

NATIONAL CONVENTION ON EUROPEAN INTEGRATION

Session 2, Working Group II (Justice, Freedom, Security)

Topic: Dealing with refugees' issues – quota programme in EU and Slovakia – lessons learned for Albania

Recent Developments

- A new law on Asylum was adopted in February 2021 in Albania introducing new elements and updating some of the issues. The law is approximately harmonized with main EU directives.
- The National Commission on Refugees and Asylum, as the only authority to appeal the decisions of granting asylum in Albania, has been established on 2017, but became operational again on 2019. Throughout the year 2020, only 4 decisions have been appealed to this Commission.
- Since 2019, a database of Asylum has been functioning, that is a hub of information that includes the data from Directory of Asylum, Directory of Border and Migration and National Center of Asylum-seekers.
- Due to pandemic restriction measures against pandemic Covid-19 on 3.4.2020 a Decision was adopted on restricting the free movement of asylum-seekers accommodated on the Center of Asylum seekers in Albania, in order to protect their health and to diminish the risk of spread of the pandemic.
- Another measure taken during this period was the conducting of the interview online with the applicants for asylum, this process was facilitated by the EU Delegation in Albania.
- In partnership with EASO office, a Roadmap on Asylum in Albania is being finalised.
- In June 2020, UNHCR reported a total population of concern of approximately 80 million people, including 26.4million refugees, 4.2million asylum seekers and 45.7million IDPs.

- Two-thirds of the global refugee population come from five countries of origin: Syria, Venezuela, Afghanistan, South Sudan and Myanmar (in descending order). Turkey hosts the largest number of refugees, followed by Colombia, Pakistan, Uganda and Germany.
- In 2020, approximately 485,000 applications for international protection were lodged in EU+ countries, a sharp 32% drop compared to the number of applications in 2019. Overall, almost two-thirds (63%) of all asylum applications in 2020 were lodged in just three countries:
 - Germany (122,000), France (93,000) and Spain (89,000), followed at some distance by Greece (41,000) and Italy (27,000).
- In 2020, the EU+ recognition rate for first instance decisions on asylum applications was 42%: out of 534,500 decisions issued, 224,000 were positive and the applicant was granted a form of protection. Most positive decisions at first instance granted refugee status (113,000 or one-half of all positive decisions).
- In September 2020 the European Commission presented a new Pact on Migration and Asylum. It proposes a fresh start on addressing migration, through improved, faster and more effective procedures and striking a balance between a fair sharing of responsibility and solidarity.

Recommendations:

- When dealing with refugees' issues it is of utmost importance to always take into consideration the principle of 'non-refoulement' and the concept of 'safe place'. This means that the country not only has an obligation to ensure a safe place for the irregular migrants, but also to ensure that the country receiving provides the necessary legal guarantees against direct and indirect refoulement.
- There is a need to increase the efforts and actions concerning the phenomenon of 'unaccompanied children' as this issue is linked with the protection of children rights and offering all the needed services and assistance to these children, and to realise the process of identification of minors.
- As the situation is dynamic, and there might be increases of the influx of migrants and asylum seekers arriving in Albania is a prerequisite to adopt a contingency plan and planning those measures and actions to be taken if there would be the case by taking into consideration: the legislation framework and main gaps; administrative and logistical capacities; human resources and capacity building of the staff especially the staff of Border Police and the Directory of Asylum; the budgeting and financial resources.
- Integration process of the asylum-seekers is the other element that the state institutions should foster the efforts and take tangible measures and actions. Thus, for them to be able to take the services as health care, education and employment, first of all need to be registered and have all the documents needed in order to be included on this system.
- The process of harmonization of the national legislation with EU acquis should continue in matters like border security, granting of migrants' rights and integration

and on fairer and just procedures to be adopted and implemented during asylum-seeking process.

- Increase of cooperation among institutions within the country. Thus, Ministry of Interior should have closer cooperation with Border Police and Reception Center of Asylum-seekers. The cooperation should be coordinated and intensified also with EU institutions and Member States especially with Greece and Italy, and with other neighbour countries of Western Balkans route, and Turkey as well.
- Capacity building on using of technology and electronic systems in order to retrieve and analyse data and information concerning irregular migration, border management, trafficking and smuggling, but even to prevent various threats linked with radicalisation or terrorism, and organised crime.
- Stronger cooperation with international organizations and national NGO-s operating in this field is essential, especially focused on the component of sharing information and raising awareness, but even for facilitating various social services, that in some cases the non-state actors have the means and flexibility to provide them in a more effective way than the state institutions.