



This briefing paper has been compiled using information included in the *Out of the Shadows Index*¹ and the *ECPAT Country Overview for Albania*²

What is the Out of the Shadows Index?

The **Out of the Shadows Index**, developed by the Economist Intelligence Unit, measures how nations are addressing child sexual exploitation and abuse. Data released for the first 60 countries demonstrate that governments, the private sector and civil society need to do more to protect children from sexual violence and meet the commitments they made to Target 16.2 of the UN's Sustainable Development Goals.

The **Index** was calculated by assessing legislation, policies and responses by national governments. It covers critical issues that underpin child sexual exploitation and abuse, including education, reproductive health, victim support, law enforcement and risks from the online world.

The **Index** also addresses environmental factors such as the safety and stability, social protections, and whether gender and other norms suppress open discussion about sex and sexual abuse. It also measures engagement of tech and travel businesses in fighting child sexual exploitation and abuse. There is an overall country score, as well as numerous sub-category scores using data from as many as 34 indicators and 132 sub-indicators.

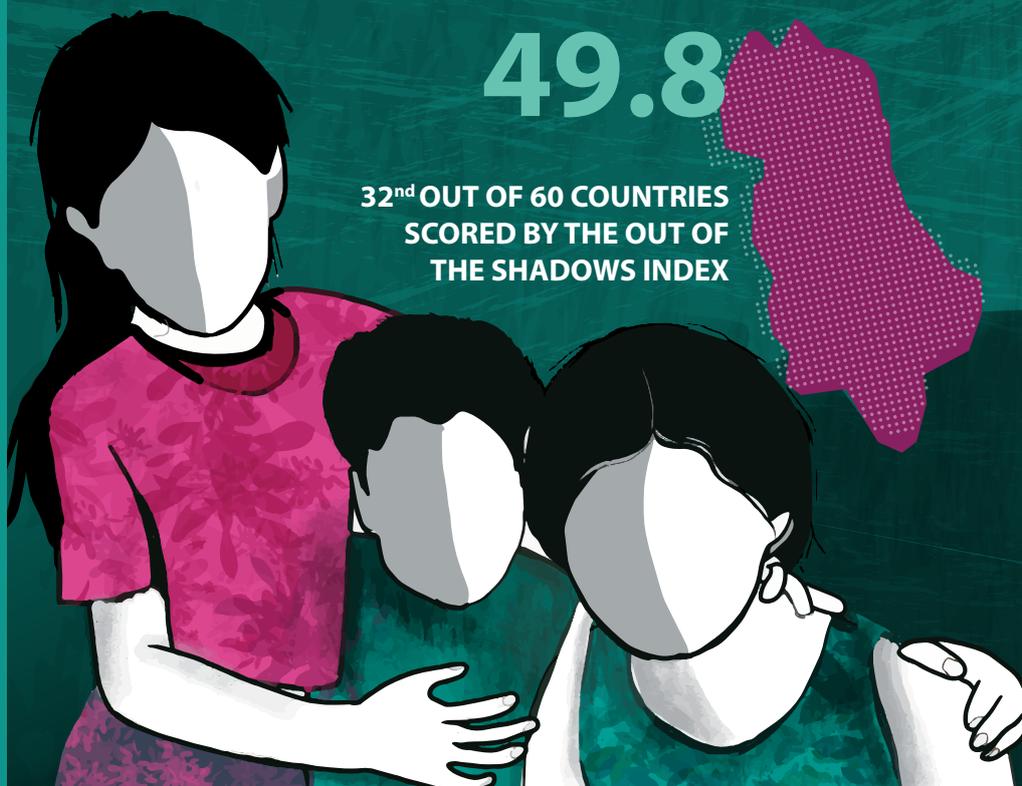
WHAT ARE THE ECPAT COUNTRY OVERVIEWS?

ECPAT Country Overviews comprehensively present all the existing, publicly available information, and a detailed analysis of the legal framework for sexual exploitation of children (SEC) in a country. They provide an assessment of achievements and challenges in implementation, counteractions to eliminate SEC, and they suggest concrete priority actions to advance the national fight against SEC.

ALBANIA

49.8

32nd OUT OF 60 COUNTRIES SCORED BY THE OUT OF THE SHADOWS INDEX



Albania ranked 32nd out of 60 countries scored in the **Out of the Shadows Index** on the country's response to child sexual exploitation and abuse, with a score of 49.8.³ This ranking places it just below Jamaica (50.0) and just ahead of Mongolia (47.9).⁴

Albania's **Index** score is explained by evidence of a worrying cultural acceptance of some forms of violence against children, prejudices against Roma people, restrictive gender norms, a significant lack of funding for civil society organisations (CSOs) and a lack of concrete government action on prevention strategies and plans.⁵ However, research showed examples of some progress in recent years, with effective efforts in tackling online child sexual exploitation from CSOs and private companies, and increasing efforts to collaborate internationally with foreign counterparts on preventing online child sexual exploitation and the sale and trafficking of children for sexual purposes.⁶ Additionally, reporting mechanisms for child sexual exploitation are in place, with a toll-free hotline (ALO 116) available for the public to report cases of—or concerns about—child sexual abuse.⁷

DEFINING SEXUAL EXPLOITATION OF CHILDREN

A child is a victim of sexual exploitation when they take part in a sexual activity in exchange for something that either they or third parties receive. Different forms of SEC include exploitation of children in prostitution, online child sexual exploitation, sale and trafficking of children for sexual purposes, sexual exploitation of children in the context of travel and tourism and some forms of child, early and forced marriage.⁸

The **Out of the Shadows Index** found that Albania has limitations in the stability of its environment, with a score of 50/100 for the social unrest indicator.⁹ Corruption and organised crime remain ongoing problems,¹⁰ and poverty rates for children remain high, with 29.6% of Albanian children being at risk of poverty in 2018.¹¹ High rates of poverty likely indicate increased risks of children experiencing exploitation.¹² The **Index** also identified that restrictive gender norms, a cultural acceptance of some forms of violence against children, and prejudices against Albania's Roma community all create further conditions conducive to different forms of sexual exploitation.

Situation of Roma people

While it is not clear what the population of Albania's Roma community is, with estimates ranging from 13,000-150,000,¹³ high unemployment rates, deplorable living conditions¹⁴ and the fact that only 66% of Roma children attended primary education¹⁵ are known to exacerbate children's vulnerability to sexual exploitation.

Various sources have established that Roma children in Albania are particularly vulnerable to trafficking for the purposes of sexual exploitation due to their overrepresentation in populations of street children.^{16,17,18} Furthermore, research identified that in both segregated and integrated Roma communities, forms of child, early and forced marriage are supported by a range of traditions and customs.¹⁹ Pressure can also arise from the community and extended family around girls that encourages early marriage, with one participant in the study mentioned above stating "if their neighbour's daughter got married, they have to find a husband for their daughter as well."²⁰ The study also highlighted conservative attitudes in some segregated Roma communities emphasised the importance of protecting girls 'honour' being used to justify marrying girls at a very young age, even though it was known to be harmful to the child.²¹

Vulnerabilities to sale and trafficking of children for the purposes of sexual exploitation

Children in Albania are extremely vulnerable to being sold or trafficked for the purposes of sexual exploitation. Internationally, Albanian children are commonly identified as victims of trafficking in neighbouring Kosovo, Macedonia, Montenegro, Greece, Italy and the UK. For example, in Italy, 19 Albanian child victims of trafficking were entered into child protection systems in 2018.²² These formal figures are likely only the tip of the iceberg of Albanian children trafficked into Italy, especially when considering that in 2019 Albania was the number one source for unaccompanied minors in Italy,²³ with the most recent estimates indicating that there were 1393 unaccompanied Albanian minors in the country.²⁴ Facing a lack of legal protection and being unknown to authorities, unaccompanied minors are extremely vulnerable to trafficking for the purposes of sexual exploitation.²⁵ While no official figures of the total number of Albanian child victims of trafficking exist, ECPAT Albania estimated that in 2018 alone there were over 5000 Albanian children that were victims of international trafficking.²⁶

Notably, multiple reports highlighted the involvement of victims' families in child trafficking in Albania.^{27,28} In a 2018 EUROPOL report it was highlighted that in most cases of trafficking of Albanian boys and girls into the EU for sexual exploitation, the victims families were involved in the process in different ways – sometimes involving their children knowingly, at other times, by being deceived by people-smuggling operations.²⁹

Albania initiates campaigns that promote the benefits of delaying marriage and provides better community education on sex and consent so 'protecting honour' is not seen as necessary

Albania strengthens education for families on the dangers of human trafficking and increases law enforcement cooperation with countries known to be destinations of Albanian children trafficked for sexual purposes

Albania has strong legal protections against offences such as child rape and child trafficking. Albania has ratified all the major international conventions relevant to the fight against sexual exploitation of children and is party to additional international and regional frameworks. Albania has gradually adopted and amended national laws related to child sexual exploitation in order to align with its international and regional commitments. Notably, the adoption of both the Criminal Justice for Children Code³⁰ and the Law on the Rights and Protection of the Child,³¹ in 2017, was an important step towards adequately protecting children from sexual exploitation.

However, limitations still exist in the legislation. For example, although the legal age of marriage is set at 18, children may be permitted to marry for “sufficient reasons”,³² explaining Albania’s score of 0/100 in the **Index** in the indicator for legal marriage exemption.³³ In addition, there are important shortcomings in the legal framework relating to the sexual exploitation of children in prostitution and online, as discussed below.

Exploitation of children in prostitution

The law in Albania relating to the exploitation of children in prostitution contains some significant omissions. While prostitution is illegal, the law does not prohibit specifically the purchasing of sexual services from children or engaging or soliciting a child for the purpose of prostitution. Additionally, the law does not provide a definition of exploitation of children in prostitution.

*The law that criminalises the selling and purchasing of sex in Albania makes no distinction between adults and children,³⁴ leaving children exploited in prostitution vulnerable to being treated as offenders. While anecdotal evidence suggests that prosecutors have an unwritten rule not to seek prosecution of minors for selling sex, children are still technically not protected from such treatment.³⁵ Indeed, this has resulted in the 2015 prosecution of two children for engaging in prostitution.³⁶ Such limitations in the legislation result in a score of 0/100 in the **Index**’s indicator for purchasing sexual services.³⁷*

Online child sexual exploitation

The Albanian Institute of Statistics indicated in its Survey on Internet and Communication Technology usage in Households and by Individuals 2018-19 that 82.2% of Albanian households had access to Internet in 2019, and 88.9% of households had access to Internet through a mobile broadband connection.³⁸ A survey conducted on 1000 children, in 2019, found that 10% of respondents had experienced some form of unwanted sexual experience over the Internet in the previous year.³⁹ In addition, 16% of the children interviewed reported meeting someone in person who they had first met online and 25% reported having an online contact they had never met in person.⁴⁰

Analysis of reports received by iSIGURT.al, the main reporting platform for online child safety issues in Albania run by ECPAT Albania, corroborates the information outlined in the study. Of the total 6129 reports to iSIGURT.al in the first half of 2020, 6054 were pages, videos or profiles that contained child sexual abuse material.⁴¹

Despite widespread Internet usage throughout the country and data indicating that children in Albania may be vulnerable to online sexual exploitation, gaps persist in the Albanian legislative response. Under Albanian law, there is no definition of ‘child sexual abuse materials’ and offences such as grooming and sexual extortion are not criminalised.

*In addition, Albania does not impose any legal requirement on Internet Service Providers to block, filter or report child sexual abuse materials, unless they are commercial in nature.⁴² These loopholes explain the score of 25/100 in the **Index**’s indicator for online grooming and 0/100 for Internet protections.⁴³*

Albania amends its legislation to prohibit purchasing sexual services from children and to implement protections for children that are treated as offenders when being exploited in prostitution

Albania adopts a definition of child sexual abuse materials in line with international standards and criminalises other forms of online child sexual exploitation such as the online grooming of children and online sexual extortion

Albania does not have a national action plan specifically dedicated to the sexual exploitation of children, despite ongoing lobbying from civil society organisations.⁴⁴ However, the National Justice for Children Strategy 2017-2020 contains an objective to develop “specific treatment and rehabilitation programmes for child victims of torture, human trafficking, sexual violence and domestic violence.”⁴⁵ Further, some national action plans exist on online child safety and human trafficking. However, these plans are not adequately funded, nor do they address child, early and forced marriage, the exploitation of children in prostitution, or the sexual exploitation of children in travel and tourism.

Lack of funding and action on national action plans, strategies and legal provisions

While strategies, plans and legal frameworks relating to the sexual exploitation of children in Albania exist, the actual implementation of them is extremely weak. For example, Law No. 18/2017 requires all child protection workers to be qualified social workers,⁴⁶ however as of May 2019, only 78 out of 223 child protection workers (35%) had these qualifications.⁴⁷ Similarly, under Law no. 18/2017, The State Agency for the Rights and Protection of the Child responsible for coordination and organisation of the child protection system and implementing child protection policies had its responsibilities extended, however in 2019, the European Commission concluded that both financial and human resources awarded to the institution ‘do not correspond to its increased responsibilities.’⁴⁸

Similarly, The Criminal Justice for Children Code establishes that judges should receive the necessary training on how best to protect the rights of the child.⁴⁹ However, despite this provision, judges and prosecutors have still not received training to ensure the adequate protection of the rights of child victims.⁵⁰ Further, in 2016, the General Prosecutors Office established the Victims Assistance Office in order to provide counselling and support services to victims of, among other things, violence and sexual exploitation.⁵¹ However, as of July 2020, the office had not supported any victims of child sexual exploitation.⁵²

All national action plans relating to child sexual exploitation: National Justice for Children Strategy 2017-2020, National Action Plan against Human Trafficking 2018-2020 and National Action Plan of Child Online Safety for 2018-2020 expire in 2020, and as of July 2020, processes have not yet begun to draft new plans.⁵³

*While it is welcome that plans, strategies and legal provisions exist, the reality is that the onus for action is then on CSOs to provide necessary social services for child victims of sexual exploitation such as legal aid and psychosocial support. Government provides little to no financial support to CSOs in order to provide these services.⁵⁴ This means that many children cannot access the services established by law. Plans and strategies without resources are then ineffective. This situation explains Albania’s weak score of 20/100 for the access to victim support programmes **Index** indicator.⁵⁵*

**WAY
FORWARD**

Albania replaces relevant national action plans expiring in 2020 and develops a national action plan specifically on child sexual exploitation

Albanian government meets its commitments to fund and implement services outlined in plans, strategies and legal provisions to tackle child sexual exploitation, for example completing training for all child protection workers in social work

The efforts of CSOs in Albania are praiseworthy. However, while CSOs have a good relationship with government allowing lobbying, they receive inadequate funding to help provide services that would meet commitments to children made by the government. This goes some way to explaining the score of 50/100 for the civil society engagement indicator in the **Index**.⁵⁶ The engagement of the private sector is limited. For example, there is almost no action to address sexual exploitation in travel and tourism. Media industry engagement received a score of 0/100 in the related **Index**'s indicator,⁵⁷ as there are no guidelines for media and journalists to report on crimes related to sexual exploitation of children.⁵⁸

Civil society engagement

ECPAT Albania has worked to establish support structures such as the Child and Youth Advocacy Centre in 2019, which will inform, raise awareness, advise, support, refer and report any cases of violence experienced by children and youth.⁵⁹ The centre will conduct training and mentoring of child protection professionals and law enforcement and justice staff. The centre will also conduct public education programmes about sexual violence against children.⁶⁰

Further, ECPAT Albania also collaborates with Google⁶¹ and Facebook to protect Albanian children and youth online on these platforms (including Instagram and Whatsapp).⁶²

CSOs in Albania have collaborated to hold awareness raising campaigns, for example in 2019, a number of CSOs collaborated to organise the fifth national forum "Together for Safer Internet for Children and Youth in Albania",⁶³ a day which in previous years has included awareness campaigns for school children on 'sexting' and sharing intimate videos and pictures online and other risk factors for online sexual exploitation.⁶⁴

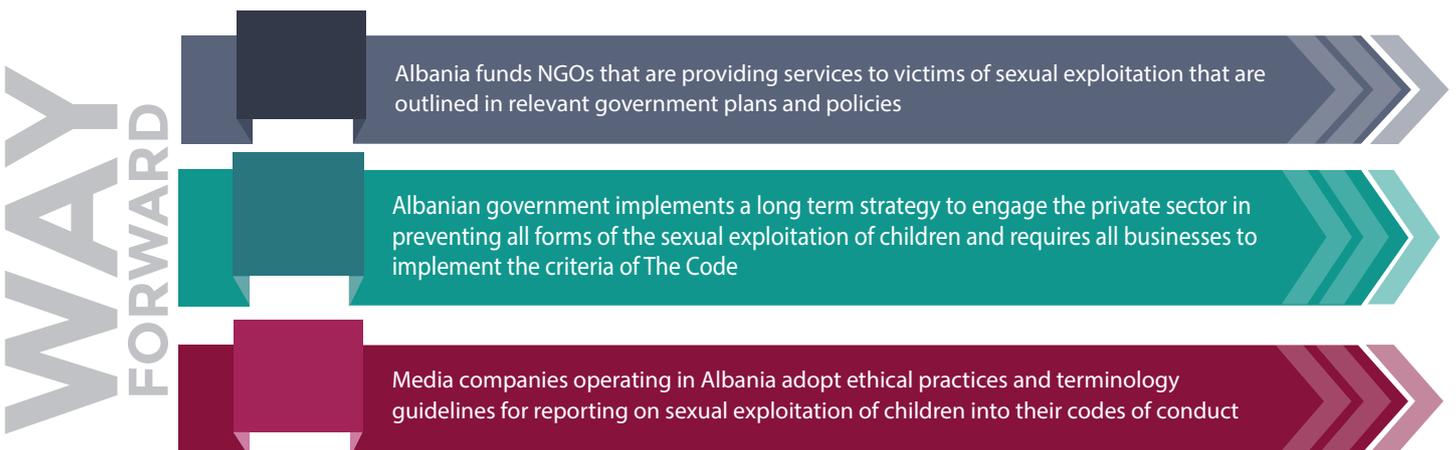
On the 23rd July 2020, under the auspices of the Albanian President, ECPAT Albania launched the national movement "#NEJEMI1" (#WEARE1), which seeks to address all the challenges in child protection and the shortcomings that the systems present by engaging citizens, parents, artists, politicians, public officials, young people, as well as children.⁶⁵

Lack of engagement of the travel and tourism sector

Engagement of the Albanian travel and tourism sector in tackling child sexual exploitation is weak, and no data exists on children exploited in this context.

Albania scored 33/100 for the indicator in the **Index** relating to travel and tourism industry engagement.⁶⁶ The country has seen a steep increase in foreign arrivals, with 6,094,889 arriving in 2019 compared to only 3,415,550 in 2014.⁶⁷

Furthermore, there are zero Albanian travel and tourism companies who have committed to the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism (The Code), although seven international companies who have Albanian operations are members.⁶⁸ The Code is an initiative with the mission to provide awareness, tools and support to the tourism industry to prevent and respond to the sexual exploitation of children.⁶⁹ In 2018, there were 1326 registered accommodation facilities (hotels, motels, camps, guesthouses and mountain structures) functioning in Albania,⁷⁰ and in 2019, there were 1259 travel agencies, tour operator reservation services and related activities companies operating.⁷¹ With none of them becoming members of the Code, the opportunities for improving the sector's commitment to addressing the sexual exploitation of children are extensive.



Endnotes

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