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## PARTNERSHIP PLATFORM FOR EUROPEAN INTEGRATION

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## NATIONAL CONVENTION FOR EUROPEAN INTEGRATION

### Chapter 24 – From Strategy to Action: Managing Irregular Migration and Meeting the Interim Benchmarks for Chapter 24

29 April 2025

#### Legal and Institutional Framework

- A clear distinction must be made between unaccompanied and separated children, by foreseeing such a differentiation also in the relevant legislation. For example, in Slovak law, there is no clear definition of what constitutes a separated child, which makes it difficult to handle such cases in a proper and accurate manner. For this reason, the treatment of such cases should be approached by focusing on the best interest of the child, ensuring appropriate protection for them.
- There appears to be an increase in the number of unaccompanied children crossing the border and entering Albanian territory irregularly, especially from Greece, and their accommodation remains a problem. These children cannot be placed in closed centers for migrants, thus requiring greater attention in resolving this issue and ensuring children's rights, by guaranteeing that they have suitable environments and services for minors, as also provided for in Conventions and international instruments.
- According to Slovak experience, the type of residence permit for foreigners can affect their full integration. The case of migrants from Ukraine, who are beneficiaries of temporary protection, has revealed several issues, such as:
  - *Lack of the right to own a business* – Foreigners with temporary protection status are not allowed to obtain a trade license, forcing them to engage in illegal activities.
  - *Difficulties in education* – For children holding a 6-month residence permit, attending compulsory education in Slovakia is not mandatory. As a result, in many cases they do not attend school, making them more vulnerable to exploitation, sexual violence, or

\* Tryeza e Diskutimit dhe Këshillimit për Kapitullin 24 organizohet në zbatim të Urdhrit të Kryeministrit nr.113, datë 30.08.2019 "Për format e pjesëmarrjes, funksionimit dhe strukturën institucionale të Platformës së Partneritetit për Integrimin Evropian".

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trafficking, since they are not under the supervision of parents or adults for a large part of the day.

- Currently, there is no updated data on foreigners entering Albania, especially those who enter and stay irregularly. The data published by INSTAT, although released periodically, is insufficient and not published in a timely manner. To have a clearer and real-time updated overview, better coordination is needed among institutions such as the State Police, the Ministry of Interior, or the Ministry of Welfare to provide updated data according to the type of migrants, along with other important demographic information. These data are important to identify and better understand the situation of migrants in Albania, so that the policies and measures undertaken are in response to this picture.
- Migrants who enter Albania irregularly often become victims of violence, sexual exploitation, trafficking, or smuggling. In most cases, they view Albania as a transit country, which makes them more easily exposed to risks such as trafficking and smuggling. For this reason, increased attention is needed to assess and address these irregular migration situations as potential risks for the migrants but also as a risk for the growth and strengthening of organized crime.

### **Inter-institutional cooperation and the involvement of civil society and other non-state actors**

- It is recommended that municipalities and local government authorities play a more active role in supporting migrants by offering services that are tailored and informed by their needs.
  - Best practices from Slovakia include the creation of one-stop-shops where migrants can access all services related to their integration and the protection of their rights, including employment, healthcare, accommodation, and education. This model reduces bureaucracy and enables easier guidance for migrants, helping them understand their rights and responsibilities.
  - Local authorities in Slovakia have developed and implemented several strategic plans focused on the integration of foreigners, which serve as guidelines and concrete measures to ensure the provision of necessary services and the protection of migrants' rights. These strategies are customized to the specific needs of different groups of migrants, including those under temporary protection.

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- It is recommended that periodic and targeted monitoring be carried out by independent institutions such as the People's Advocate and/or the Commissioner for Protection from Discrimination, in order to ensure a fair and accurate assessment of reception conditions, accommodation, and services for foreigners. These monitoring visits should be conducted without prior notice, to obtain a genuine and unfiltered view of the conditions and services provided in these centers.
  - Part of the monitoring process should be the drafting of Monitoring Reports, which must provide important information and recommendations for improvements. These reports should be published and shared both with the responsible institutions and with relevant stakeholders, to enable the implementation of further measures.
  - It is recommended that civil society organizations, especially those working directly with migrants and targeted vulnerable groups, be included in these monitoring processes.
- Closer cooperation with public authorities, particularly local ones, is necessary to ensure accurate and detailed information on the needs of migrants and to enable the provision of more appropriate and effective services.
- Civil society organizations should be more actively involved in the process of policy-making and implementation, ensuring that the needs of migrants are addressed in an efficient and timely manner. The work of these organizations on the ground, through direct contact with affected groups, can offer more detailed and accurate information to responsible institutions—information that is essential for effective governance and the improvement of migrant conditions at the local level.
- CSOs that provide legal expertise and analysis should play a more proactive role in monitoring the drafting and implementation of laws, by offering recommendations and identifying issues that may arise during the application of the law. A successful example comes from Slovakia, where civil society organizations advocated—using legal arguments—for amendments to the Law on Foreigners, in order to ensure a more complete and fair integration of migrants into society. This law was amended following civil society's intervention and advocacy work, aligning it with international standards and EU directives.

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- Albanian law provides for free legal aid for migrants and foreigners, but often those in need of this service lack proper information about the procedures they must follow to benefit from it. For this, the following steps are recommended:
  - Information about the free legal aid service should be made available in the service offices of local authorities, through meetings with staff who can strengthen and facilitate communication and connection with legal aid providers. Additionally, simple informative brochures should be used, prepared in several foreign languages, to ensure that the information is understandable to all migrants and foreigners.
  - There should be greater cooperation with civil society organizations that provide free legal services and have legal expertise and legal representatives who can offer direct legal assistance and support to migrants and foreigners.
  - It is recommended to conduct information and awareness-raising campaigns, in cooperation with state institutions, civil society organizations, and international organizations such as UNHCR, IOM, Save the Children, and UNICEF, to ensure that the information reaches all those in need.
  - Trainings and capacity building activities should be organized for public authority employees, so they understand the importance of free legal aid services and are capable of providing accurate and necessary information to interested parties.

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