that provide a secure environment away from the reach of traffickers are essential for the initial recovery period (Goodey, 2003). Additionally, these shelters should be adequately resourced to offer basic necessities such as food, clothing, and medical care, as well as

specialized services tailored to victims' needs. Investment in shelter facilities specifically designed for trafficking survivors, especially those who are unaccompanied minors, can greatly improve the quality of care and enhance survivors' sense of security and dignity (Secretariat of the Council of Europe Convention on Action against Trafficking in Human Beings, 2020).

Access to comprehensive medical care is another vital component of victim support. Many trafficking victims suffer from injuries, illnesses, or conditions as a result of prolonged exploitation, including untreated infections, malnutrition, and exposure to harmful substances. Medical care should be holistic, addressing not only immediate physical health needs but also long-term care for conditions resulting from abuse and exploitation. Trauma-informed healthcare professionals who understand the complexities of trafficking can offer care with sensitivity, reducing the likelihood of re-traumatization during medical treatment (Davy and Metanj 2022). Partnerships with local hospitals, clinics, and mental health providers can facilitate the provision of these services, ensuring that survivors receive timely and appropriate care.

Psychological support and trauma-informed counseling are essential for helping survivors process their experiences and begin the journey toward healing. Trafficking survivors often grapple with profound psychological trauma, including post-traumatic stress disorder (PTSD), anxiety, depression, and other mental health conditions. Access to trained mental health professionals who specialize in trauma recovery can help survivors manage these effects and gradually regain a sense of control over their lives (Davy, 2022). Additionally, group therapy sessions and peer support networks can offer survivors a supportive community, reducing feelings of isolation and stigma and promoting mutual healing. Integrating culturally sensitive and trauma-focused therapy options can also enhance the effectiveness of these programs by acknowledging and addressing the unique needs of diverse survivor populations.

Legal assistance is another critical aspect of victim support. Trafficking survivors may need legal representation to pursue justice against traffickers or to navigate complex immigration or asylum processes. In many cases, survivors face challenges such as the lack of valid identification documents or potential involvement in unlawful activities under duress, which can complicate their legal status (Secretariat of the Council of Europe Convention on Action against Trafficking in Human Beings, 2020). Providing victims with access to pro bono legal aid can help them secure the legal rights and protections they need, while also offering guidance on how to participate in prosecuting traffickers without risking further trauma or retaliation. Strengthening collaborations with legal aid organizations and government agencies is essential to ensure that survivors receive thorough and consistent legal support (Agolli, T., Georgieva, I., & Stevkovski, B, 2015).

In addition to immediate support, long-term rehabilitation is necessary to help survivors reintegrate into society and achieve economic independence. Vocational training, education programs, and job placement services offer survivors a pathway toward self-sufficiency, reducing the likelihood of re-victimization due to economic hardship. Tailored skill-building initiatives, such as vocational training in trades, information technology, or hospitality, can enable survivors to build stable and fulfilling careers (Davy, D, 2022). Additionally, partnerships with local businesses and employers to provide internships and employment opportunities can facilitate survivors' transition into the workforce, giving them a renewed sense of purpose and stability.

Furthermore, successful rehabilitation requires strong networks of community support. Anti-trafficking organizations and civil society groups can play a significant role in connecting survivors with local resources, mentoring programs, and support groups that foster a sense of community belonging. By creating environments that are welcoming and inclusive, communities can help reduce the stigma surrounding survivors of trafficking, encouraging greater acceptance and integration. Community-based support also provides survivors with social networks that can reinforce their resilience and strengthen their ability to avoid future exploitation.

Ultimately, prioritizing victim support and rehabilitation not only aids in the healing and recovery of trafficking survivors but also contributes to the broader prevention of human trafficking. When victims are effectively supported, they are less vulnerable to re-trafficking, and when their stories are shared sensitively, they can help raise awareness of trafficking risks within their communities (Office of Women in Development and United States Agency for International Development, 2005). By investing in comprehensive victim support services, the Albanian government, along with its partners and international organizations, can help create a safer and more inclusive society that protects its most vulnerable members and takes meaningful steps toward eradicating human trafficking.

Collaborative International Efforts and Local Partnerships

Addressing human trafficking in Albania and the Western Balkans requires both comprehensive international collaboration and active local partnerships, as the transnational nature of trafficking networks often surpasses the capacity of any single nation to combat effectively (IOM, 2014). By fostering cross-border cooperation, resource-sharing, and consistent policy frameworks, international and local actors can combine expertise, share vital intelligence, and deploy targeted strategies to combat trafficking. For Albania, which serves as a source, transit, and destination country, such collaborative efforts are essential for tackling trafficking at its roots and ensuring that victims receive the necessary protection and support.

International collaboration begins with aligning legal and policy frameworks. Harmonizing anti-trafficking laws across countries in the Western Balkans and the European Union can create unified protocols for prosecuting traffickers and safeguarding victims. Initiatives such as the European Union's Strategy on Combatting Trafficking in Human Beings provide a structured framework that regional governments can align with to ensure seamless cooperation on trafficking cases (European Commission, 2023). By adhering to international standards, such as those established in the UN Palermo Protocol, countries can ensure consistent definitions, penalties, and protections across borders, facilitating coordinated responses to transnational trafficking rings (General Assembly resolution 55/25).

Effective cross-border cooperation also involves information-sharing between law enforcement agencies across different countries. The establishment of joint task forces, such as those led by Europol or Interpol, allows national law enforcement bodies to share intelligence on traffickers' operations, enabling quicker responses to trafficking activities and the dismantling of organized crime networks. These task forces are vital for identifying, tracking, and intercepting traffickers as they move victims across borders (Friesendorf, 2009). Information-sharing agreements can facilitate the exchange of data on known

traffickers, suspected trafficking routes, and trends in trafficking practices, helping authorities to anticipate and disrupt trafficking networks before they reach vulnerable populations.

Beyond formal law enforcement collaboration, partnerships with international organizations and NGOs strengthen anti-trafficking efforts by providing specialized expertise and additional resources. Organizations like the International Organization for Migration (IOM), the United Nations Office on Drugs and Crime (UNODC), and the International Labour Organization (ILO) offer technical expertise in victim support, legal frameworks, and trafficking prevention (IOM, 2014). These organizations can support Albanian authorities by providing training on trauma-informed care for victims, public awareness initiatives, and guidelines for investigating trafficking cases with a victim-centered approach. Moreover, they often bring critical funding that can be allocated to shelter services, legal aid, and other essential victim support measures, significantly enhancing the impact of local anti-trafficking efforts (UNODC, 2020).

Local partnerships with civil society organizations, community groups, and non-governmental organizations (NGOs) are equally essential to addressing trafficking within Albania. Local NGOs often have a deep understanding of the specific vulnerabilities within Albanian communities that traffickers exploit, such as poverty, marginalization, or limited educational opportunities. Community organizations can act as early warning systems by identifying at-risk individuals and providing outreach programs in areas where trafficking risks are higher. By training community members to recognize the signs of trafficking and report suspicious activities, these organizations contribute to creating resilient communities that are less susceptible to trafficking (Friesendorf, C (2007).

Furthermore, partnerships between government bodies and local NGOs enable the creation of comprehensive victim support networks. Local NGOs often provide essential services, such as shelter, counseling, legal aid, and job training, which are critical for helping survivors rebuild their lives. In many cases, local organizations are better equipped to offer culturally sensitive support, particularly for survivors from marginalized communities. By collaborating with these organizations, the government can expand its capacity to support victims and ensure they receive the long-term care necessary to prevent re-trafficking. Additionally, local partnerships allow the government to reach underserved regions, ensuring that anti-trafficking resources are available to communities most affected by this crime (Casassa, Knight, & Mengo, 2021).

Public awareness campaigns represent another area where international and local partnerships can make a significant impact. Collaborative efforts between international organizations, the Albanian government, and local NGOs can lead to coordinated awareness-raising activities that educate the public about the risks and realities of human trafficking. Campaigns that use social media, educational workshops, and community events can help build understanding about the nature of trafficking, signs to look out for, and resources available for victims or those at risk. (Ministry of State for Youth and Children, 2022). Awareness programs targeted at vulnerable groups, such as unaccompanied minors and rural populations, can be particularly effective in preventing trafficking. With the combined reach of both international and local partners, these campaigns can foster a more informed public, reducing trafficking risks by empowering communities to recognize and combat trafficking activities.

International and local partnerships can enhance efforts to address the root causes of trafficking by supporting socio-economic development initiatives. Investments from

international agencies and collaborations with local community organizations can fund programs that address factors such as poverty, lack of education, and unemployment, all of which increase trafficking vulnerability (Davis, 2011). By focusing on these systemic issues, collaborative initiatives can reduce the economic desperation that traffickers often exploit. Programs offering vocational training, small business grants, and educational scholarships, for instance, provide at-risk populations with stable income sources and opportunities, reducing the lure of traffickers' false promises of employment or safety abroad.

Conclusion

The issue of human trafficking in Albania and the Western Balkan region is an urgent and multifaceted challenge that requires coordinated, sustained efforts across all levels of society. This research has outlined essential interventions, from bolstering law enforcement and strengthening legal frameworks to enhancing access to education, awareness, and victim support services (Ruiz, C., Stiplošek, D., & Tortel, E, 2019). Each of these elements plays a crucial role in addressing the complex causes and consequences of trafficking, enabling Albania to both meet immediate needs and establish resilient, long-term prevention mechanisms. However, the path toward meaningful progress and comprehensive anti-trafficking reform is both lengthy and intricate. It demands ongoing commitment, resources, and the full engagement of national, regional, and international stakeholders (Ministria e Brendshme, 2016).

Strengthening law enforcement and the legal framework remains foundational to Albania's ability to confront traffickers and dismantle trafficking networks. With greater investments in training, technology, and inter-agency collaboration, law enforcement can improve investigative capacities, prosecution rates, and victim protection, moving from reactive to proactive responses. Legal reforms that align Albanian law with EU standards will further support efforts to criminalize trafficking, reduce impunity, and ensure that traffickers face meaningful consequences. While these actions are vital on a national level, the transnational nature of human trafficking calls for Albania to participate in wider regional and international collaborations. By doing so, Albania can gain valuable expertise, access joint intelligence resources, and actively contribute to shared goals in the fight against human trafficking.

Equally important to law enforcement efforts are measures aimed at the education and awareness of both the general public and those most at risk. Effective prevention involves not only protective measures but also empowering communities through knowledge and resources. Education, particularly for marginalized communities and unaccompanied children, provides a formidable shield against trafficking by increasing economic opportunities, awareness of risks, and individuals' ability to protect themselves (Goodey, 2003). Comprehensive awareness programs should extend into schools, communities, and media campaigns, challenging societal tolerance of exploitation and fostering a culture that values human rights and dignity. Public awareness also plays a key role in generating community-based vigilance and encouraging reporting, thus acting as a preventive tool that complements law enforcement efforts.

Support and rehabilitation for trafficking survivors must remain at the heart of anti-trafficking policies. Victims need holistic, trauma-informed services, including access to medical care, psychological support, safe housing, and legal assistance. Rehabilitation and reintegration programs are essential not only for healing but also for breaking the cycle of exploitation.

Without these services, survivors remain at risk of re-victimization, further isolation, and poverty. Providing adequate resources and support structures for victims acknowledges their experiences, supports their recovery, and reaffirms Albania's commitment to human rights. This work should not fall to NGOs alone but should be supported by a robust state-backed framework that ensures survivors receive consistent, high-quality care.

International collaboration and local partnerships are indispensable in effectively addressing trafficking. Albania's participation in EU-led initiatives, NATO programs, and UN frameworks has already laid a solid foundation for regional cooperation, but further partnership is crucial as trafficking networks often operate across borders (Davis, 2011). International organizations bring valuable resources, technical assistance, and best practices that can strengthen Albania's own approaches. Local NGOs and community organizations are essential as well, offering unique insights, flexibility, and direct support to vulnerable populations (Testaverde, M., & Coll-Black, S, 2024). A coordinated approach that bridges international bodies, government agencies, and grassroots organizations ensures a multi-layered response that addresses the problem from all angles, building capacity across sectors.

The EU's opening of the Fundamentals Cluster with Albania and other Western Balkan countries marks a timely opportunity to prioritize human trafficking reforms within Albania's EU integration agenda. As Albania advances in its journey toward EU membership, it is increasingly held to EU standards, which prioritize human rights protections, justice, and anti-trafficking initiatives. This alignment with EU values will encourage Albania to pursue reforms that are both meaningful and sustainable, with support and oversight from EU institutions. With EU integration offering a pathway to closer partnerships, funding, and guidance, Albania is better positioned than ever to implement the outlined reforms and make significant strides in addressing human trafficking. However, this endeavor cannot be completed overnight. It demands sustained dedication, policy innovation, and a commitment to human rights that transcend political shifts or changes in leadership.

Ultimately, the journey toward eradicating human trafficking in Albania and the Western Balkans will be marked by steady progress and gradual transformation. By addressing root causes, building stronger institutions, and fostering regional cooperation, Albania is poised to protect its most vulnerable populations and offer a future where the exploitation of human lives has no place. As EU integration brings the country closer to European standards of human rights and justice, this ongoing effort not only aligns Albania with EU goals but also sets a hopeful precedent for future generations. Together, Albania and its partners can work toward a reality in which human trafficking is not just managed but ultimately eradicated, creating a safer, more just society for all. Crucially, this path forward demands a concerted, cooperative, and coordinated effort, both domestically and in collaboration with international partners, civil society, and local communities. Albania's journey towards EU integration may continue, and as it does, an unyielding commitment to safeguarding human rights and combating human trafficking must remain at the forefront. As we embark on this journey, we are guided by the belief that progress is not only possible but inevitable when driven by the collective will to protect the most vulnerable among us (Kamusella, 2012).

References

- Agolli, T., Georgieva, I., & Stevkovski, B. (2015). *Fight against trafficking in human beings and organized crime – Phase 2 (THB/IFS/2): Assessment of the national and transnational referral mechanism for victims of trafficking in Albania*. International Centre for Migration Policy Development. Retrieved from https://www.icmpd.org/file/download/48364/file/THB_IFS_2_%2520Assessment%2520of%2520the%2520National%2520and%2520Transnational%2520Referral%2520Mechanism%2520for%2520Victims%2520of%2520Trafficking%2520in%2520Albania%2520%2520EN.pdf
- BBC News. (2022, October 27). What is the UK's new illegal immigration bill? *BBC*. <https://www.bbc.com/news/explainers-63473022>
- Binns, R. (2023, June 12.) People smugglers use emojis to avoid ad filters. *The Telegraph*. <https://www.telegraph.co.uk/world-news/2023/06/12/people-smugglers-use-emojis-to-avoid-ad-filters/>
- COE. (2020). *Evaluation Report - Albania- Access to justice and effective remedies for victims of trafficking in human beings. Greta - action against trafficking in human beings*. Retrieved from <https://rm.coe.int/greta-2020-09-fgr-alb-en/1680a0b84f>
- Council of Europe. (2022, March). *New report on online and technology-facilitated trafficking in human beings - action against trafficking in human beings. Action against Trafficking in Human Beings*. Retrieved from <https://www.coe.int/en/web/anti-human-trafficking/-/new-report-on-online-and-technology-facilitated-trafficking-in-human-beings>
- Cockerell, I. (2023, August 24). The TikTok exodus: How an Albanian town was emptied. *The Economist*. <https://www.economist.com/1843/2023/08/24/the-tiktok-exodus-how-an-albanian-town-was-emptied>
- Craig, G. (Ed.). (2010). *Child slavery now: A contemporary reader*. Bristol University Press. Retrieved from <http://www.jstor.org/stable/j.ctt9qgxmk>
- Craig, Gary, et al., editors. *The Modern Slavery Agenda: Policy, Politics and Practice*. 1st ed., Bristol University Press, 2019. Retrieved from <https://doi.org/10.2307/j.ctvb1hsm8>
- Casassa, K., Knight, L., & Mengo, C. (2021). Trauma bonding perspectives from service providers and survivors of sex trafficking: A scoping review. *Trauma, Violence, & Abuse*, 23(4), 969-984. <https://doi.org/10.1177/1524838020985542>
- Davy, D. (2022). *Trafficked by someone I know*. UNICEF. Retrieved from <https://www.unicef.org/albania/media/4906/file/Trafficked%20by%20Someone%20I%20Know.pdf>
- Davy, D., & Metanj, B. (2022). *First Wave Survey Study on Youth Knowledge, Attitudes and Practices with Regard to Human Trafficking, in Four Regions in Albania*. UNICEF. Retrieved from <https://www.unicef.org/albania/media/3616/file/First%20Wave%20Survey%20Study%20on%20Youth%20Knowledge.pdf>
- Davy, D. 2022. *Economic reintegration of trafficking survivors in Albania: A qualitative study of the experiences of survivors in accessing and frontline professionals in providing economic reintegration support*, UNICEF Albania and IDRA. https://unicef-stop-human-trafficking.s3.amazonaws.com/2022/10/Report_reintegration_EN_FINAL_web.pdf

Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA

Davis, J. A. (2011). Threats from Non-Traditional Actors: Expanding and Transforming Intelligence to Address Transnational Issues. *American Intelligence Journal*, 29(1), 47–52. Retrieved from <http://www.jstor.org/stable/26201919>

European Commission. (n.d.). *Fighting trafficking in human beings: new strategy to prevent trafficking, break criminal business models, protect and empower victims*. Retrieved from https://ec.europa.eu/commission/presscorner/detail/en/ip_21_1663

European Commission. (2019). *New Pact on Migration and Asylum*. Retrieved from https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/promoting-our-european-way-life/new-pact-migration-and-asylum_en

European Commission. (2023). *Communication on EU enlargement policy: Albania report* (SWD 2023 690). European Commission. https://neighbourhood-enlargement.ec.europa.eu/system/files/2023-11/SWD_2023_690%20Albania%20report.pdf

Europol (2024). *Tackling threats, addressing challenges: Europol's response to migrant smuggling and trafficking in human beings in 2023 and onwards*. Publications Office of the European

Union. https://www.europol.europa.eu/cms/sites/default/files/documents/Tackling_threats_addressing_challenges_-_Europol%E2%80%99s_response_to_migrant_smuggling_and_trafficking_in_human_beings_in_2023_and_onwards.pdf

EurLex. *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the EU Strategy to tackle Organised Crime 2021-2025*. Retrieved from <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52021DC0170&qid=1632306192409>

Feigenblatt, H. (2021). *Corruption and contemporary forms of slavery: Examining relationships and addressing policy gaps*. United Nations Development Programme's Anti-Corruption for Peaceful and Inclusive Societies (ACPIS) Global Project. <https://www.undp.org/sites/g/files/zskgke326/files/2021-09/UNDP-Corruption-and-Contemporary-Forms-of-Slavery-Relationships-and-Addressing-Policy-Gaps.pdf>

Friesendorf, C. (Ed.). (2009). *Strategies against human trafficking: The role of the security sector*. National Defence Academy and Austrian Ministry of Defence and Sports, in cooperation with Geneva Centre for the Democratic Control of Armed Forces. <https://www.dcaf.ch/sites/default/files/publications/documents/Trafficking%2520Complete.pdf>

Friesendorf, C (2007). Pathologies of Security Governance: Efforts against Human Trafficking in Europe, *Security Dialogue*, 38(3), 379-402, Sage Publications, Thousand Oaks.

Eurojust. (2024). *Western Balkans – Criminal justice*. Retrieved March 20, 2025, from <https://www.eurojust.europa.eu/western-balkans-criminal-justice>

Gabhan, S. N. (2006). Human Trafficking: A Twenty-First Century Slavery. *The Furrow*, 57(10), 528–537. Retrieved from <http://www.jstor.org/stable/27665410>

GIZ. (2020, March 23). *Preventing human trafficking in the Western Balkans and supporting victims*. Retrieved from [https://www.giz.de/en/downloads/Factsheet%20GIZ%20Preventing%20Human%20Trafficking%20\(PaCT\)_en.pdf](https://www.giz.de/en/downloads/Factsheet%20GIZ%20Preventing%20Human%20Trafficking%20(PaCT)_en.pdf)

Goodey, J. (2003). Migration, crime, and victimhood: responses to sex trafficking in the EU, *Punishment & Society*, 5(4), 415-431, Sage Publications, Thousand Oaks.

Secretariat of the Council of Europe Convention on Action against Trafficking in Human Beings (2020). *Evaluation report: Albania – Access to justice and effective remedies for victims of trafficking in human beings* (GRETA (2020)09). Council of Europe. <https://rm.coe.int/greta-2020-09-fgr-alb-en/1680a0b84f>

Haynes, D. F. (2014). The Celebrityization of Human Trafficking. *The Annals of the American Academy of Political and Social Science*, 653, 25–45. Retrieved from <http://www.jstor.org/stable/24541773>

Hynes, P. et, al. (2022). *'Between two fires': Understanding vulnerabilities and the support needs of people from Albania, Viet Nam, and Nigeria who have experienced human trafficking into the UK (Final report)*. International Organization for Migration (IOM). https://unitedkingdom.iom.int/sites/g/files/tmzbd11381/files/documents/two_fires_footnotes_final2.pdf

Instat.gov.al. (2011). *Corruption in Albania* - Institute of Statistics. Retrieved from https://www.instat.gov.al/media/3587/corruption_in_albania.pdf

International Labour Organization ILO. (2022). *Forced labour, modern slavery and human trafficking*. Retrieved from <https://www.ilo.org/global/topics/forced-labour/lang-en/index.htm>

International Organization for Migration (IOM). (2014). *Needs assessment: Human trafficking in the Western Balkans*. International Organization for Migration. <https://albania.iom.int/sites/g/files/tmzbd11401/files/documents/64.%2520Needs%2520Assessment%2520Human%2520Trafficking%2520in%2520the%2520Western%2520Balkans.pdf>

International Centre for Migration Policy Development (ICMPD). (2023). *ICMPD Migration Outlook: Western Balkans and Türkiye 2023 – Nine migration issues to look out for in 2023*. <https://www.icmpd.org/file/download/59321/file/ICMPD%2520Migration%2520Outlook%2520Western%2520Balka>

Jorge-Birol, A. P. (n.d.). Empowering victims of human trafficking: The role of support, assistance, and protection policies. *HUMSEC Journal*, (2), 163-178. https://documentation.lastradainternational.org/lisdocs/jorge_birol_empowering_victims_of_human_trafficking.pdf

Kamusella, T. (2012). Central Europe in the Distorting Mirror of Maps, Languages, and Ideas. *The Polish Review*, 57(1), 33–94. Retrieved from <http://www.jstor.org/stable/41557950>

Latonero, M. (2011). *Human trafficking online: The role of social networking sites and online classifieds*. SSRN. <https://doi.org/10.2139/ssrn.2045851>

Maçolli, E. (2024, February). *Analysis in the field of migrant smuggling in Albania*. Albanian Helsinki Committee. https://ahc.org.al/wp-content/uploads/2024/06/EN_Analysis-migrant-smuggling-Albania.pdf

Ministria e Brendshme. (2012). *Marrëveshja Për Funksionimin e Mekanizmit Kombëtar Për referimin e Viktimave të trafikimit*. Retrieved from <https://mb.gov.al/marreveshja-per-funksionimin-e-mekanizmit-kombetar-per-referimin-e-viktimave-te-trafikimit/>

Ministria e Brendshme. (2016). *Strategjia Kombëtare për Luftën kundër Trafikimit të Njerëzve dhe Fëmijëve*. Retrieved from https://mb.gov.al/wp-content/uploads/2018/02/Strategjia_e_Luftes_kunder_Trafikimit_te_Personave_dhe_Plani_i_Veprimit_2014_-_2017.pdf

Ministry of State for Youth and Children. (2022). *National youth strategy and action plan 2022-2029*. https://riniafemijet.gov.al/wp-content/uploads/2023/04/SKR29_Anglisht.pdf

Murphy, Carole, and Runa Lazzarino, editors. *Modern Slavery and Human Trafficking: The Victim Journey*. 1st ed., Bristol University Press, 2023. Retrieved from JSTOR <https://doi.org/10.2307/j.ctv32r02pf>

Needham, C., Heins, E., & Rees, J. (Eds.). (2018). *Social policy review 30: Analysis and debate in social policy*. (1st ed.). Bristol University Press. Retrieved from JSTOR <https://doi.org/10.2307/j.ctv3hh50d>

Ngwe, Job Elom, and O. Oko Elechi (2012). Human trafficking: The modern-day slavery of the 21st century. *African Journal of Criminology & Justice Studies*, 6.

Penal Law of the Republic of Albania 2021. Retrieved from <https://qbz.gov.al/preview/a2b117e6-69b2-4355-aa49-78967c31bf4d>.

Neni 110/a, *Trafikimi i personave të rritur: Shtuar me ligjin 8733, datë 24.1.2001; ndryshuar me ligjin nr. 9188, datë 12.2.2004; ndryshuar titulli, fjalët në paragrafin e parë dhe paragrafi i tretë dhe shtuar paragrafi i dytë me ligjin nr. 144, datë 2.5.2013; shfuqizuar pjesa që parashikon edhe dënimin me gjobë, si dënim kryesor, krahas dënimit me burgim, me ligjin nr. 144/2013, datë 2.5.2013)*

Office of Women in Development, United States Agency for International Development. (2005). *The rehabilitation of victims of trafficking in group residential facilities in foreign countries: A study conducted pursuant to the Trafficking Victim Protection Reauthorization Act, 2005*. United States Agency for International Development, with assistance from Chemonics International, Inc. https://pdf.usaid.gov/pdf_docs/PNADK471.pdf

Paz-Fuchs, Amir (2016). Badges of Modern Slavery. *The Modern Law Review*, 79 (5), 757–85. Retrieved from <http://www.jstor.org/stable/26646572>

Ramaj, K. (2023). The aftermath of human trafficking: Exploring the Albanian victims' return, rehabilitation, and reintegration challenges. *Journal of Human Trafficking*, 9(4), 408–429. <https://doi.org/10.1080/23322705.2021.1920823>

Ruiz, C., Stiplošek, D., & Tortel, E. (2019, February). *The identification of victims of human trafficking in transit and destination countries in Europe*. Croatian Red Cross. Retrieved from <https://www.infomie.net/IMG/pdf/the-identification-of-victims-of-human-trafficking-in-transit-and-destination-countries-in-europe-a-practical-guideline-for-frontline-workers.pdf>

Serrano, I. (2022, April 12). *Poverty in Albania. The Borgen Project*. Retrieved from <https://borgenproject.org/tag/poverty-in-albania/>

Sinoruka, F. (2022, July 21). *Balkan countries struggling to curb human trafficking – US report*. Balkan Insight. Retrieved from <https://balkaninsight.com/2022/07/20/balkan-countries-struggling-to-curb-human-trafficking-us-report/>

Testaverde, M., & Coll-Black, S. (2024). *International mobility as a development strategy: Albania country report*. World Bank. <https://documents1.worldbank.org/curated/en/099062524135630574/pdf/P1813201745b8d0c19e0c12079933e4c44.pdf>

U.S. Department of Health & Human Services (2017). *Fact sheet: Human trafficking. The Administration for Children and Families*. Retrieved from <https://www.acf.hhs.gov/otip/fact-sheet/resource/fshumantrafficking>

U.S. Department of State. (2022, October 20). *2022 Trafficking in Persons Report*. Retrieved from <https://www.state.gov/reports/2022-trafficking-in-persons-report/albania/>

U.S. Department of State. (2023, June). *2023 Trafficking in Persons Report*. Retrieved from https://www.state.gov/wp-content/uploads/2023/09/Trafficking-in-Persons-Report-2023_Introduction-V3e.pdf

U.S. Department of State. (2023). *2023 trafficking in persons report: Albania*. U.S. Department of State. <https://www.state.gov/reports/2023-trafficking-in-persons-report/albania/>

UNODC. (n.d.). *Strengthening border control capacities in Albania*. United Nations Office on Drugs and Crime. Retrieved from <https://www.unodc.org/southeasterneurope/en/alb/g70.html>

United Nations Office on Drugs and Crime (UNODC). (2008). *An introduction to human trafficking: Vulnerability, impact, and action*. Retrieved from https://www.unodc.org/documents/human-trafficking/An_Introduction_to_Human_Trafficking_-_Background_Paper.pdf

United Nations Office on Drugs and Crime (UNODC) (2020). *Measuring organized crime in the Western Balkans*. United Nations Office on Drugs and Crime. <https://www.unodc.org/documents/data-and-analysis/OC/Measuring-OC-in-WB.pdf>

UN Women. (2019, December 20). *The referral mechanism against domestic violence in Albania*. UN Women – Europe and Central Asia. Retrieved from <https://eca.unwomen.org/en/digital-library/multimedia/2019/12/the-referral-mechanism-against-domestic-violence-in-albania>

United Kingdom Home Office. (2022, December). *Report of a fact-finding mission: Albania—Human trafficking*. https://assets.publishing.service.gov.uk/media/639744dfe90e077c26bd5714/ALB_FFM_report_on_human_trafficking.pdf

US Department of State. (2022, October 20). *2022 Trafficking in Persons Report*. Retrieved from <https://www.state.gov/reports/2022-trafficking-in-persons-report/albania/>

RECENT IMMIGRATION FLOWS IN ALBANIA: TRENDS, CHALLENGES, AND POLICY SOLUTIONS

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Abstract

During the last few years, Albania has witnessed an increased influx of irregular migrants entering the country, mostly via the southern border with Greece. Although Albania is not part of the EU’s asylum system, it fulfils its responsibilities and provides support to asylum seekers and refugees in line with all the principles for the protection of human rights, international protection, and security, but also in accordance with the country’s resources. While existing institutional and regulatory frameworks have so far allowed Albania to cope with irregular migration flows, the country’s asylum system could be overcrowded in the future by unexpected fluctuations in the number of arrivals, making it necessary to prioritize based on the needs of the most vulnerable categories. This challenge further compounded by recent developments, such as the Italy-Albania “Migration Protocol” of November 3, 2023. Under this agreement, Italy operates two Centres of Permanence and Repatriation (CPR) on Albanian state-owned property temporarily allocated to the Italian government. These centers serve as facilities for the identification and accommodation of irregular migrants intercepted in international waters while attempting to reach Italy¹

Many migrants resort to smugglers and criminal networks to avoid detention while crossing borders illegally, often due to a scarcity of other viable and safe avenues for migration. Though Albania is considered a transit path in the “Western Balkan route”, the massive irregular flows of migrants raise the risk of vulnerable groups falling prey to human trafficking and sexual exploitation. The policy brief explores the current immigration trends in Albania and outlines some of the main challenges that the country faces, with a particular focus on vulnerable groups of asylum seekers and irregular migrants, such as unaccompanied and separated children, women, and minors who might potentially be victims of trafficking, exploitation, and abuse. The paper is based on 28 expert/policy level interviews in migration field conducted during 2019-2024. The analysis tackled several shortcomings

¹ It applies only to men migrants, excluding minors, pregnant women, and other vulnerable individuals.

during the pre-screening process of vulnerable categories, which include, among others, challenges in the identification of vulnerable categories during the pre-screening procedures; limited cooperation with social protection units and border authorities; difficulties in the process of providing accommodation for unaccompanied minors. In the absence of a blueprint for institutional crisis-response, the lessons learned on how to establish sustainable mechanisms to manage unexpected flow of migrants targeting vulnerable migrants are worth internalizing.

Keywords: immigration, irregular migrants, asylum seekers, vulnerable categories

Introduction

Since 2015, more than one million refugees and migrants, primarily fleeing war and terror in Syria, have arrived in the European Union. This massive movement of people escaping danger in their home countries triggered one of the most significant humanitarian crises since the Second World War, exposing tensions across Europe related to political cohesion, solidarity, and the resilience of host countries. While EU member states have intensified efforts to manage migration through mechanisms such as the new Pact on Migration and Asylum, which came into force on June 11, 2024, they continue to struggle with responding to migration influxes effectively.

Nine years after the peak of the refugee crisis, EU states remain divided over handling irregular migration and equitably sharing the burden.² Migration control has become a central focus of international politics. Concerns about the potential threats migrants may pose to national security, economies, and cultural values have amplified xenophobic sentiments and fueled the rise of far-right, anti-immigrant parties across the EU (Garcés-Mascareñas & Penninx, 2016). Many member states have reinstated border controls, erected fences, enacted anti-immigration austerity policies, and implemented other stringent measures to curb irregular migration (Triandafyllidou, 2022).³ This discord, coupled with a lack of coordination and disagreements over refugee quotas,⁴ has intensified security-driven narratives that frame migration as a threat to national sovereignty and security. These debates undermine fundamental EU values such as democracy, solidarity, freedom, and human rights. Mediterranean countries like Greece, Italy, and Spain—major entry points for irregular migrants—continue to bear the brunt of the EU's migration challenges (Fargues, 2017).

Within this context, the "Western Balkan Route" has long been recognized as a vital transit corridor and a strategic geopolitical link between East and West. Recent migratory patterns along this route have become increasingly complex, marked by diverse movements, varying

² The [Dublin Regulation](#) sets the procedures for asylum applications in the European Union. For more information on why the EU member states have failed to agree on a common approach to irregular migration, see <https://www.dw.com/en/where-do-eu-countries-stand-on-migration/a-44356857>, accessed on 20 January 2019.

³ These include particularly hard-line policies and measures to counteract the irregular entry or stay of migrants into the EU area. For more details, see: <https://www.dw.com/en/new-french-immigration-bill-provokes-backlash/a-42714458>, accessed on 20 January 2019.

⁴ Distribution or 'relocation' among Member States of persons in clear need of international protection. For more explanation, see https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/docs/communication_on_the_european_agenda_on_migration_annex_en.pdf, accessed on 22 January 2019.

intensities, and shifting directions (Beznec et al., 2016). The route's transformation from a (semi-)open corridor into a network of concealed paths has drawn significant scholarly attention, with research examining migration routes, EU border externalization and securitization policies, smuggling networks, migrant experiences, and the violence encountered along the route (Squire, 2020).

Albania has recently experienced an increased influx of irregular migrants, primarily entering through its southern border with Greece (European Commission, 2018). Many rely on smugglers and criminal networks to evade detention and cross borders illegally, often due to a lack of viable and safe migration options (Achilli, 2018). This exposes vulnerable groups, such as unaccompanied minors, women, and children, to heightened risks of human trafficking and exploitation. These categories require special protection, as their human rights are particularly vulnerable to violation (UNHCR, 2022).

A critical issue is the failure of state authorities to effectively identify vulnerable migrants and asylum seekers, along with their psycho-social and legal needs, during initial pre-screening at border points. This inadequacy allows criminal activities to flourish and exacerbates the precarious situation of these groups. Insufficient differentiation and early intervention hinder appropriate follow-up actions, leaving vulnerable migrants in a state of limbo and without access to necessary services.

This paper examines recent trends and emerging challenges in irregular migration to Albania, mapping policy options with a focus on vulnerable groups such as unaccompanied children, women, and minors who are at risk of trafficking, exploitation, and abuse.

Methodology

This study relies on secondary data analysis, and desk research, including legal and political reports, journals, and policy research studies, in order to map the situation and give an overview with regards to the existing literature and empirical research conducted in Albania on the vulnerable categories of asylum seekers and irregular migrants. In addition, it draws on 28 face-to-face, semi-structured interviews with key national stakeholders in Albania (representatives from border and migration authorities, law enforcement agencies, institutions in charge of child protection, civil society, and the United Nation High Commissioner for Refugees (UNHCR)) in order to get more insights into the current migration influxes and, more particularly, the challenges of vulnerable categories of immigrants such as unaccompanied minors and women. The next section provides an overview of recent migration flows in Albania followed by a discussion on the challenges that affect vulnerable categories and concluding with policy recommendations to address identified problems.

The selection of interviewees was conducted using a snowball sampling method, which allowed for the identification of key stakeholders with in-depth knowledge of migration patterns and vulnerable migrant groups in Albania. Initial contacts were established through international organizations and migration authorities, who then facilitated connections with additional relevant actors, including law enforcement officers, border officials, child protection agencies, and civil society representatives. This approach ensured a diverse and representative sample of perspectives on migration governance and the challenges faced by irregular migrants, particularly vulnerable categories such as unaccompanied minors and women. To analyze the qualitative data collected through the 28 semi-structured interviews,

the study employed MAXQDA software, a widely used qualitative data analysis tool. The analysis followed a thematic coding approach, wherein interview transcripts were systematically coded to identify key themes, patterns, and emerging trends. The coding process was both inductive and deductive—inductive in capturing unanticipated insights from the data, and deductive in aligning findings with pre-existing theoretical frameworks on migration, border policies, and protection mechanisms for vulnerable groups. This method allowed for a structured yet flexible interpretation of interview data, facilitating a nuanced understanding of the systemic challenges affecting irregular migrants in Albania.

Theoretical Framework: Influx of Irregular Migrants in Albania

The influx of irregular migrants entering Albania can be analyzed through three key theoretical lenses: Push-Pull Theory, Network Theory, and Border Securitization Theory. These frameworks provide insight into the factors driving migration, the role of social networks in sustaining migratory flows, and the increasing securitization of borders in response to irregular migration.

Push-Pull Theory (Lee, 1966; Ravenstein, 1885; de Haas, 2010) explains migration as the result of push factors (conditions that force individuals to leave their home countries) and pull factors (conditions that attract them to a destination). In the context of Albania, migrants traveling through the Western Balkan route are often pushed by conflict, economic instability, and political persecution in their home countries, particularly from the Middle East, Africa, and South Asia. At the same time, pull factors such as perceived economic opportunities in Western Europe, safety, and asylum policies in EU countries motivate them to continue their journey through Albania. Vulnerable groups, including unaccompanied minors and women, may be disproportionately affected due to heightened risks of exploitation and abuse.

Network Theory (Massey et al., 1993; Tilly, 1990; Vertovec, 2002) highlights the role of social connections in facilitating migration. Migrants rely on established networks of family, friends, and smugglers to navigate complex migration routes. In Albania, irregular migration is often supported by transnational networks that provide information, financial resources, and logistical assistance. These networks reduce migration costs and risks, making it easier for asylum seekers and irregular migrants to continue their journey. However, they also expose vulnerable groups to exploitation by traffickers and criminal organizations that prey on those seeking safety.

Border Securitization Theory (Bigo, 2002; Huysmans, 2006; Lutterbeck, 2021) examines the increasing framing of migration as a security threat. Albania, as a transit country, has faced growing pressure from the EU to tighten border controls and combat irregular migration. Policies aimed at securitizing borders often result in restrictive measures, increased surveillance, and cooperation with EU agencies such as Frontex. However, these measures may inadvertently push migrants into more dangerous and clandestine routes, heightening their vulnerability to human trafficking and abuse. The securitization of migration in Albania thus reflects broader European efforts to externalize border control, impacting asylum seekers and vulnerable groups disproportionately.

By integrating these theoretical perspectives, the policy brief can provide a comprehensive understanding of Albania's migration dynamics, addressing the structural drivers of irregular

migration, the role of networks in sustaining it, and the implications of border securitization policies on vulnerable populations.

Trends: Albania on the Western Balkan route

The Western Balkan migration route continues to be a significant pathway for irregular migration toward the European Union, characterized by a notable increase in smuggling activities (UNHCR, 2023). Migrants typically enter the region through Türkiye and transit via countries such as Albania, Montenegro, and Serbia, with the primary objective of reaching EU borders. Smuggling networks exploit geographical complexities and weak border infrastructure, employing advanced methods including encrypted communication and multi-modal transportation (Grujičić, 2023). Between January and December 2023, approximately 30,800 refugees and migrants were estimated to have transited through the Western Balkans as part of mixed movements, which is 17% less than in the same period last year (See table 1) (UNHCR, 2023). These migratory patterns are complex and shaped by several factors, including conflicts, poverty, political instability, and climate change, which drive people from their countries of origin.

Table 1. New Arrivals: January-December 2023 vs. January-December 2022.

Country	2023	2022	% Change
Albania	4,307	8,033	-46%
Bosnia and Herzegovina	27,429	34,409	+25%
Kosovo	642	982	-35%
Montenegro	4,973	8,326	-40%
North Macedonia	11,899	27,176	-56%
Serbia	106,099	124,127	-15%

Source: UNHCR, 2023

Mix migration flows

Due to its strategic geographic position Albania, has experienced a significant rise in migration flows, particularly along its southern and northern border regions. Albania has been affected by mixed migration flows, which include, above all, refugees and asylum seekers, migrants, unaccompanied and separated minors, trafficked victims, and persons.

Albania is not yet considered a destination country, but mainly a transit path for migrants and asylum seekers who want to escape violence and prosecution arising from armed conflicts and war in their countries of origin. Though the number of intercepted persons has fallen sharply since the peak of 2015, in the last few years it is observed a progressive increase in arrivals.

Table 2. Asylum Statistics in the Western Balkans in 2023

Country	Intentions	Applications	Application vs. Intention (%)
Albania	9	282	3%
Bosnia and Herzegovina	282	147	3%
Kosovo	181	145	N/A
Montenegro	0	4,973	N/A
North Macedonia	602	1	0%
Serbia	1,649	1,654	12%

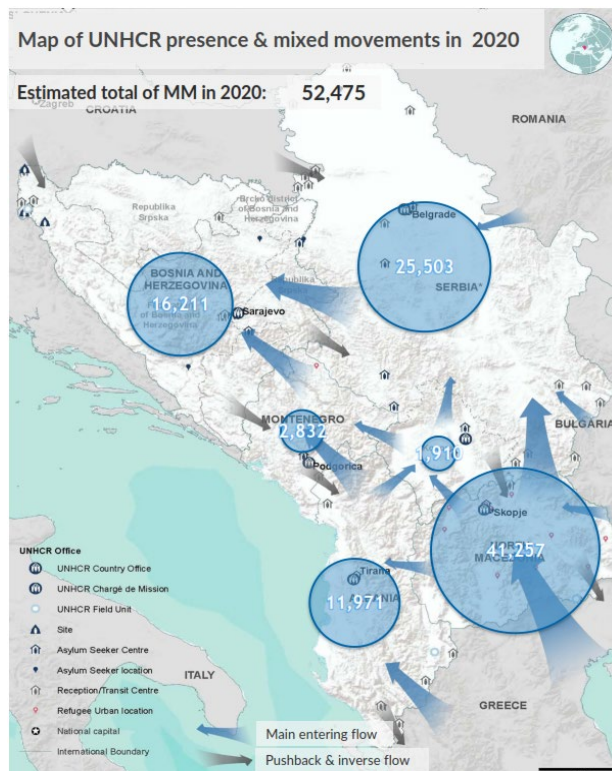
Source: UNHCR, 2023

In 2023, Albania's asylum statistics reveal a striking discrepancy between the intentions to seek asylum and the actual applications submitted. Only 9 intentions to seek asylum were recorded, yet 282 applications were filed, resulting in an application-to-intention rate of **3%**. This imbalance suggests that many asylum seekers leave Albania before a final decision is issued. This is a by-product of the fact that only a small number of asylum seekers consider Albania as a final destination or as a place to lodge asylum, with estimated 1% willing to remain in the country (UNHCR Albania, 2019), making Albania an interesting case within the Western Balkan region's overall migration landscape.

Table 3. Foreigners with International Protection in Albania

	2019	2020	2021	2022	01-06-2023
Refugees	1	-	-	-	0
Subsidiary Protection	23	4	7	24	9
Temporary Protection	-	-	230	544	0
Total	24	4	237	568	9

Source: Directorate of Asylum and Citizenship, 2022



Albania remains predominantly regarded as a **transit country**, a perspective held both by the refugee and migrant populations and by Albanian authorities. In 2022, 125 individuals submitted asylum claims to the Border and Migration Police, a notable increase from 85 in 2021 (European Commission, 2023). In 2022, the number of **irregular migrants** entering Albania dropped by 34%, from 18,496 in 2021 to 12,216. This decrease is likely due to enhanced border surveillance and control, particularly in the Kakavije/Kapshtice area, where Frontex joint teams were deployed. Notably, 32% of all migrants apprehended in 2022 were caught multiple times. Among the arrivals, 235 were identified as unaccompanied or separated children, with the issue of unaccompanied minors traveling from Albania to EU Member States remaining a significant concern (European Commission, 2023).

Figure 1. This dashboard contains data and information collected by the UNHCR in the South Eastern Europe (S.E.E.)

Source: UNHCR – RBE, 2020

Irregular migrants

Irregular migrants	2021	2022	2023 (Jan-Aug)
Irregular migrants *	18,496 (235 USCH)	12,216	4,877

Source: European Commission, 2024

Although these figures are not alarming compared to the overall global figures, the new trends noted in neighbouring countries (see figure 1) highlight the need to take necessary measures in time to face such an increase in influx. As per the countries of origin, the majority of those intercepted come from Syria, followed by nationals of Iraq, Pakistan, Morocco, Algeria, Libya, Palestine and Afghanistan. The most followed corridor includes the arrival through the green boarder area with Greece and passing mainly through the border crossing of Kapshtica and Kakavija. New border crossing tendencies are also noted at the border points used: Konispol/Sarande and Carshove/Permet. These migratory movements are of a transitory nature, considering that Albania is mainly used as a transit route toward Montenegro, Bosnia and Herzegovina and Croatia toward their final destination in EU countries in Northern Europe. Generally, the majority of irregular migrants express their

desire to travel toward EU countries. Considering the circumstances, many migrants are forced to fall in the hands of smugglers and criminal groups to avoid detention during their illegal border crossing, often a by-product of the inability to find safer routes toward their final destination. Massive influxes of irregular migrants increase the risk of vulnerable groups falling prey to varying forms of abuse, including trafficking and sexual exploitation (European Commission, 2023).

Although Albania has enhanced its efforts to effectively manage its borders in recent years, in part by benefiting from the technical assistance of Frontex and other specialized international organizations, the influx of asylum seekers remains dynamic and unpredictable. With such a high influx of migrants within a short period of time, there exists the risk that Albania could be faced with a massive influx of migrants which would put Albanian authorities in an emergency situation requiring a swift response. Even though Albania has ratified the Geneva Convention of 1951 and its 1967 protocols, the new asylum system could be overpopulated with an influx of arrivals, which in turn would exert pressure to address the most immediate needs with priority likely to be given to most vulnerable groups. In 2015, Albania drafted its First Contingency Plan for Massive Influx of Mixed Migration, which is in the process of being updated with a new plan. The updated national contingency plan for the potential arrival of a high influx of migrants and asylum seekers still requires a proper budget allocation.

All the stakeholders involved that provide assistance, services, and protection will be able to re-evaluate their needs, priorities and existing procedures. Albania is not part of the Common European Asylum System (CEAS), an EU structure seeking to foster sustainable cooperation among member states, through which to ensure an equal treatment and an open and fair system for all asylum seekers. Despite this, Albania is obliged to take all the necessary measures to protect the rights of refugees and persons whose lives are endangered by war, violence, and prosecution in their countries of origin.

Challenges: Shedding light on the multiple vulnerabilities of at-risk categories

Historically, Albania has been a country of origin for asylum seekers and irregular migrants into the EU,⁵ something which has drawn the attention of Albanian public authorities to the management of irregular outflows. As such, the Albanian authorities have been mainly concerned with emigration, rather than immigration issues. However, given the changing nature of migration trends in and through Albania, it is important that policy practices adapt. This involves better addressing the needs of vulnerable categories and better management of challenges related to the pre-screening process and the lack of facilities for these groups.

Asylum Procedures: Request for international protection and the pre-screening interview

The Republic of Albania guarantees the right to asylum to foreigners, or stateless persons, who find themselves outside their country of nationality or their habitual place of residence and are unable or unwilling to ask for protection in that country on account of their well-

⁵ Ikonomi, 2018, op.cit.

founded fear of persecution for reasons of race, religious belief, nationality, membership of a particular social group, or political convictions (Article 5 LoA). The intent to seek international protection is made either orally or in writing, at the moment of entry into the territory of the Republic of Albania at a border crossing point, a State Police station, or before the authority in charge of border and migration matters (Article 26/1 LoA). This request shall be registered with the authority in charge of border and migration matters, which shall then refer the case within 72 hours to the authority responsible for asylum and refugees (Article 26/2 LoA). If the application is lodged to the competent authorities dealing with applications for international protection, the registration shall take place no later than 3 (three) days after the lodging of the application (Article 26/5 LoA) and may be extended to 10 working days in cases where numerous applications for international protection are submitted by a large number of foreign nationals or stateless persons (Article 26/6 LoA).

This request is registered on the pre-selection form and is considered as the initial phase of the asylum procedure. In the current practice, the process of selection for asylum seekers aims to determine the category of the foreign national from the regional border and migration directory. If the foreigners are classified as asylum seekers in the pre-selection interview, they are requested to fill in the asylum request form. Depending on the selection made by the officer, a transfer to the relevant bodies takes place to ensure the necessary protection, especially for vulnerable categories. Thus, the procedure for the request and the selection are the first filter which determines if an individual is eligible to proceed with their application for asylum or not (Ikonomi, 2018).

Challenges in the Pre-screening Process

1. Border Police is the institution in charge of identifying migrants and refugees entering Albania. While the pre-screening procedures are in place, proper identification and registration of unaccompanied minors remains a challenge for border authorities. In the absence of identification documents, the border and migration police have to rely either on the statements provided by minors or by their accompanying persons or families, even when there is no evidence confirming a relationship between them, the lack of and multidisciplinary evaluation teams complicates the process, increasing the risks for children qualified interpreters, who can either declare themselves as adults (to evade administrative obstacles) or fall prey to human traffickers. Building on law 18/2017 “On the rights and protection of children”, state institutions have currently issued a Decision of the Council of Ministers to fill in the legislative gap on unaccompanied immigrant children. However, failure to identify at an early-stage people with specific needs, such as unaccompanied or separated minors (profiling) is also a failure to refer on time those groups which are most in need of international protection (Instruction of Minister No. 293, 2015).

2. According to Article 35 of the Law on Asylum, an unaccompanied minor asylum seeker should be questioned in the presence of a psychologist, social worker, or someone who knows the child. However, this requirement has so far been rarely respected, because some border crossing points do not ensure the appropriate cooperation between the border police and child protection services. Moreover, services offered by the psychologists should be procured from the municipalities, but so far there are no detailed guidelines on procurement services, which should be offered in the framework of individual protection plans for minors. This remains a challenge for municipalities which should procure these services based on quality and not the best value (DCM No. 111, 2019).

3. Within the current legal framework (that is, the Law on Foreigners and on Asylum) there are specific provisions concerning the protection of unaccompanied minors, such as the use of detention as a last resort measure, family tracing, identification, and referral to relevant authorities. Yet, uncertainty and lack of coordination among relevant institutions in charge of vulnerable categories can lead to inadequate assistance, which can result in the infringement of fundamental rights. The new DCM, which entered into force in March 2019, provides a more standard form of engagement and detailed regulations on coordination among child protection units and border authorities. Nevertheless, reports indicate that the case management of unaccompanied minors is not currently approached as an integrated process, as stipulated by the asylum law. It is essential that unaccompanied children be formally incorporated into the national child protection system (Interview with expert from State Agency for the Protection of Children's Rights in Albania, 20 December 2018).

4. Another key issue faced during the process relates to the limited legal expertise among police officers, which hinders their ability to make concise legal categorization of foreign nationals. Often, prejudices and biases of selection officers related to the abuse of the asylum system and the request for equal treatment for asylum by irregular foreign migrants alongside the constraints to conduct interviews from a protection-sensitive perspective can threaten their access to effective asylum mechanisms. Although officers lead the identification process, the selection should be conducted by professionals with the necessary legal expertise on issues related to refugees to ensure effective access to the asylum system for foreign nationals. The EC report on Albania highlights the need to change the guidelines on the initial identification to include additional procedural safeguards, especially for those in need, and those with special needs by incorporating the early identification of vulnerable categories or unaccompanied and separated children. The professional and legal capacities of the law enforcement agencies and border authorities, especially in terms of human rights regulations and standards, are often not adequate to properly address the rights of immigrants, and particularly those of vulnerable categories. Their capacities to identify and safeguard these vulnerable categories are insufficient. Frequent staff rotations pose challenges for operational stability (European Commission, 2020).

5. Standard procedures for the identification of foreigners and a national referral mechanism for potential victims of trafficking do exist. However, Albania continues to remain an origin, transit, and destination country for trafficking in human beings. Despite the government's increased efforts, Albania does not fully meet the minimum standards for combating illegal trafficking. The identification of victims of gender-based violence is unclear since the standard interviewing process does not ask for such information. In general, the appointed staff have limited technical capabilities to identify victims of sexual and domestic violence or of trafficking. Proper identification is difficult also due to the short time of their stay in shelters and the transitory nature of their movements. Finally, this process is hampered by the fact that the categorization of (potential) victims of trafficking depends on the self-declaration of victims, who might often feel threatened to collaborate with the border police. Inter-institutional cooperation is necessary for the proper handling of cases involving minors, particularly unaccompanied minors (Vathi & Zajmi, 2017).

Access to Information

Persons seeking international protection need to be provided with the necessary information on procedures, processes, and legal rights before they can fully communicate their needs

when requesting protection. According to the Law on Asylum, the applicant is informed no later than fifteen days from the date of submitting the application for international protection, on the protection status determination procedure, on the rights and obligations in the course of the procedure, reception conditions, the right to contact a representative of the UNHCR at any stage of the procedure, potential consequences in the event of failure to comply with obligations or failure to cooperate with the competent authorities, as well as the right to legal aid. The information shall be provided orally and, where necessary, also in writing (Article 27/2 LoA). At the time of filling in the form in respect of international protection status determination, the authority responsible for asylum and refugees shall inform the applicant, and with his or her Consent (Article 27/3 LoA). In addition, state authorities should ensure that organizations and persons providing advice and counselling to applicants have effective access to them at border crossing points, including transit zones at the borders (Article 25/2 LoA).

The AHC monitoring report of 2020 highlights that there have been cases when intercepted foreign nationals have been kept at the border crossing centers for more than 24 hours without being informed on their rights and the procedural status according to which they have been intercepted. AHC has noted issues with documentation of the time of persons withheld at detention centers. The same report underlines that the practices with pushbacks at some BCP have been accompanied with irregularities pertaining to the content presented on refusal departures, lack of forms such as “Refusal of Entry” and “Refusal of Departure.” This points out that forms have not been formally issued by personnel who communicated the decision only verbally. The report also confirms that there has been a lack of confirmation for the right to appeal as well as other relevant procedures that must be followed when exercising the right to inform PoC on their rights, obligations and procedures for asylum (AHC, 2020, pg. 37). Reports indicate that there are still significant gaps in the implementation of return procedures at the border with Greece, particularly concerning proper screening, safeguards such as access to information and interpretation, a pre-return stay period, and the right to appeal—especially for unaccompanied minors.

1. The law on Asylum takes a gender-sensitive approach in addressing the needs of female asylum seekers, but this should also be reflected in the implementation process. Evidence suggests that there is a lack of female screening staff at most border crossing points. Women who have their head covered, for example, tend either to refuse to talk to border authorities or ask a male family member to respond on their behalf; which results in a procedure that is not in line with the pre-screening rules foreseen for the identification of potential victims of trafficking. Apart from the cultural sensitivities of approaching female members of particular immigrant groups, at-risk women (victims of potential victims of trafficking or human smuggling), might have potential security risks (due to their marginalized and exploitative status) that can be better addressed by female staff members. This means that, when there are no females during the pre-screening process with immigrant women, the evaluation team requests the presence of female staff members in the border-crossing points (Interview with an expert from migration and border authorities in Albania, 14 January 2019).

For instance, if immigrant women refuse to talk to male members of the pre-screening team. Direct communication with potential victims of trafficking could help to address security challenges and ensure better protection of such groups. Immigrant women are also more willing to talk to female staff members (Ikonomi, 2018, op.cit.).

Conditions at Reception Centres and Access to Accommodation and Basic Services

Accommodation facility for up to 10 hours should be provided at the detention centers at the border checking points while awaiting to undergo the pre-screening process until they are pre-screened. Upon the completion of the verification procedures by the Directory of Migration, the regional or local directory coordinates their transportation and accompaniment of asylum seekers to the reception center for asylum seekers, where they are provided with the basic living conditions, including: accommodation, food, health care, and minimal conditions of hygiene. These services are provided in collaboration with other entities, be they local or foreign, private or public. Reception capacities were expanded in 2021 with the renovation of the Babrru National Reception Centre, increasing its capacity to 250 beds and adding a dedicated family-friendly area. In July 2023, a new Temporary Reception Centre was opened in Qafë-Botë. The total capacity across all reception facilities now stands at approximately 570 beds. However, Albania lacks separate facilities for unaccompanied minors.

Institutional capacities of local reception authorities for the border and migration remain generally poor, considering they do not have sufficient financial and human resources at their disposal to fulfil their responsibilities. Monitoring reports have highlighted the overall lack of appropriate space for reception, interviewing, and accommodation of foreign nationals at some border crossing points. Other problems have been evidenced with the lack of logistical materials and inappropriate hygienic conditions. The Border Crossing and Migration Police does not have sufficient financial resources to cover the basic and emergency needs of refugees and migrants intercepted in Albania, even if persons have to be taken to the border examination point (AHC, 2020, pg. 5).

Other issues have been evidenced by the AHC monitoring report, and they include the lack of logistical and infrastructure materials necessary to carry on the required procedures and to guarantee minimal living conditions and rights for asylum seekers (AHC, 2020, pg. 33-35).

In practice, UNHCR and Caritas have continually supported the border and migration police with reception and accommodation of foreign nationals intercepted at the border, especially in instances involving families and children. Both these organizations have filled the gap in the provision of material assistance by offering them meals, medicine, transportation, and medical assistance. In addition, UNHCR and Caritas have provided assistance in improving the hygiene within the premises, helping in securing the necessary accommodation infrastructure at reception centers with blankets, bedding, and renovation of existing buildings. The humanitarian assistance provided by Caritas is oriented towards the needs of arriving migrants. Caritas has also contributed financially to cover the expenses for the accommodation of irregular migrants and asylum seekers at local hotels until the border and migration police provided the means for their transportation to asylum centers. UNHCR and its partners (IOM, RMSA, Red Cross, and Caritas) have also provided support with additional staff, translators, health care professionals, and non-food materials such as clothing (Interview No.3 with representatives from Caritas, 30.08.2020).

1. Facilities for vulnerable categories, especially for unaccompanied or separated children, at the emergency/permanent reception centers are not fully equipped or up to standard. There is a general lack of psychological and social assistance for these categories. Although the Asylum Law grants special privileges to unaccompanied minors, such as the right to a legal

custodian (Article 16), the right to having their application reviewed as a matter of priority, the right to infrastructure and living conditions appropriate for their age, and so on, these rights are not clearly defined in the bylaws and other regulatory frameworks, such as Guideline 293/2015 (Instruction No. 293, date 4.6.2015). With the entry into force of the new DCM, Border and Migration authorities should refer the cases of foreign unaccompanied minors to Child Protection Officers (ChPOs), who are responsible for following court proceedings, preparing assessment reports, and the individual protection plans for the unaccompanied minors. In practice, the ChPOs do not have the necessary legal expertise to follow and assist these cases during any legal or administrative procedure, considering the fact that ChPO's education background is social work. Moreover, the limited number of ChPOs in each municipality (1 for 3000 children) increases their backlog, which makes it difficult for them to properly and promptly assist the cases of unaccompanied minors (DCM No. 578, date 3.10.2018).

2. Despite their vulnerable status, unaccompanied minors and vulnerable women do not benefit from tailored services in terms of accommodation facilities. According to the Law on the Protection and Rights of the Child, the child protection units of each municipality are in charge of accommodating unaccompanied minors but, so far, such mechanisms have not been fully implemented. Moreover, although the accommodation center for irregular migrants in Karrec, Albania has seen some infrastructure improvements, facilities for unaccompanied minors and other vulnerable categories do not exist. The actual regulatory framework does not provide detailed guidelines on foster care arrangement procedures and residential centers for the accommodation of unaccompanied children (Law 18/2017 "On the rights and protection of children").

3. Until now, the transportation of vulnerable categories of migrants to residential centers and other institutions is often not done in a timely manner. Civil society organizations (CSOs) have been active in finding accommodation when there were no available rooms in the temporary centers, but such assistance is mainly project-based. This means that the placement of minors in alternative accommodation places or in special reception structures is a fragmented procedure, which does not guarantee the minors' safety during their stay (Interview with CSO's representative operating in the area of child protection, 15 January 2019).

Smuggling and Trafficking of Migrants

Smuggling of migrants has flourished, as Albania remains a transit point for irregular migrants. Migrants often enter Albania through Greece and are smuggled via well-established routes toward northern or western borders. Cities such as Gjirokastra and Korça have been identified as hotspots for the smuggling of migrants. There have been cases where smugglers held foreigners hostage in Greece and Montenegro. These groups were identified through joint operations. Smuggling operations in the country are increasingly sophisticated, involving tactics such as leveraging social media for coordination and utilizing diverse modes of transportation. Social media and websites in Arabic provide orientation for migration to Albania, emphasizing the country's legislative flexibility. Refugees are at risk of exploitation by traffickers who take advantage of the situation for profit. The illegal transportation of migrants from Eastern countries has escalated to an international crime scale, as Albanian criminal groups collaborate with similar elements or organizations in Greece, where much of the irregular migrant flow originates. Despite the new infrastructure for border surveillance

with drones, there is a shortage of equipment necessary for border surveillance, and even where equipment is available, there is a need for modernization to meet the demands of improved border monitoring (AHC, 2018, pg. 26; AHC, 2020, pg. 32-34).

Conclusions

Although Albania is not part of the EU's asylum system, it fulfills its responsibilities and provides support to asylum seekers and refugees in line with all the principles for the protection of human rights, international protection, and security, but also in accordance with the country's resources. Similar to the other Western Balkans countries, Albania has been experiencing a sharp increase in the number of migrants and refugees coming into the country from outside the region. While existing institutional and regulatory frameworks have so far allowed Albania to cope with irregular migration flows, the country's asylum system could be overcrowded in the future by unexpected fluctuations in the number of arrivals, making it necessary to prioritize based on the needs of the most vulnerable categories (The obligation to respect European and international standards on asylum derives also from Article 80 of the Stabilization and Association Agreement).

Albania is benefiting from EU technical assistance on border management, but the current influx of asylum seekers fleeing from wars and persecution requires greater attention from state authorities, which should also prepare for a possible future crisis scenario. Though the numbers of irregular migrants and asylum seekers have settled down since the peak of 2015, there is an increased activity of irregular transit movement of migrants via the Western Balkan corridor. Recently, a growing number of migrants and refugees opt for a new transit path through Albania to make their way towards Western Europe. In 2018, there was a sudden resurgence in arrivals, who used Albania as a transit route. Women and children appear to comprise a significant share of the illegal migratory flows transiting through Albania, and they are most vulnerable to the risk of becoming victims of trafficking or sexual exploitation in the course of these mass movements (Collet & Le Coz, 2018, p. 10).

The massive irregular flows of migrants raise the risk of vulnerable groups falling prey to human trafficking and sexual exploitation. Failure to properly identify the needs of the most vulnerable categories of irregular migrants and asylum seekers enables criminal activities to flourish and leaves these categories defenseless. This paper explored current immigration trends in Albania and outlined some of the main challenges that the country faces, particularly in handling the vulnerable categories of immigrants, that is, women and children. Our analysis tackled several shortcomings during the pre-screening process of vulnerable categories, which include, among others, challenges in the identification of vulnerable categories during the pre-screening procedures; limited cooperation with social protection units and border authorities; difficulties in the process of identifying victims of gender-based violence; limited professional and legal capacity of the law enforcement agencies and border authorities; absence of female screening staff at most border-crossing points; the lack of appropriate accommodation facilities especially for unaccompanied or separated children at the emergency/permanent reception centers; and scarce legal, psychological and social services.

Albania has the legitimate right to control its borders from unauthorized entries of foreigners. Yet the inability to properly identify the needs of particular categories of immigrants can lead to irreversible decisions, such as expulsions or forced 'turn backs'. While Albania has

enacted legislation and introduced mechanisms to manage irregular migration flows, several shortcomings can impinge on the ability of competent authorities to manage these waves. In the absence of a blueprint for institutional crisis-response, the lessons learned on how to establish sustainable mechanisms to manage the unexpected flow of migrants targeting vulnerable migrants are worth internalizing. Migration is a phenomenon that cannot be stopped, but at least it can be managed more effectively, especially when it comes to vulnerable categories of migrants and asylum seekers (DCM No. 111, date 06.03.2019 “On procedures and regulations for return and readmission of children”).

Recommendations

The following set of recommendations has been designed to guide state authorities in addressing these challenges more appropriately and efficiently. An early differentiation, identification of arrivals, and proper referral system could help address potential security risks in cases of vulnerability to human trafficking, violence, exploitation, and abuse. Thus, protecting the fundamental rights of migrants requires inter alia, better standards for asylum procedures and protection mechanisms to be granted to the vulnerable. The focus should shift from a law-enforcement and security concern perspective towards a more human-rights-centered approach.

1. During pre-screening procedures special attention should be paid to the identification of vulnerable groups. To that end, public institutions should:
 - Update the pre-screening procedures at border crossing points by establishing ‘Vulnerability Risk Assessment Guidelines’ for better and proper identification of all vulnerable categories, in particular unaccompanied minors, smuggled or trafficked women, and victims of domestic violence. The procedure might include age-related examination, as well as psycho-social and health assessments criteria, to be carried out in cases of unaccompanied children;
 - Align safeguard measures with EU/international standards;
 - Enhance the capacities of border and migration authorities on handling asylum procedures to better identify and assess the claims of vulnerable categories, and especially to improve their skills in the early differentiation of arrivals, according to their individual profile and identification of potential cases of trafficking;
 - Ensure that legal aid is provided regularly during the screening process, as a right foreseen by the Law on the Rights and Protection of Children (Law No. 18/2017). Strengthen inter-sectional collaboration between Child Protection Officers- ChPOs and municipalities’ legal departments, to better assist with cases of unaccompanied minors in court proceedings;
 - Guarantee proper identification and better inter-institutional referral mechanisms that would translate into appropriate access of vulnerable migrants and refugees to specialized and targeted assistance;
 - Consider additional gender-sensitive measures when addressing women’s needs during the pre-screening process. Appointing more female staff members as pre-screening specialists could help better identify the needs of potential victims of human smuggling or cases of domestic violence;
 - Conduct capacity building activities to raise the awareness of vulnerable categories about their rights and type of services offered to persons in need for international protection.

2. Operationalize a clear and time-efficient procedure for cooperation with local stakeholders. To that end, public institutions should:
 - Ensure that the procedure for the cooperation of border and migration specialists with psychologists and social workers in the case of vulnerable categories is done systematically and in a timely manner;
 - Guarantee that the established mechanism which institutionalizes procedures for cooperation with child protection units in municipalities is fully operational,⁶ so that border authorities can be more proactive in the coordination efforts on child protection and assistance. While the new DCM marks significant progress made on the regulatory framework, its implementation and effectiveness could be periodically assessed and monitored by civil society actors, working on migration issues;
 - Improve the efficiency of law-enforcement agencies in detecting and preventing illegal migration by increasing their coordination efforts to dismantle smugglers and organized crime groups.
3. Offer more facilities for vulnerable categories. To this end, public institutions should:
 - Ensure that vulnerable categories have prompt access to support services such as legal advice, translation, and psychological assistance to facilitate the pre-screening process at all stages;
 - Create more child-friendly and safe spaces at border crossing points and asylum centers for unaccompanied minors to ensure protection from abuse and violence;
 - Issue detailed guidelines on foster care arrangement procedures and provide a list of hosting institutions and residential centers for the accommodation of unaccompanied children;
 - Provide alternatives to detention, especially for vulnerable categories, and ensure appropriate accommodation, in line with international standards, regardless of their status as either asylum seeker, irregular migrant, or refugee;
 - Set up public monitoring bodies and external oversight mechanisms to ensure systematic monitoring and evaluation of services provided to vulnerable categories.
4. Update the regulatory framework and enhance institutional capacities on immigration. To that end, public institutions should:
 - Continue to revise and harmonise the legal framework with EU legislation, reflecting the most urgent needs of vulnerable groups. These efforts should build on the regulatory and institutional framework on irregular migration that is currently in place in the country. Given a potential increase in the numbers of migrants, a whole set of standard procedures should be enacted to deal with these at-risk groups of migrants and to ensure that Albania complies with the international human rights standards. More specifically, Albania should:

This paper found that, the lack of proper identification mechanisms at an early differentiation phase and non-efficient referral and safeguard procedures may adversely affect the ability of at-risk migrants to access asylum systems and ensure that their rights and needs are met.

⁶ DCM No. 111, date 06.03.2019 “On procedures and regulations for return and readmission of children”.

Therefore, the paper underlines the need of state authorities to ensure greater resilience and enhanced cooperation in managing unexpected migration flows by establishing proper identification and referral mechanisms for the most vulnerable categories of irregular migrants and asylum seekers.

References

- AHC. (2018). Monitoring report on migration and border management in Albania, 33-35.
- AHC. (2020). Migration trends and challenges in Albania, 32-37.
- Achilli, L. (2018). The "good" smuggler: The ethics and morals of human smuggling among Syrians. *The Annals of the American Academy of Political and Social Science*, 676(1), 77–96. <https://doi.org/10.1177/0002716217751899>
- Bez nec, B., Speer, M., & Stojić Mitrović, M. (2016). *Governing the Balkan route: Macedonia, Serbia and the European border regime*. Rosa Luxemburg Stiftung Southeast Europe.
- Bigo, D. (2002). Security and immigration: Toward a critique of the governmentality of unease. *Alternatives: Global, Local, Political*, 27(1_suppl), 63-92. <https://doi.org/10.1177/03043754020270S105>
- Collet, E., & Le Coz, C. (2018). After the storm: Learning from EU response to the migration crisis. *Migration Policy Institute Europe*. Retrieved from https://www.migrationpolicy.org/sites/default/files/.../EUCrisisResponse_FINALWEB.pdf
- Collet, E., & Le Coz, C. (2018). After the storm: Learning from EU response to the migration crisis. *Migration Policy Institute Europe*. Retrieved from https://www.migrationpolicy.org/sites/default/files/.../EUCrisisResponse_FINALWEB.pdf
- Directorate of Asylum and Citizenship. (2023). Foreigners with international protection in Albania.
- Decision of Council of Ministers (DCM) No. 111. (2019). On procedures and regulations for return and readmission of children.
- Decision of Council of Ministers (DCM) No. 578. (2018). On procedures for referring and case management, preparation and content of individual protection plan, financial budgeting for its implementation, as well as implementation of protection measures.
- European Commission. (2018). Communication from the Commission to the European Parliament, the European Council and the Council: Progress report on the implementation of the European Agenda on Migration. Brussels, 16.5.2018. Retrieved from https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20180516_progress-report-european-agenda-migration_en.pdf
- European Commission. (2018). Migration and border security report.
- European Commission. (2020). Migration trends in the Western Balkans, 47-48.
- European Commission. (2024). Report on migration trends and border control.
- Fargues, P. (2017). Four decades of cross-Mediterranean migration: A long-term view. *Migration Policy Centre Policy Briefs*, 2017/07. European University Institute.
- Garcés-Mascreñas, B., & Penninx, R. (2016). Integration processes and policies in Europe: Contexts, levels and actors. Springer.

Guideline No. 293/2015. On procedures for the treatment of foreign nationals with irregular residence in the Republic of Albania.

Guideline No. 611/2015. On procedures and rules for the submission of asylum cases by border and migration authorities.

Grujičić, G. (Ed.). (2023). Smuggling of migrants in the Western Balkans - Monitoring report. *Group 484*. Retrieved from <https://data.unhcr.org/en/documents/download/106436>

Huysmans, J. (2006). *The politics of insecurity: Fear, migration, and asylum in the EU*. Routledge. <https://doi.org/10.4324/9780203960782>

Kuschminder, K. (2018). Afghan refugee journeys: Onwards migration decision-making in Greece and Turkey. *Journal of Refugee Studies*, 31(4), 566-587. <https://doi.org/10.1093/jrs/fey010>

Law 18/2017. On the rights and protection of children in Albania.

Lee, E. S. (1966). A theory of migration. *Demography*, 3(1), 47-57. <https://doi.org/10.2307/2060063>

Lutterbeck, D. (2021). The securitization of migration in the Mediterranean: EU border security and the Western Balkans route. *Journal of Borderlands Studies*, 36(3), 385-403. <https://doi.org/10.1080/08865655.2021.1902892>

Massey, D. S., Arango, J., Hugo, G., Kouaouci, A., Pellegrino, A., & Taylor, J. E. (1993). Theories of international migration: A review and appraisal. *Population and Development Review*, 19(3), 431-466. <https://doi.org/10.2307/2938462>

Ministry of Interior in Albania. (2018). National report on migration and border security. MYLA. (2017). Migration legal framework and protection measures. Ravenstein, E. G. (1885). The laws of migration. *Journal of the Statistical Society of London*, 48(2), 167-235. <https://doi.org/10.2307/2979181>

Squire, V. (2020). *Europe's migration crisis: Border deaths and human dignity*. Cambridge University Press.

Tilly, C. (1990). Transplanted networks. In V. Yans-McLaughlin (Ed.), *Immigration reconsidered: History, sociology, and politics* (pp. 79-95). Oxford University Press.

Triandafyllidou, A. (2022). *Routledge handbook of immigration and refugee studies*. Routledge.

United Nations High Commissioner for Refugees (UNHCR). (2022). Global trends: Forced displacement in 2021. Retrieved from <https://www.unhcr.org/globaltrends>

United Nations High Commissioner for Refugees – RBE. (2020). Regional migration trends.

United Nations High Commissioner for Refugees (UNHCR) Albania. (2019). Fact Sheet: January 2019. Retrieved from https://neighbourhood-enlargement.ec.europa.eu/document/download/ea0a4b05-683f-4b9c-b7ff-4615a5fffd0b_en

United States Department of State. (2018). Trafficking in persons report – Albania. Retrieved from <https://www.refworld.org/docid/5b3e0bc34.html> (Accessed December 21, 2019).

Vathi, Z., & Zajmi, I. (2017). Children and migration in Albania: Latest trends and protection measures available. *Terre des Hommes*.

Vertovec, S. (2002). Transnational networks and skilled labour migration. *Oxford Review of Economic Policy*, 19(3), 17-33. <https://doi.org/10.1093/oxrep/19.3.17>

THE IMPACT OF HUMAN DEVELOPMENT INDEX ON ECONOMIC GROWTH IN BALKAN COUNTRIES

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Abstract

The most important growth theories emphasize the substantial role of human capital in economic growth. This article explores the effect of the Human Development Index on GDP growth rate as an indicator of economic growth in the Balkans from 2000 to 2022. Employing panel data analysis, the study observes the impact of HDI on GDP growth, along with several other variables, including FDI-s, Gross Capital Formation, Inflation, Labor, and Trade Openness. The outcomes indicate HDI has a statistically significant positive impact on GDP growth, with HDI contributing to an increase in economic growth. Other variables such as Gross Capital Formation, inflation, and trade openness also demonstrate to have significant positive effects on GDP, while FDI and labour growth exhibit weaker impacts. The model explains about 33% of the variation in GDP, suggesting a moderate level of explanatory power. These findings suggest that promoting human development, as reflected by HDI, has a fundamental role in fostering economic growth in the Balkan countries. This study provides valuable insights for policymakers, emphasizing the significance of focusing on and advancing human development alongside other key economic drivers to support long-term economic growth in Balkan countries.

Keywords: Human Development Index, Economic Growth, Balkans.

Introduction

Economic growth and the Human Development Index are both very important indicators of the wellbeing of a country, even though their focus is distinct. While the Human Development Index measures the most important indicators of human development, such as health, education, and standard of living, economic growth measures the total output volume of a country. Numerous studies attempt to investigate whether these two indicators share a unidirectional or bidirectional causal relationship. Sen (1999) emphasizes the importance of economic growth in enhancing health, education, and the standard of living. Economic growth is crucial for human development, though its impact may be limited if not accompanied by policies targeting human development. In contrast, Rahman, Raja, & Ryan (2020) analyse how human development promotes economic growth over 14 years across 25 developed and 25 developing economies, utilizing a panel data approach. Their findings imply that human development positively affects growth in all countries under study. Ramirez, Ranis, & Stewart (1997) examine the two-way relationship between human development and economic growth over the period 1970-1992 using a cross-country analysis.

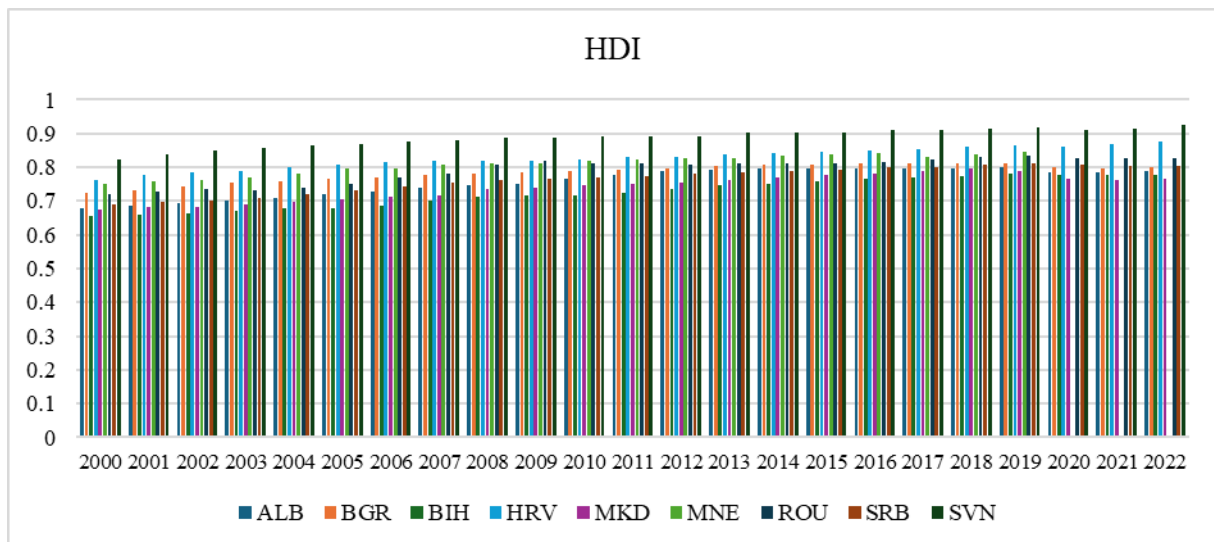
Their findings suggest a bidirectional relationship between those two variables; however, the strength of this relationship is related to other factors as well. The authors suggest that based on the relationship, both variables should be promoted, however, the promotion of human development should be prioritized.

The purpose of this article is to examine the impact of human development on economic growth by utilizing the Human Development Index as the independent variable and Foreign Direct Investment, Inflation, Labor, Gross Capital Formation, and Trade Openness as controlling variables.

The motivation behind this study stands on the fact that theories of economic development increasingly emphasize the significance of human capital in fostering economic growth. HDI captures key dimensions of human capital. Furthermore, the Balkans have undergone significant socio-economic transitions, including post-conflict recovery, EU integration efforts, and varying levels of human development. Understanding the region's specific dynamics can provide tailored policy recommendations. Moreover, despite the global recognition of HDI's importance, there is limited empirical research on its specific influence on economic growth in the Balkans. This study aims to provide evidence-based insights for policymakers to prioritize human development alongside traditional economic growth strategies.

Figure 1 gives information regarding the Human Development Index (HDI) scores for nine Balkan countries from 2000 to 2022. There is an upward trend in HDI scores over the years, reflecting improvements in human development in all Balkan countries. Although there are variations in HDI levels, there are regional similarities in development patterns. Slovenia consistently appears to have one of the highest HDI scores in the region throughout the period, suggesting it has achieved relatively better outcomes in human development.

Figure 1. Human Development Index



Source: United Nations Development Programme.

There are slight changes in certain years, possibly due to external economic factors or global events that could have impacted income, health, or education.

Literature Review

Human capital development is acknowledged as a crucial factor in promoting economic growth, especially in developing economies. It incorporates the acquisition and enhancement of skills, education, and health, which improve productivity. Numerous researchers have discovered the connection between human development and economic growth by analysing the Human Development Index published by the United Nations Development Programme.

Ulas & Keskin (2017) use panel data for 20 countries (2010–2014) to confirm a positive relationship between HDI and economic growth. This study highlights the consistent role of human development in fostering GDP growth. Deb (2015) conducted a cross-country analysis and found a strong correlation between HDI and GDP per capita across 140 countries, particularly emphasizing its prominence in low-income economies. This demonstrates that improvements in HDI dimensions (health, education, and income) substantially enhance economic performance.

Elistia & Syahzuni (2018) evaluate the association between the Human Development Index and economic growth in a group of ASEAN countries from 2010 to 2016. For each country included in the study, the authors find a strong significant bidirectional relationship between variables. In the same way, Suri et al. (2011) and Ranis (2004) analyse the two-way linkages of human development with economic growth by applying the panel data approach. The results of their articles indicate that human development plays a crucial role in economic growth and sustainable economic growth.

Hoa, Liem, & Phuoc (2016) examine how the Human Development Index affects growth in 30 economies for the period 1999 until 2014 by using regression analysis. The authors include several controlling variables such as physical capital, social capital, population, openness of economy, inflation, and government spending. The findings suggest that among the significant determinants of economic growth is the human development index as well.

Appiah, Amoasi, & Frowne (2019) examine the effect of the human development index on economic growth and economic development for the period 1990 until 2015 in five African countries by using panel data estimation. The authors use the human development index and other control variables that affect economic growth, such as inflation, government capital formation, foreign direct investments, official development assistance (Aid), and labour. Their findings suggest that the impact of the HDI on economic growth is positive.

Other authors such as Rahman, Raja, & Ryan (2020), also use the HDI to investigate human development's effect on economic growth in 50 developed and developing countries from 2000 until 2014. Other explanatory variables of economic growth are foreign direct investment, trade openness, gross fixed capital formation, and inflation. The authors find that human development is a very significant determinant of economic growth in both groups. Gulcernal (2020) analyses the impact of the Human Development Index on economic growth in 16 middle- and low-income economies for the period from 1990 until 2018 by using a panel data approach. As control variables are used, inflation, government capital, official development assistance, investments, and labour. The outcomes imply a significant positive impact of the Human Development Index on economic growth, emphasizing education and health's contributions to productivity and growth.

Methodology

This article utilized a panel data analysis to assess the relationship between human development and economic growth in nine Balkan countries—Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Montenegro, North Macedonia, Romania, Serbia, and Slovenia—over the period from 2000 to 2022. Kosovo is excluded due to insufficient data. Annual data for this period were sourced from the World Bank Database and the United Nations Development Programme. The dependent variable is the GDP growth rate, representing economic growth, which is explained by the Human Development Index and additional controlling variables, including Foreign Direct Investment, Gross Capital Formation, Inflation, Labor, and Trade Openness. Official Development Assistance is excluded from the analysis, as countries like Bulgaria, Slovenia, Croatia, and Romania have not qualified for such assistance for several years.

The main hypothesis of this study is:

- The re is a statistically significant positive relationship between the Human Development Index and the GDP Growth rate.

Initial tests are conducted to make sure that the ordinary least squares (OLS) estimations are unbiased. Additionally, a multicollinearity analysis is performed to confirm the non-existence of correlations between the independent variables, which helps maintain neutral results. The analysis results in Table 1 indicate that the correlation coefficients are all below 80%, suggesting that the independent variables are not correlated with one another. Consequently, the assumption of no correlation is satisfied.

Table 1. Correlation Matrix

	GDP	FDI	GCAP	HDI	INFL	LABOR	TRADE
GDP	1.000						
FDI	0.170	1.000					
GCAP	0.201	0.226	1.000				
HDI	0.134	0.075	0.187	1.000			
INFL	0.173	0.092	0.008	-0.390	1.000		
LABOR	-0.026	-0.202	-0.175	-0.125	0.100	1.000	
TRADE	0.061	0.220	-0.268	0.058	-0.285	0.1406	1.000

The stationarity of the series is evaluated using Levin, Lin, and Chu. The outcomes in Table 2 specify that series such as GDP Growth rate, Foreign Direct Investment, Human Development Index, and Inflation are stationary at level, and series such as Gross Capital Formation, Labor and Trade Openness are stationary at the first difference.

Table 2. Panel Unit Root test results

Variable	t-stat	Prob	Order of cointegration
GDP	-11.0897	0.0000	I(0)
FDI	-3.98769	0.0000	I(0)
GCAP	-8.59721	0.0000	I(1)
HDI	-20.4945	0.0000	I(0)
INFL	-5.26527	0.0000	I(0)
LABOR	-9.59625	0.0000	I(1)
TRADE	-3.90934	0.0000	I(0)

The Hausman test determines whether a random or fixed effect model is more suitable for the examination. Based on the analysis, the assumption of the zero conditional mean is met as well, as the average value of the error residuals is 1.89E-17. Following this, the correlation of residuals of the error term and the independent variables is examined, and the coefficient value is almost zero.

The results of the heteroskedasticity test indicate that the homoskedasticity assumption is violated. However, the regression does not suffer from serial correlation. As the model is not homoscedastic, a model that adjusts the coefficients' standard errors to solve the heteroskedasticity problem should be used.

Results

The Hausman test results suggest that the fixed effects model is appropriate for this analysis. The equation 1 represents the estimated model, and Table 3 displays the regression estimation obtained running the White diagonal coefficient covariance method.

$$\text{GDP}_{it} = -18.89 + 0.068 \cdot \text{FDI}_{it} + 21.02 \cdot \Delta \text{GCAP}_{it} + 166.91 \cdot \text{HDI}_{it} + 0.12 \cdot \text{INFL}_{it} + 61.30 \cdot \Delta \text{LABOR}_{it} + 10.18 \cdot \text{TRADE}_{it} + \epsilon_{it} \quad (1)$$

Table 3. Regression Estimation

Dependent Variable: GDP				
White diagonal standard errors & covariance (d.f. corrected)				
Variable	Coeff	Std. Error	t-Stat	Prob.
FDI	0.068	0.0609	1.115	0.2665
D(GCAP)	21.015	8.556	2.456	0.015
HDI	166.911	52.055	3.206	0.0016
INFL	0.121	0.0455	2.663	0.0085
D(LABOR)	61.301	34.296	1.787	0.0756

TRADE	10.178	3.396	2.996	0.0031
C	-18.885	6.802	-2.776	0.0061
R-sqrd	0.331	Adj R-sqrd		0.277
F-stat	6.128	Prob(F-stat)		0

The regression output indicates that the coefficient for HDI is 166.91, t-statistic of 3.20 and a p-value of 0.0016. Considering a p-value that is less than the conventional significance level (0.05), the relationship between HDI and GDP growth is statistically significant. Additionally, the positive coefficient (166.9118) indicates a positive relationship among HDI and GDP growth. Therefore, the findings indicate a statistically significant positive correlation among the Human Development Index and GDP growth rate. The findings are also in accordance with (Deb, 2015; Mustafa, Rizov, & Kernohan, 2017; Gulcemal, 2020) and so forth.

Regarding the other variables, FDI has a positive but statistically insignificant impact on GDP at conventional significance levels ($p > 0.05$). This suggests that changes in FDI may not have a strong immediate influence on GDP in this model. Gross Capital Formation significantly and positively affects GDP ($p < 0.05$), suggesting that an increase in capital growth is associated with higher GDP. Inflation has a positive and significant relationship with GDP ($p < 0.01$), suggesting that modest inflation may correlate with higher GDP, possibly reflecting increased economic activity. Labor growth has a positive but marginally significant effect on GDP ($p \approx 0.075$), which may indicate that changes in the labor force impact GDP, although less strongly than other factors. Trade has a statistically significant positive influence on GDP ($p < 0.01$), suggesting that improved trade is related to higher GDP.

Based on the value of R-squared and Adjusted R-squared, 33% of the variation in GDP is explained by the model, indicating moderate explanatory power. The F-statistics are significant ($p < 0.01$), suggesting that the whole model is statistically significant and that the included variables are jointly significant in explaining GDP.

In summary, HDI, growth in capital, inflation, and trade have significant positive influences on GDP, with the model overall showing a reasonable level of fitness.

Conclusions

This study aimed to analyze the relationship between the Human Development Index (HDI) and economic growth, measured by GDP growth rate, in the Balkan countries from 2000 to 2022. The findings indicate a statistically significant positive correlation between HDI and GDP growth rate. Specifically, the regression results show that a higher HDI is associated with higher GDP growth, with the coefficient for HDI being 166.9118 and a t-statistic of 3.206455, which is highly significant (p-value = 0.0016).

The results also highlight the significant positive effects of other key factors, such as Gross Capital Formation, inflation, and trade, on GDP. The impact of labour growth, while positive, was marginally significant, suggesting that changes in the labour force have a less

pronounced influence on GDP compared to the other variables. Foreign Direct Investment (FDI), on the other hand, had a positive but statistically insignificant effect, indicating that FDI might not have an immediate or strong impact on GDP growth in these countries.

The model explains about 33% of the variation in GDP, with an adjusted R-squared of approximately 28%. While this indicates a moderate explanatory power, the overall model is statistically significant, as evidenced by the significant F-statistic. The results confirm the importance of promoting human development alongside other growth factors, such as capital formation, trade, and inflation, to stimulate economic growth in the Balkans.

In conclusion, this study supports the bidirectional relationship between human development and economic growth, being an important driver of sustainable economic growth. Policymakers in the Balkan countries should continue to prioritize human development, alongside fostering trade and capital growth, to further stimulate economic prosperity.

References

- Adelakun, O. J. (2011). Human Capital Development and Economic Growth in Nigeria. *European Journal of Business and Management*, 3(9), 29-38.
- Appiah, M., Amoasi, R., & Frowne, D. I. (2019). Human Development and Its Effects on Economic Growth and Development. *International Research Journal of Business Studies*, 12(2), 101-109. doi:<https://doi.org/10.21632/irjbs>
- Deb, S. (2015). Gap between GDP and HDI: Are the Rich Country Experiences Different from the Poor? *IARIW-OECD Special Conference: "Whither the SNA"*. Paris: OECD Conference Centre.
- Elistia, & Syahzuni, B. A. (2018). The Correlation of the Human Development Index (Hdi) Towards Economic Growth (Gdp Per Capita) in 10 ASEAN Member Countries. *Journal of Humanities and Social Studies*, 2(2), 46-46. Retrieved from <https://journal.unpak.ac.id/index.php/jhss>
- Gulcemal, T. (2020). Effect of Human Development Index on GDP for Developing Countries: A Panel Data. *Journal of Economics, Finance and Accounting*, 7(4), 338-345. doi:10.17261/Pressacademia.2020.1307
- Hoa, P. T., Liem, L. T., & Phuoc, N. K. (2016). Human Development Index Impact ON Economic Growth. *Ho Chi Minh City Open University Journal of Science*, 6(1). Retrieved from <https://journalofscience.ou.edu.vn/index.php/econ-en/article/view/106/95>
- Mustafa, G., Rizov, M., & Kernohan, D. (2017). Growth, human development, and trade: The Asian experience. *Economic Modelling*, 93-101. doi:<http://dx.doi.org/10.1016/j.econmod.2016.12.007>
- Rahman, R. A., Raja, M. A., & Ryan, C. (2020). The Impact of Human Development on Economic Growth: A Panel Data Approach. *Economics Research Network*. doi:10.2139/ssrn.3526909
- Ramirez, A., Ranis, G., & Stewart, F. (1997). *Economic Growth and Human Development*. New Haven: Yale University, Economic Growth Centre (EGC).

Ranis, G. (2004). Human Development and Economic Growth. *Center Discussion Papers - Economic Growth Center- Yale University*. Retrieved from <http://www.econ.yale.edu/~egcenter/>

Sen, A. (1999). Development as Freedom. In A. Sen, *Development as Freedom*. Oxford University Press.

Suri, T., Boozer, M. A., Ranis, G., & Stewart, F. (2011). Paths to Success: The Relationship Between Human Development and Economic Growth. *World Development*, 39(4), 506–522. doi:10.1016/j.worlddev.2010.08.020

Ulas, E., & Keskin, B. (2017). *Is There a Relation Between HDI and Economic Performances?* Springer Proceedings in Business and Economics. doi:https://doi.org/10.1007/978-3-319-49559-0_6

THE INTEGRATION OF ESG CRITERIA IN FINANCIAL INSTITUTIONS IN ALBANIA

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Abstract

Due to the increased interest in sustainability issues brought on by climate change, there has been an increase in interest in developing sustainable investments, especially from stakeholders, regulators, and the public to learn more about the advantages of sustainability reporting on business results. Despite the increased costs accompanying sustainable investments, increasing them has a positive impact on the company's financial success. In the framework of Sustainable Development Goals, Green finance is an emerging field that can create competitive advantages and opportunities. Albanian financial institutions have started to incorporate ESG principles and develop green products to achieve SDG objectives. Their role is seen from two perspectives: as entities that directly impact the environment through different types of consumption but also indirectly via the products and services offered to their clients. Albania has benefited in this regard also from programs that have given rise to ESG understanding and its implementation, such as Economy Financing Facility (GEFFN). This paper overview academic literature on environmental, social, and governance (ESG) to understand the ESG pillar and how executives of financial institutions can evaluate a company's overall accountability and long-term benefits using these pillars. The research is based on a survey that mixes questions from surveys conducted by Deloitte, the International Bar Association, and Société Generale Securities. The survey was filled out by executives from eight commercial banks and seven insurance companies that operate in Albania. Findings highlight that only a minority of firms have adopted all three pillars of ESG, and half of the firms indicate that they have an ESG practice group advising their clients on ESG matters, but only 40 percent say they also have seen an increase in demand for ESG support for clients. Around 70% of them showed that ESG is not integrally incorporated in the governance and management practices, including decision-making. However, all of them show an increase of awareness that the implementation of ESG in the long term increases financial gain, improves their reputation, life cycle, reporting practices, and risk management, encourages innovation and data, and contributes to a more sustainable society.

Keywords: ESG, financial institutions, green finance, sustainability reporting

Introduction

Recently, significant importance has been given to environmental, social, and governance issues, such as climate change, social inequality, and business ethics. The financial markets and institutions' activity and investment decisions hugely impact these issues, making them one of the main participants in the economy to directly help lower the bad effects concerning the ESG factors and prompting the economy towards a sustainable future. This paper aims to investigate ethical investing, its historical evolution, and ESG factors; and, to analyze the process of ESG integration and implementation in the financial sector in Albania by analyzing data from surveys

Ethical Investing

Ethical investing or Socially Responsible Investing (SRI), as terms and concepts have evolved, in its core is a concept that excludes (screens out) investments that do harm the society and encourages investments which impact positively the society, including every aspect of it, starting with human rights, health, security and wellbeing of the societies, environment and many others. During its history and evolution different interchangeable words and different approaches were used, such as positive, negative, norms & best in class screening; impact, sustainable & community investing and lately ESG investing, which will be discussed in details, as it is considered as a very important approach that not only changed a bit the early years Ethical Investing concept, but also is a hot topic of nowadays.

Ethical Investing Evolution

Ethical Investing has its roots back to the 19th century, where religion, moral norms, and cultural values were the basis upon which investors deciding not to invest in certain activities that were against their beliefs. For example, in the 1700s, value-based investing was a practice of certain religious communities and companies in Europe and the United States, such as Methodists and Quakers, that would invest only in stocks of corporations that exclude the slave labor, alcohol, weapon, tobacco, and gambling from their investment practices.

In the 1960s, there was an evolution, as until then, the practices of ethical investing were focused only on the avoidance of investments in these 'sin industries. At the same time, there were protests and boycott campaigns against firearm companies to stop the Vietnam war; a growing movement for divestment in apartheid South Africa, which soon led to the end of the Apartheid; and a concerning growing level of CO2 emission due to the Industrial Revolution. These events evolved the Ethical Investment concept and practices, now out of the small circle of religious activism and on its way to beginning its journey to the importance it has nowadays all over the globe.

These years were followed by a lot of new movements concerning war, racial equality, civil & women's rights, environment & consumer protection, and many others. When societies started to give great importance to these issues, investors followed up when it was about investing. Now investment decisions, for a lot of investors, were not anymore only a profit matter but more than that. In 1990, there was introduced 'The Triple Bottom Line' or (PPP), which means People& Planet& Profit. This was a point where companies also had to start focusing and caring about the other two P's besides profits. This concept then evolved to what is today's ESG factors. Later, in 2006, The United Nations' Principles for Responsible

Investment (PRI) was established, which institutionalized the integration of ESG factors into investment decisions, signed by many countries and increasing its signatories even nowadays. Two years later there was the Intergovernmental Panel on Climate Change (IPCC) established, which aims to mitigate climate change, keeping global warming under 1.5 degrees Celsius above preindustrial level.

The Sustainable Development Goals (SDGs) established in 2015 by the United Nations General Assembly, intending to achieve them all by the year 2030, was another step towards ESG integration. In 2018 an important step was taken by regulatory bodies in the EU, which implemented the European Union's (EU) Sustainable Finance Action Plan (Claringbould et al., 2019). The plan aims to mobilize finance for sustainable growth and redirect capital flows toward sustainable investments. It includes several key components, including taxonomy regulation, Sustainable Finance Disclosure Regulation (SFDR), EU Green Bond Standard and Non-Financial Reporting Directive (NFRD). All these legislations look to promote strong ESG values and mandate fund managers to transparently disclose whether their fund falls under the respective articles concerning ESG considerations, incentivize green investments by ensuring transparency, ability to make comparisons and credibility for these investments. Now with this and other regulatory bodies supporting and the support from the general society, there is a growing trend of ESG integration and a shift towards a sustainable economy, even though this is not an easy journey.

ESG Factors

Ethical investment is becoming crucial and is gaining importance more and more every day, as the big issues concerning our planet and human lives have turned on their red lights. The history line showed that there was a lot of importance given to these issues from governments, regulatory bodies, and international organizations, and, of course, from society. However, the balancing of investing ethically and having good returns is a problem for investors and businesses that have integrated ESG investment or taking into consideration to include this strategy in their activities. After all, they are interested in generating profits in the very first place, however, ESG investment comes with a different approach, which is not into excluding companies that have bad impacts or supporting only those doing good, but ESG is about the full spectrum in between. Even though the integration of ESG factors in investors strategies will have a cost regarding portfolio diversity, but on the other hand, as there is an increasing support from society, investors and the planet itself, based on what the future expects and what is obvious until now, a lot of researches concluded that ESG investments offer higher returns in the long term and lower risk, compared to traditional investments. An example to understand this is investing in renewable energy, which has a good impact on the environment and a good future regarding usage and profits.

ESG, differently from the previous SRI, in its core, is an analysis framework that measures and quantifies the degree to which an organization is operating sustainably. ESG investing, in simple words, prioritizes long-term profits over short-term profits gained at the expense of the environment and the human capital they rely on. ESG stands for Environmental, social, and governance. Environmental criteria deal with problems that concern our planet, such as climate change, water pollution, waste management, greenhouse emission CO₂, deforestation, biodiversity, depletion of non-renewable resources, and many others. Regarding the social criteria, the problematics that should be taken into consideration are working conditions for the employees, health, safety, human rights & equality in the

workplace, child labour, diversity & equal opportunities, etc. And the finally important is Governance which looks at: transparency, executive payment, business ethics, tax strategy and compliance with laws, board diversity & structure, corruption, political lobbying, and donations.

ESG factors have made it easier for investors to see the full picture of a company and invest in those that fulfil and align with their values. If an investor values the environment more than the diversity in the workplace, they can choose to invest in a company that has high scores in E besides the lower scores in S criteria. Also, the rating agencies of ESGs, such as, the FTSE4Good Index Series for the London Stock Exchange, the Dow Jones Sustainability Indices for the New York Stock Exchange, Standard & Poors 500 ESG Index, and many others that identify companies that demonstrate strong ESG practices, are increasing in numbers. These are some of the many sustainability indices serving as a reference point for investors, helping and enabling the creation of a big infrastructure for the development of this strategy, which hopefully will contribute to a better place to live for everyone.

ESG Growth Trend

There is an increasing trend regarding the integration of ESG factors not only financial institutions and markets but also many corporations and businesses worldwide.

Figure 1. Where Is the Industry Today and Where Are We Headed?



Source: Preqin Pro

In the chart above, you can see how ESG commitments have steadily increased over time, becoming a key part of the alternative investments landscape. With the global pandemic, aggregate capital raised for both non-ESG and ESG funds decreased in both 2020 and 2021. However, as ESG becomes more important for investors and fund managers, the general upward trend for ESG - concerning overall fundraising commitments made - is likely to continue. Institutional investors have been at the forefront of ESG investing initiatives and continue to drive growth in the sector. More than a third of investors surveyed by Preqin' have stated that ESG will become a bigger part of the industry in the next three years. With 80% of investors intending to have an ESG plan in place by 2023, this growth shows no signs of slowing down.

ESG evolved from a niche form of investment to global finance mainstream. Until recently, the largely unregulated alternatives market has avoided widespread scrutiny from investors. Now, however, investors are requesting more transparency from the funds they invest in, and industry regulation has moved into the spotlight.

ESG Integration in Financial Institutions and Markets

With the integration of ESG factors in the investment decisions of financial institutions and other corporations and businesses, there are some steps to be taken. This includes ESG risks on their traditional actual risk assessment, which means that this way they can be informed and can evaluate what are the risks they pose to the environment or society, or what are the risks that these factors may pose to them. After that, there is a need for transparent disclosures for investors to be informed how this financial institution is performing with those important criteria, creating a system where their decision making becomes easier and is based on truthful, transparent disclosures which of course need to be forced and controlled by respective legislative bodies. Besides the increase in the number of businesses that are incorporating ESG investing in their investment decisions, what is important to investigate is how much these steps are integrated into important financial institutions such as banks. According to a study done by the European Commission in 2021, most of the banks had not yet taken into consideration the ESG risks in their risk assessment, but 73% of the banks in the EU were considering the integration of ESG in the upcoming years, and, they had established sustainability teams working towards this goal. It's important to mention that central banks' decisions have a potential impact on other financial institutions and markets. Mainly central banks have or are on the way of integrating ESG factors, but their disclosures are mostly related to environmental factors and partly to social factors, as there is a great threat and concern from climate change, leaving the governance factor apart.

The integration of ESG factors does not only mean the financial institutions' risk assessment and disclosures but the creation and trade of ESG and sustainable products and services, which are part of the financial markets. These products and services aim to incorporate ethical and sustainability considerations in investment decisions. Financial products such as green bonds, social impact bonds, sustainable bonds, impact investing as parts of capital market, or sustainability-linked loans which are part of the money market, have been introduced, supplied and increasingly demanded in the market in recent years.

Impact Investing

Unlike traditional investing, which primarily focuses on financial performance, impact investing is intentional and seeks to align capital with projects and companies that address social and environmental challenges. Impact investing covers a wide range of themes and sectors, including renewable energy, affordable housing, sustainable agriculture, education, healthcare, gender equality, and financial inclusion. Impact investors, through impact investment funds or issuances of impact bonds, aim to achieve competitive market returns or even outperform traditional investments while simultaneously driving positive social and environmental outcomes. They proactively seek investment opportunities that have the potential to deliver measurable social or environmental outcomes (Barber, et al., 2021).

Green Bonds

Green bonds are fixed-income financial instruments specifically designed to finance projects that have positive environmental or climate-related benefits. They enable issuers to raise capital to fund projects that promote renewable energy, energy efficiency, sustainable infrastructure, and other environmentally friendly initiatives. Green bonds, with their origins in the mid-2000s, have been gaining popularity as a tool for sustainable investing, allowing investors to support projects with clear environmental objectives while generating financial returns (Gilchrist, et al., 2021).

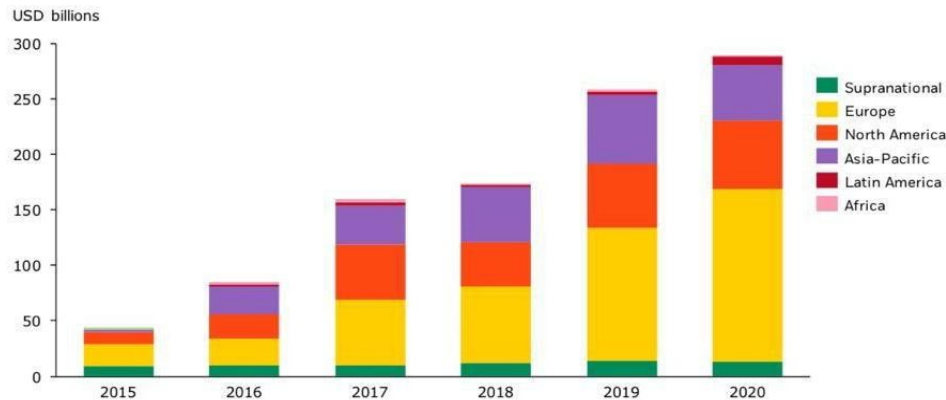
Sustainability-linked Loans

In addition to impact investing, green bonds, and funds, sustainability-linked loans are available outside of capital markets. These loans are credit facilities where the interest rate or terms are linked to the borrower's sustainability performance. The borrower commits to achieving specific sustainability targets, such as reducing carbon emissions or improving social metrics. If the borrower meets these targets, they may receive a reduction in interest rates or other financial incentives (Carrizosa and Ghosh, ESG Integration into Financial Markets: A Comprehensive Exploration of Concepts and Implementation 143 2022). Overall, these sustainable financial products and services, alongside other ever-evolving ESG-focused products and services in the financial industry, aim to contribute to a more inclusive and environmentally conscious economy.

The graph below shows the evolution of green bond issuance by regions for five consecutive years. There is an obvious increase in their issuance. Different ESG services such as ESG Advisory Services, ESG Ratings and Data Services, from this ongoing trend appear to have a bright future. However, it's important to note that the development and adoption of ESG derivatives still face challenges. These include the need for standardized ESG metrics and methodologies, as different ESG ratings vary from one provider to another based on their different methodologies, as well as robust data infrastructure to support accurate ESG Integration into Financial Markets.

Full ESG integration in financial institutions, obviously is an ongoing process with many challenges. Besides the fact that there is a lack of standardization, data quality, and availability, the absence of consistent regulations across different countries can create challenges for the corporations or financial institutions that operate in multiple jurisdictions. Furthermore 'greenwashing' is more than a lack of transparency; it misleads the investors' decision-making. Even though there is a remarkable increase in ESG investment and factors integration, there is more to be done regarding the possible solutions to these challenges from respective powers to enable a full transition to ESG investing. Including the creation of global ESG standards to enable consistency and comparability and global unification of ESG regulations to ensure transparency and disclosures. The international cooperation of governments, businesses, and especially financial institutions would lead to a full and smooth shift toward a green and sustainable future. However, as the topic is still in the early stage of implementation and research, new approaches and solutions will be presented and evaluated in the future, addressing the need for more research and evaluation of the ESG integration process and its outcomes, especially in an empirical way.

Figure 2: Green bonds expansion during years



Source: Climate Bonds Initiative (2021)

The situation of ESG implementation in the Financial Sector in Albania

As Albania is in the process of adhering to the European Union accession, it has committed to demonstrate advancement finance, its role in long-term economic and environmental sustainability. The government made progress in reforms that aim to enforce the regulatory framework, promoting responsible investment and the role that environmental, social, and governance (ESG) factors have in financial decision-making. In this regard, our country has participated in different initiatives, such as the Western Balkans Sustainable Finance Initiative and the European Union's Sustainable Finance Action Plan.

The process of responding to environmental challenges dates back more than three decades beginning in 1992, at the Earth Summit in Rio de Janeiro 1992, where the United Nations Framework Convention on

Change and the Convention on Biological Diversity were implemented, leading to Agenda 21, a plan to promote sustainable development globally, which included recommendations for both developed and developing countries in different terms of sustainability.

Another important initiative was the Paris Agreement and the UN 2030 Agenda. The Paris Agreement where political resolutions regarding the climate change issue were agreed by 196 countries at the UN Climate Change Conference, in 2015. The financial sector holds its responsibility towards the adaptation of SDGs (Sustainable Development Goals) and focuses on long-term investments, directing financial capital towards sustainable activities, to shift towards a resilient and sustainable way for society.

Green Finance in the Context of Albania Banking Sector

A key player in driving the growth of green finance is the banking sector. By increasing the emphasis on the environment and sustainability, Albania has enacted regulations that require banks to integrate environmental and social factors in borrowing and investment decisions. The urgent need for digital transformation posed by climate change and the introduction of new ESG products are key issues of the banking industry today. Green banking is a new branch for creating competitive advantages and new business opportunities in the framework

of sustainable development goals. Banks are implementing ESG principles in the development of their financial products in the context of achieving SDG objectives. The banking sector is paying special attention to green banks at the same time maintaining the environment and corporate social responsibility. Banks in their role as operating institutions have a direct impact on communities and the environment (carbon footprint, water use, energy and consumption, paper use, etc.), but also indirectly affects products and services that they offer to their customers. That's why the bank incorporates environmental goals into its development. Green banking affects banks' external performance, offering the opportunity to create new products and services for customers and a competitive advantage in the industry. Lee & Baral (2017) defined as a “green” product, service, or instrument when it is used to raise funds which to be spent on environmentally friendly projects. Most often, banks lend money for green projects such as renewable energy, energy efficiency, and sustainable agriculture, with lower interest rates than typical loans. When talking about green loans in housing, the aim is to improve energy efficiency, and they have prioritized loans on activities such as installing solar panels, improving insulation, or upgrading heating and cooling systems to reduce energy consumption and environmental impact.

Another encouraging project in terms of promoting sustainable finance in Albania was “The Green Economy Financing Facility (GEFF)” that was designed by the EBRD and funded by grants from the European Union to promote the sustainability of investments. In the last two decades, Albania has attracted a total of €1.2 billion invested in 84 projects that aim to promote environmentally sustainable alternatives of investment.

Methodology

As global organizations face increasing regulatory pressure to disclose information about environmental, social and governance impacts, risks and opportunities, financial institutions in Albania will need to meet the requirements imposed by the European Union. Nevertheless, organizations should not seek only to comply with the requirements but should view ESG principles as a beneficial tool to enhance financial performance in perspective. This study was focused on conducting a deep dive into how organizations are reaching the ESG principles while adapting with disclosure requirements. Key findings include a focus on investing in new sustainability talent, prioritizing sustainability data and analytics, and managing goals and the continuously evolving reporting requirements surrounding them.

A survey based on the ‘Deloitte ESG Survey’ and on ‘Sustainability Organization Survey’ prepared by KPMG that was delivered to be answered by the executives of financial institutions to learn how many companies across the financial industry are thinking and acting in environmental, social, and governance (ESG) directions. The aim of the survey is also to determine the progress of the sustainability assessment of these financial institutions. Measuring the steps that the financial sector made in terms of data management is also one of the goals of this research as integrating sustainability objectives within the holistic business remains a challenge even in the developed countries' challenges due to limitation of resources.

The survey was completed by fifteen financial executives of private companies in the banking and insurance industries. The survey was filled out by executives from eight commercial banks and seven insurance companies that operate in Albania. The survey was

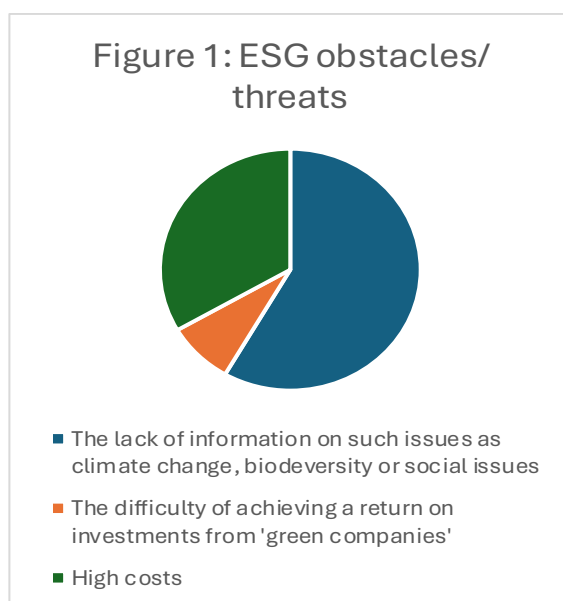
completed in September 2024 using an email invitation and an online survey in Google forms.

Findings

The regulatory agenda is advancing in this space, firms are not keeping pace. With the increasing talks about fines for non-compliance, this is something firms need to watch out for. It is perhaps, therefore, not surprising that there is interest from respondents in learning about international developments across the ESG landscape, including the EU Forced Labor Regulation and EU Deforestation Regulation (which becomes applicable for most companies on 30 December 2024).

Outside of compliance, however, only eight per cent of respondents didn't reflect ESG in their firm strategy, and 57 per cent of respondents covered all three pillars, with the environmental pillar being the least represented. 59 per cent of respondents indicated that their firm had not calculated their carbon footprint, with only 11 per cent of firms calculating Scope 1, 2 and 3 emissions. There is, therefore, significant progress to be made if, as an industry, we want to be aligned with the global net zero pathway, which would require firms to reduce Scope 1 and 2 emissions by 42 percent by 2030 and Scope 3 emissions by 25 percent in the same timeframe.

Half of the companies have an advising group to orient their clients on ESG matters, but three others of them said that they plan to do it soon. Nevertheless, 40 percent of the firms stated that they have seen an increase in demand for ESG support for clients. According to financial services executives responding to the survey, the most pressure for transparency and progress in ESG reporting and disclosure policy comes from many the board of directors (75%); and customers, consumers, and clients (25%). Half of them responded to perceive at a medium level that ESG had become an integral part of their company's governance and partnership model, including decision-making; a quarter of them perceived it to be in a (very) poor level, and the other quarter perceives it to be (very) strongly inclusive. the status of their sustainability journeys. In summary, around 70% of them showed that ESG is not integrally incorporated in the governance and management practices, including decision-making.



All the FSI respondents admitted their companies have included ESG criteria in investment strategies to encourage their company's portfolios to become greener and sustainable. Only 20% of them confirmed having relied on external expertise involved in implementing sustainable investment strategies. From this survey, we learned that financial companies did not operate with Fintech companies or consultants to meet the minimum sustainability conditions of granting a loan (in case of a bank) or issuing a policy to an entity (in the case of an insurance company), but they use their internal resources. Asked on what they perceive as the major obstacle/threat in turning their financial companies more sustainable towards fulfilling the ESG criteria, the response is shown in the graph below. (Figure 3). However, financial companies are working and taking actions regarding ESG (environmental, social, and governance) criteria (Table 1).

Table 1: Steps on meeting ESG criteria

Steps that your organization is taking regarding ESG (environmental, social, and governance) criteria	No of companies that have undertaken them
Identified primary responsibility for ESG oversight (board level)	3
Selected a reporting framework for ESG disclosure	2
Have established/ process of establishing a cross-functional ESG group	3
Established climate risk corporate governance	5
Established a climate risk strategy	5
Refined operations and processes	9
Conducted an internal audit	4
Published a sustainability report ⁹	2
Developed a roadmap	3

All the financial organizations in this survey endorsed that they would prepare for increased ESG disclosure requirements. Nevertheless, the issue should not be limited only on the threat of fines for non-compliance, but companies should be in line with the international developments across the ESG framework, as the country reaches to adhere to the European Union.

Discussions and Conclusions

Different approaches from different executives, with reporting constraints, have resulted in many financial organizations monitoring the steps taken towards their sustainability objectives, as well as the benefits in corporation governance. Sustainable finance has developed in Albania in recent years. However, some obstacles and challenges need to be overcome, according to this study. Summarizing the responses given from the survey, we can mention some of them, starting from the absence of standardized ESG frameworks that make the assessment of different financial products difficult. The absence of data on environmental

indicators or the evaluation of the performance of potential investments. Financial and regulatory institutions should develop appropriate risk evaluation methods and tools to assess the risks associated with green finance. Besides that, it has been evidenced that green finance development can only be supported by sufficient financial resources, especially in technologies and projects. Additionally, green finance needs advancement in the field of financial infrastructure, financial expertise, training, capacity-building initiatives, and literacy. The market is ready to enter a new era of finance sustainability when new products such as green bonds will be ready to be offered to the public.

The development of green finance in Albania needs the cooperation of the governmental bodies, financial sector, and individuals, also society as a whole. Approaches towards the rise of awareness of environmental risks should be made by all stakeholders is necessary to change financial markets adapting sustainability in financing and investment practices. The most urgent measure to be undertaken is the regulatory framework for sustainable investments, improving fiscal, economic, and environmental policies to support green products issuance, also considering the importance that the European Union gives to sustainable finance.

In conclusion, ethical investing and specifically ESG factors are increasing their relevance recently from the climate change, business ethics issues arising. Integrating ESG factors in financial markets and institutions is the key to shifting the economy towards sustainability. This research found that there is an increase of Albanian financial institutions integrating ESG factors in the investment decision-making processes, risk evaluation, and nonfinancial disclosures. Nevertheless, it is difficult for financial institutions to integrate completely all the ESG factors, showing also early signs of development in the field of ESG products and services, such as green bonds, impact investing, and sustainability-linked loans. Efforts to give affordable solutions to these challenges, increasing the cooperation with international bodies to enable consistency, comparability, and unity of ESG regulations, to adapt transparent processes and disclosures. Nevertheless, being a new area of research and implementation, more research and evaluation of the ESG integration process will highlight new dimensions in this field of research concretely and empirically.

References

- Bank of England. (2020). *Guidance on climate-related and environmental risks*. Bank of England. <https://www.bankofengland.co.uk>
- Bloomberg. (n.d.). *Bloomberg ESG data and insights*. Retrieved November 9, 2024, from <https://www.bloomberg.com>
- CFA Institute. (2023). *ESG integration in financial institutions: 2023 state of play*. CFA Institute.
- Driessen, M. (2021, January 1). Sustainable finance: An overview of ESG in the financial markets. *EBI Studies in Banking and Capital Markets Law*.
- European Central Bank (ECB). (2020). *Sustainable finance and the role of financial institutions*. ECB. <https://www.ecb.europa.eu>
- Global Reporting Initiative (GRI). (n.d.). *Global ESG reporting initiative*. <https://www.globalreporting.org>

Google Scholar. (n.d.). Google Scholar. Retrieved November 9, 2024, from <https://scholar.google.com>

Hamadeh, M. A., & M., D. P. K. (2021). Financial institutions, ESG, and financial performance. *Journal of Applied Finance*, 31(2), 45-62.

Hanemann, M. D. D. (2020). *The green finance agenda: The role of financial institutions in financing the green transition*. Routledge.

IFC (Board, Scope, Publ. info, Orders). (2014, August). Precambrian Research, 249, IFC.

Kalia, C. (2020, December 22). How ESG integration in the financial sector can help build resilient systems of the future.

Li, S., Sun, Y., et al. (2020). The effect of corporate social responsibility on the financial performance of financial institutions. *Journal of Business Ethics*, 164(2), 345-362. <https://doi.org/10.1007/s10551-019-04337-5>

McKinsey & Company. (2020). *Navigating ESG risks in financial institutions*. McKinsey & Company. <https://www.mckinsey.com>

Morningstar. (n.d.). ESG investing hub. Retrieved November 9, 2024, from <https://www.morningstar.com>

Oliveira, G. (2023, August 9). ESG jobs: How to break into the booming sustainability industry. *UGREEN*.

Peterdy, K. (2023, October 26). ESG (Environmental, Social, & Governance). *Corporate Finance Institute*.

Rahman, M. (2021, June 15). European Commission development of tools and mechanisms for the integration of ESG factors in the EU banking prudential framework.

Škapa, S., Bočková, N., Doubravský, K., & Dohnal, M. (2022). Fuzzy confrontations of models of ESG investing versus non-ESG investing based on artificial intelligence algorithms. *Journal of Sustainable Finance & Investment*, 13(1), 763-775. <https://doi.org/10.1080/20430795.2021.1884635>

SSRN. (n.d.). *Social Science Research Network*. Retrieved November 9, 2024, from <https://www.ssrn.com>

Starks, L., Carboni, J. J., et al. (2019). ESG investing in financial institutions: The role of banks and asset managers. *Review of Financial Studies*, 32(10), 3714-3757. <https://doi.org/10.1093/rfs/hhz030>

Task Force on Climate-related Financial Disclosures (TCFD). (2017). *Recommendations of the task force on climate-related financial disclosures*. <https://www.fsb-tcfd.org>

United Nations Environment Programme Finance Initiative (UNEP FI). (2019). *Principles for responsible banking*. UNEP FI. <https://www.unepfi.org>

United Nations Environment Programme Finance Initiative (UNEP FI). (2021). *The role of financial institutions in achieving sustainable development goals (SDGs)*. UNEP FI.

V. (n.d.). Expert opinion: Trends that will shape sustainable finance in 2023. *Nasdaq*.

Wadhwani, P. (2023, July 31). Sustainable finance market size - By investment type (Equity, Fixed Income, Mixed Allocation), by transaction type (Green Bond, Social Bond, Mixed-

Sustainability Bond, ESG Funds), by investor type (Institutional, Retail), investor type & forecast, 2023 – 2032. *Global Market Insights Inc.*

Zioło, M., Filipiak, B., Bąk, I., & Cheba, K. (2019, October 11). How to design more sustainable financial systems: The roles of environmental, social, and governance factors in the decision-making process. *Sustainability*, 11(20), 5759. <https://doi.org/10.3390/su105759>

ECONOMIC IMPACT AND DEVELOPMENT CHALLENGES FROM EU INFRASTRUCTURE INVESTMENTS. CASE STUDY OF ALBANIA

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Abstract

The European Union is Albania's strongest development partner, providing in grant assistance to support the Albanian people and help Albania adopt and implement key political, institutional, social, and economic reforms to comply with EU values and progressively align with its rules. A lack of Economic convergence between countries in the Western Balkan region and the rest of Europe remains a major sticking point for allowing them EU membership. In the case of Albania, the country is investing heavily in its construction and tourism industries in a bid to boost economic growth. This article emphasizes the EU investment of 3 big projects: EU4Innovation, EU4Schools and EU4Culture and the impact and development challenges. The EU4Innovation is a Programme funded by the European Union. The Albanian start-up and innovation ecosystem is nascent and ranks among the lowest entrepreneurial ecosystems in Europe. The EU4Schools is a Programme funded by the European Union in response to the recovery process following the earthquake of November 26, 2019. One of the largest cultural heritage programmes funded by the European Union is the EU4Culture, restoring back the cultural heritage damaged by the earthquake, targeting 8 Municipalities.

This research presents an overview of the Economic impact and development challenges from EU investments, in these programs, especially focusing on the infrastructure. How do restoration work help be a sustainable approach not only on preserving the original features of the building and restoring key components, but also hosting innovation and digitalization as part of the future. The methodology of the study is that of evidential, analytical and comparative description, focuses on and highlights its features and presents further sites from these projects. Through the study of architectural and constructive characteristics. In conclusion, the importance of economic indicators affects sustainable development not only in the affected Municipalities but the whole region.

Keywords: Economics, infrastructure, EU investment, Albania

Introduction

This article offers an overview of key considerations in the economic impact and development challenges of EU infrastructure investment. Albania is implementing important structural reforms that will support equitable growth, raise productivity and competitiveness in the economy, create more jobs, and improve education and culture heritage infrastructure. Enhanced regional connectivity and access to regional and global markets, coupled with export and market diversification, can also help promote faster growth.

EU4SCHOOLS

The programme commenced on April 2020, a time when due to the COVID-19 pandemic, the Albanian Government had declared the state of natural disaster and enforced a very strict lockdown. In the 11 Municipalities where EU4Schools are being implemented, the education suffered from two consecutive crises, the earthquake, and COVID-19, causing impatience to return into classes and raising expectations on the speed and quality of the post-earthquake recovery process. Furthermore, in the last decade, Tirana schools have also been challenged by being overcrowded and having rundown infrastructure with limited sanitary and instructional facilities. Many schools teach in two shifts, shortening class's ability to conduct quality curricular and extracurricular activities. The problem is reported to be especially grave in urban areas, as a large percentage of the population has migrated to the cities and the infrastructure has been stretched beyond its limits.

"EU4Schools" program, financed by the European Union and implemented by UNDP Albania, identifies a need to improve the environment for learning at primary, lower secondary and secondary education levels. This involves:

Table 1 "EU4Schools" program

11 municipalities target by the Programme	24,529 Students and Teacher benefiting
63 Education facilities target by the Programe	1,087,897 People benefiting
63 Design finalized	69 Consultation Meetings so far
63 Civil works contract sign	57 Education facilities completed

Source: eu4schoolsportal.al

It is seen as very important for the future development of Albania, that there is the provision of the right infrastructures for learning, including sufficient and adequate space, adequate teaching and learning materials, as well as the provision of a safe, static stability, healthy, and, above all, friendly environment. This is parallel to the provision of adequate management infrastructure to sustain a safer, healthier, and friendlier learning environment.

EU4SCHOOLS in Tirana

Table 2 "EU4Schools" program in Tirana

Education facility	Type of educational service	Municipality	Administrative Unit / Village	Type of intervention	Contract amount in ALL (VAT excluded)
Xhezmi Delli	9-year school	Tiranë	Tiranë	Reconstruction	104,046,011.00
Myslym Keta	High school	Tiranë	Tiranë	Repair	63,871,463.93
Musine Kokalari	9-year school	Tiranë	Tiranë	Reconstruction	208,788,969.34
Kopshti Nr. 41	Kindergarten	Tiranë	Tiranë	Repair	42,747,257.18
Emin Duraku	9-year school	Tiranë	Tiranë	Reconstruction	379,450,744.90
Asim Vokshi	Professional high school	Tiranë	Tiranë	Repair	162,064,245.05
26 Nëntori	9-year school	Tiranë	Tiranë	Repair	83,280,812.50

Source: eu4schoolsportal.a

Promoting Economic Development in School Infrastructure through EU Investment

Several project funding by European Union, are being implemented in Albania last decades which are focus on: Promoting community participation on local level, increasing awareness on volunteering as one of the forms of civic engagement and its benefits for whole society; Encouraging active European citizenship and identity; Collecting and promoting, civil society organizations and citizens reflecting European democratic values such as common good, rule of law and openness with a special focus to economic development in school infrastructure. use of new information and communication technologies as tools for enabling and encouraging civic participation. To assess the roles of teachers and students community participation during design and construction process.

Thanks to the support of EU investment, were identified educational infrastructure, needs, priorities and approaches of Municipality Tirana with concrete plans to cooperate for upgrading the system which transformed in a serious barrier for community integration.

Case study “Musine Kokalari” school, in Tirana

Tab.3 Musine Kokalari school

Musine Kokalari school	
Contract Amount	208,788,969.34
Construction company	2T shpk
Supervising company	HT Construction
Construction area	4500m ²
Construction start date	14.02.2023
Date of handover to the beneficiary	30.28.2024
No. of students	1015
No. of teachers	41
No. of classrooms	29
Sport facilities	Indoor
No. of Laboratories	5

Source: eu4schoolsportal.al

Source: “HT Construction”

“HT Construction” and “2 T shpk”, supervisor and construction companies, with the support of UNDP, prepared an analysis and in-depth report which identify the lack of a school infrastructure, and public spaces, recreational areas, for teachers staff and their students to educate, socialize and engage in outdoor activities.

The steps for the reconstruction or repair of an education facility.

The repair and/or reconstruction of an education facility follows several steps, including a number of actors/institutions such as local and national partners of the Programme.

Tab.4 Steps for the reconstruction or repair



Source: eu4schoolsportal.al

As a direct consequence of the implementation of the Programme, according to supervisory sources (“HT Construction” Company) the following results are achieved:

1. “Musine Kokalari” 9-years school and kindergarden, located in Tirana, is constructed and will be operational with the necessary conditions pursuant to the norms and standards. This school will provide kindergarden, primary and lower secondary education (grades 1-9);
2. The new school facilities are constructed through the application of modern European Norms for new school construction including energy efficiency requirements and disable access;
3. Flexibility – Modern technology makes available a wide choice of versatile construction materials and methods so that a building will be adaptable to future changes in curriculum and teaching methods.
4. Durability – Buildings and equipment are constructed of durable materials that need not be necessarily expensive. On the other hand, an initial higher cost of good sound materials may be offset by lower operational or maintenance expenses.
5. Maintainability – Materials, system components, and structural features are chosen with consideration given to ease of maintenance and availability of spare parts. Mechanical systems should provide plenty of access and room to work for the technicians who will service and repair the equipment in the future.
6. Health and Safety - Schools are designed to Natural light and fresh air help provide a healthy environment that enhances learning.
7. Accessibility The needs of children with disabilities are considered, with ramps and elevator build.



Fig.1 M.Kokalari school, before and after reconstruction

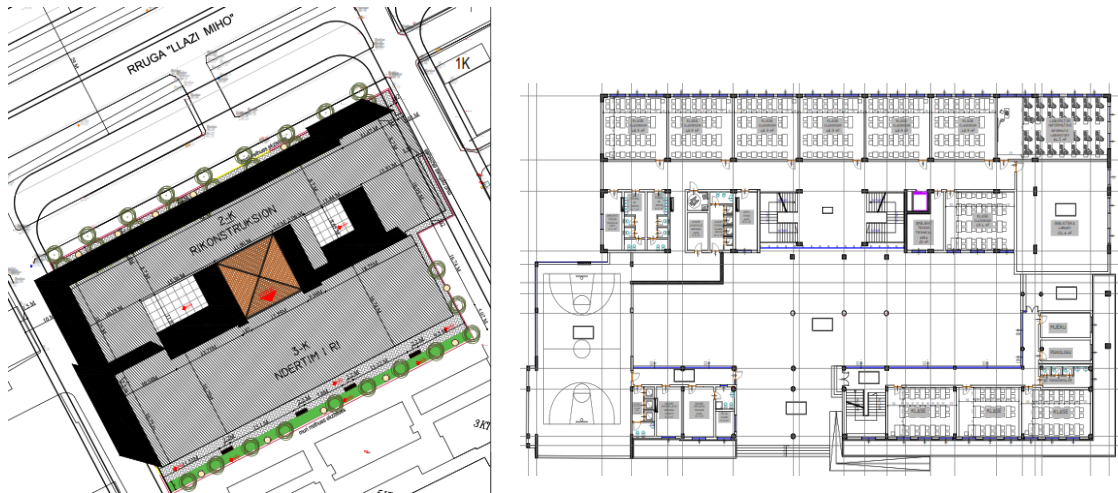


Fig.2 M. Kokalari school, general plan

Promoting Economic Development in Heritage Infrastructure through EU Investment

The EU4Culture program focuses on renovation and revitalization of major cultural heritage sites damaged by the earthquake and represents one of the largest cultural heritage programs funded by the European Union with a total budget of € 40 million. Guided by the “Building Back Better” principle, EU4Culture focuses on renovation of major cultural heritage sites in line with the UN Framework for Disaster Risk Reduction. In parallel, the program aims to enhance Albania’s tourism potential, thus directly contributing to local and regional socio-economic recovery. To that aim, special focus is given to innovative technologies, including digital storytelling and the creation of multimedia products designed to be accessible for all.⁷

23 Sites were targeted by the program, from which 14 Sites have been restored so far, and 9 sites are on-going. Around 400 policymakers, academics, media, community representatives participated in consultation meetings. From emergency consolidation, equipment purchases and installations to support the digitalization of museum artifacts to conservation, infrastructure, management plans and musealization. EU4CULTURE is committed to support Albania’s cultural heritage revitalization and to improve capacities for its management and promotion, and creation of linkages to cultural tourism initiatives which are innovative and environmentally friendly.

Case study Venetian Tower in Durres

This is a first category monument that before the earthquake was closed and for some years it has served as a bar and restaurant. The scope of this project was not only the restoration of the damage caused by the Earthquake but also to give the Venetian Tower a significant position with its revitalization by transforming it into the first Cultural Heritage Interpretation Center and a starting point for tourists visiting the city.

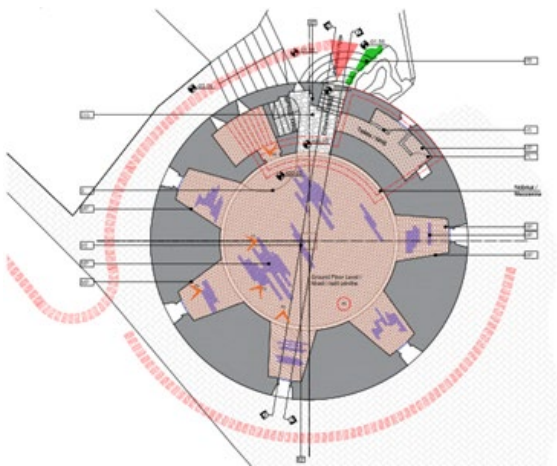


Fig. 3: Existing situation, ground floor plan
Source: EU4Culture official website



Fig. 4 Ground floor plan, (current interventions)
Source: EU4Culture official website

As a direct consequence of the implementation of the Programme, the following results are achieved:

1. The Venetian Tower has opened its doors and offers a unique multimedia experience allowing visitors to dive into ancient history and experience history first-hand through virtual reality tools.
2. All the necessary installations in this regard are reversible and the authentic layers underneath are preserved.
3. The conservation of cultural heritage layers was done by authentic materials and techniques that match the original construction to maintain historical integrity.
4. Visitor Facilities were developed, amenities like restrooms and information center without detracting from the site's historic value.
5. Safety Measures were taken to ensure the safety of visitors and staff, including fire protection and emergency response plans.
6. Maintainability – Materials, system components, and structural features should be chosen with consideration given to ease of maintenance and availability of spare parts. Mechanical systems should provide plenty of access and room to work for the technicians who will service and repair the equipment in the future.
7. Accessibility Improvements: Due to the structure of the building, it was impossible to make it accessible to all, including people with disabilities, while respecting the monument's character.
8. Direct benefits - According to EU4Culture official statistics, 7,767 visitors were registered in the period January - May 2024.

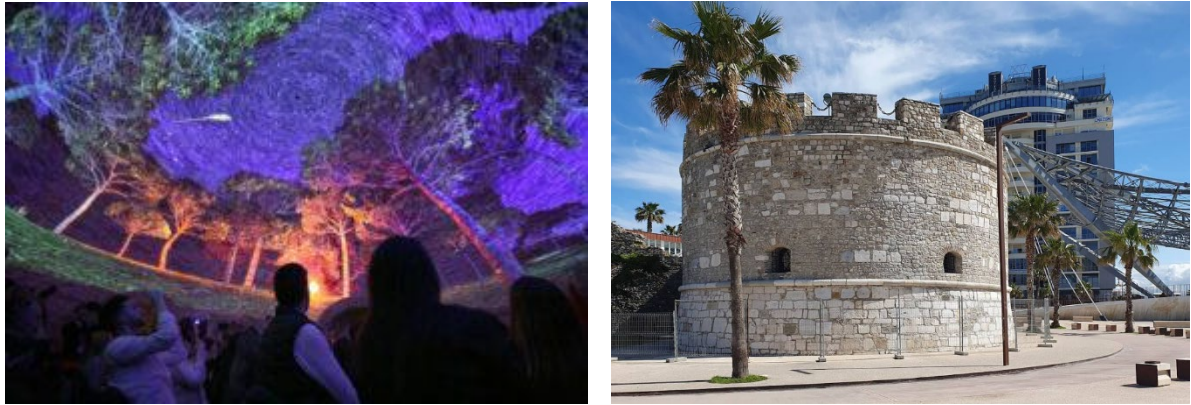


Fig. 5 Current interventions by EU4Culture
Source: EU4Culture official website

Findings and Conclusion

To determine the level of intervention, “Musine Kokalari” education facility was inspected as part of the program commencement phase and is reviewed as part of the technical design preparation. The technical design is also reviewed and approved by the Institute of

Construction of Albania and only thereafter the construction permit is requested from the respective communities. Towards the end of the construction works, Place Checks are organized: Place Checks are meetings with participants of the initial consultations, to verify the progress of the civil works as well as to monitor how their ideas, comments and requests are implemented (whenever possible). To quantify and analyze the satisfaction of beneficiaries from the repair/reconstruction process, an anonymous satisfaction is carried. Visibility of the EU4Schools is ensured based on a joint EU-UNDP communication and visibility strategy, aiming to promote and highlight the support of the European Union to the education sector recovery. In parallel to building infrastructure at a local level there is also a need to provide technical assistance for ensuring the maintenance of new facilities (and equipment supplied) in accordance with international standards. This, in particular, refers to health and safety standards, protection of the teaching environment, accessibility for students and staff with physical disabilities as well as provision of assistive equipment to support inclusive education.

The improvement of the teaching environment is crucial to improving the quality of teaching overall. This was the strategy of the EU-UNDP which identifies “that improving the quality of teaching in the primary and secondary education, as a field of immediate intervention, is a pre-requisite for better success of the education system”

Engagement with parent groups will be sought to contribute and are expected to continue to the management of the school and participating in making decisions, according to the school authorities. School is an important element of Community therefore a goal is greater inclusiveness of contributors in planning and execution of processes is essential.

Students at “Musine Kokalari” school now learn in new and contemporary conditions, after the reconstruction by the Municipality of Tirana, with the support of the "EU4Schools" program, financed by the European Union and implemented by UNDP Albania.

Kombinati has much better schools than the center of Tirana and we can even say the best in the Republic. With the reconstruction of this school, the students, children and teachers have left behind the two-shift teaching and started the new school year in "their home" in completely contemporary and dignified environments for the development of the learning process like the countries of the European Union.

The impact that the EU funded project has had in the cultural sector, is enormous not only preserving but also driving the sector economy like the income from the sale of tickets in the Venetian Tower and 3 new job positions opened.

This project has also had a positive impact on the professionals engaged in the field, the challenges that they faced revitalizing by preserving will have a long-term impact in the upcoming projects thanks to the expertise gained in this program.

The EU4Culture programme has been the biggest support for the cultural heritage in Albania to enter the digital age with multimedia content and digitalization of artifacts.

References

Sanoff, (2010). *Democratic Design*. Berlin: Verlag.

De Carlo G. An Architecture of Participation. *Perspecta*. 1980, (17), 74-79

Sanoff H. (2020). *Community Participation Methods in Design and Planning*. John Wiley & Sons.

Jenkins, P., Milner, J. & Sharpe, T. (2009). *A brief historical review of community technical aid and community architecture*. In Jenkins, P. & Forsyth, L. (eds.) *Architecture, Participation and Society*. London, UK: Taylor & Francis Group.

EU4Schools Project <https://eu4schoolsportal.al/>

EU4Culture Project <https://eu4culture.al/>

High Tech Construction <https://htconstruction.al/>

UNDP EU4Schools Project <https://undp.org/albania/projects/eu4schools>

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