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***Asylum-seeking in Albania***

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**ABSTRACT**

The right to asylum is qualified as a fundamental value and the importance of having an asylum system and ensuring access to the asylum process derives from legally binding international legal documents ratified by Albania. Being an aspiring country for joining the EU implies the obligation for the Albanian State to harmonize its legal and institutional framework with international standards and the *acquis communautaire*. This contribution will aim to give a general overview of asylum-seeking in Albania in order to break down the challenges of the current legal and institutional framework. This study does not involve with the Albanian legal regulation of refugees, illegal migrants, economic migrants, or other categories.

**KEY WORDS:** asylum-seeking, asylum procedure, Albania

**ABBREVIATIONS:**

<b>1951 Convention</b>	Convention relating to the Status of Refugees
<b>Article 8 ECHR</b>	Right to respect for private and family life, home and correspondence
<b>ECHR</b>	European Convention of Human Rights
<b>EU</b>	European Union
<b>EU-27</b>	European Union composition with 27 Member States
<b>IDM</b>	Institute for Democracy and Mediation
<b>INSTAT</b>	Institute of Statistics
<b>Law 121/2014</b>	Law on Asylum in the Republic of Albania
<b>MEK</b>	People's Mujahedeen of Iran
<b>UDHR</b>	Universal Declaration of Human Rights
<b>UN</b>	United Nations
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>WBR</b>	Western Balkans Route



## INTRODUCTION

Asylum is a form of international protection given by a state to an alien who has entered its territory. According to the 1951 Convention, it is granted to any person who is unable to seek protection in his/her country of citizenship and/or residence, in particular for fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion.<sup>1</sup> In recent years, the movement of asylum-seekers across international borders has rapidly increased. According to Eurostat, the number of first-time asylum applicants in the EU-27 increased by 22 % in the fourth quarter of 2019 compared with the same quarter of 2018 and by 11 % compared with the third quarter of 2019.<sup>2</sup> As part of the inevitable flow, there has also been a considerable increase in the number of asylum applications in Albania, consequently introducing several challenges to the country in this regard.

This study will aim to provide a clear understanding of asylum-seeking in Albania by considering the latest study reports from Albanian institutions, statistics from INSTAT, the current Albanian legislation, various scientific papers, the EU Progress Reports, etc. For the purpose of this study, the term *asylum-seeker* refers to any undocumented alien that has requested asylum in front of the responsible Albanian authorities while *asylum-seeking* refers to the whole process provided by the legislation on asylum until the rendering of a final decision. This research paper will be structured in the following way. It will firstly discuss the background of asylum-seeking in Albania by including the latest statistics and by arguing, based on relevant events, the reason why Albania became a transit country. Then the study will focus on the evolution of the legal and institutional frameworks of asylum. In this context, the contribution will elaborate among other things, the main legal reforms, the current asylum procedure and the actors involved in it. The last section will conclude with the main challenges for the Albanian asylum-seeking system, focusing on the European Commission Progress Report of 2019.

## I. ALBANIA IN THE WESTERN BALKANS ROUTE

Albania has been affected by mixed migration flows, which include refugees and asylum-seekers, migrants, unaccompanied minors, trafficked victims, and so on. The great flux of asylum seekers reached its peak during the years 2014-2019. At this time the asylum seekers were heading towards the European Union countries, transiting in the Balkans, especially in Albania after the closing of other transit routes. Albania was never a destination country and neither a transit one; however, certain factors changed the common route of asylum-seekers. In September 2015, Berlin applied

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<sup>1</sup> Convention relating to the Status of Refugees (1951), Article 1(A)(2).

<sup>2</sup> Statistics Explained (2019), pg. 1. Retrieved from the official site of Eurostat, :  
<https://ec.europa.eu/eurostat/statistics-explained/pdfscache/13562.pdf>

the “open door” policy by suspending the Dublin Protocol which attracted a lot of asylum-seekers, particularly Syrians.<sup>3</sup>

To reach Germany, the WBR (Fig. 1) was one of the most frequented ones used by asylum-seekers. From Greece, the transition journey continued through North Macedonia, Serbia, Croatia, Slovenia, and Austria. In response to the great flux of migrants transiting through their territories, the aforementioned countries started to impose various restrictions which resulted into a “race to the bottom” effect.<sup>4</sup> In Mid-October 2015 Hungary closed its border with Croatia, turning Slovenia into the main transit country.<sup>5</sup> Immediately Slovenia, Macedonia, Serbia, and Croatia introduced their restrictive measures to selected nationalities.<sup>6</sup> In early 2016 Austria introduced measures to reject all asylum-seekers unless criteria of Article 8 ECHR required otherwise.<sup>7</sup> By 9 March 2016 North Macedonia officially closed its border with Greece,<sup>8</sup> causing a violent clash between migrants wanting to cross it and the Macedonian police.<sup>9</sup> Recently, following Turkey’s “open door” policy,<sup>10</sup> various clashes between migrants and Greek authorities occurred in the Turkish-Greek border.<sup>11</sup> Consequently, after all these restrictions Albania grabbed the attention of foreign nationals or stateless persons wanting to reach West who started using an alternative route, passing from Greece to Albania, Montenegro, Bosnia and Herzegovina, Croatia, Slovenia, and Austria. Indeed Albania was included later than the neighboring countries in the WBR; however, the great flux of asylum-seekers is now a reality.



## II. SOME STATISTICS

As aforementioned, during 2014-2019 there was an increase of asylum seekers mainly coming from war zones such as Syria, Afghanistan, or

Iraq which were part of the massive flux headed towards the EU.

Above are some data gathered from INSTAT and the study report of the Albanian Committee of Helsinki, regarding the asylum request from 2014 to 2019, in comparison to the total number of irregular

	2014	2015	2016	2017	2018	2019
<b>Asylum requests</b>	132	104	240	309	4386	6604
<b>Irregular migrants</b>	-	1421	915	1049	6893	11886

Table 1. Asylum requests and irregular migrants from 2014 to 2019<sup>12</sup>

migrants that have entered Albania during these years (Table 1). As it is clear from the table there is a great increase in the asylum request from 2017 to 2018 whereby the number of asylum requests in 2018 was 14 times greater than the previous year. This trend was followed also in 2019, whereby 6604 asylum requests are filed.

Country of origin	Nr. of asylum requests	Nr. of irregular migrants
Syria	2150	3089
Pakistan	645	1246
Iraq	447	671
Palestine	292	395
Algeria	227	378

<sup>3</sup> The Telegraph (2015). *Germany drops EU rules to allow in Syrian refugees*. Retrieved from: <https://www.telegraph.co.uk/news/worldnews/europe/germany/11821822/Germany-drops-EU-rules-to-allow-in-Syrian-refugees.html>

<sup>4</sup> According to Dr. Veshi, the race to the bottom is used to describe government deregulation of the business environment, or reduction in tax rates, in order to attract or retain economic activity in their jurisdictions. In the case of refugee law, the States compete with each-other in order to attract less persecuted individuals. See Veshi, D. (-) *The EU Regulatory Competition in Asylum Law*.

<sup>5</sup> ACAPS (2018) *The Balkan Migrant Crisis*, pg. 1. Retrieved from: <https://data2.unhcr.org/en/documents/download/46801>

<sup>6</sup> *Ibid.*

<sup>7</sup> The Telegraph (2016). *Austria closes its borders to almost all asylum-seekers*. Retrieved from: <https://www.telegraph.co.uk/news/2016/03/31/austria-closes-its-borders-to-almost-all-asylum-seekers/>

<sup>8</sup> The Telegraph (2016). *Macedonia closes its border completely to migrants*. Retrieved from: <https://www.telegraph.co.uk/news/worldnews/europe/macedonia/12188826/Macedonia-closes-its-border-completely-to-migrants.html>

<sup>9</sup> The Guardian (2016). *Clashes between migrants and police at border between Greece and Macedonia*. Retrieved from: <https://www.theguardian.com/world/2016/apr/10/clashes-between-migrants-and-police-at-border-between-greece-and-macedonia>

<sup>10</sup> The New York Times (2020). *Erdogan Says, 'We Opened the Doors,' and Clashes Erupt as Migrants Head for Europe*, Retrieved from: <https://www.nytimes.com/2020/02/29/world/europe/turkey-migrants-eu.html>.

<sup>11</sup> Aljazeera (2020) *Clashes between Greek police, migrants reported on Turkish border*. Retrieved from: <https://www.aljazeera.com/news/2020/03/clashes-greek-police-migrants-reported-turkish-border-200306082639844.html>

<sup>12</sup> The Albanian Committee of Helsinki (2018). *On the Rights and Freedoms of Migrants, Asylum Seekers and Refugees in Albania, during 2012 – 2017*, pg. 12-13. Retrieved from: <http://www.ahc.org.al/wp-content/uploads/2018/09/Migrantet-Shqip.pdf>; INSTAT (2018). *Foreigners and Asylum-seekers in Albania*. Retrieved from: <http://www.instat.gov.al/media/6180/te-huajt-dhe-azilkerkuesit-ne-shqiperi-2018.pdf>; and Data from the Ministry of Interior, retrieved from: <https://www.parlament.al/Files/ProjektLigje/20200603144408AZILI.pdf>

Morocco	227	344
Other	-	770

Table 2. Asylum request based on the country of origin.<sup>13</sup>

Based on the INSTAT report for foreigners and asylum-seekers in 2018 are gathered some data depicted in Table 2 showing the number of asylum request compared to the number of irregular migrants who have entered Albania based on their country of origin. Almost half of the total number of the asylum requests is from Syrians, which is reasonable and deeply connected to the ongoing armed conflicts at that time. Out of the total number of asylum requests, only 16 of them were accepted and a positive decision was subsequently issued for either giving refugee status or subsidiary protection.<sup>14</sup> Most of these accepted requests came from Palestinian citizens. Also, there were 78 decisions of suspension and dismissal for the asylum seekers whereby most of them were Syrians.<sup>15</sup>

### III. LEGAL FRAMEWORK

The right of asylum is granted by Article 40 of the Albanian Constitution to any alien in the Republic of Albania according to law.<sup>16</sup> Moreover, Albania has ratified the 1951 UN Convention in 1992, its additional protocol (1967), the Convention Regarding the Status of the Stateless Persons (1954), and other international human rights instruments such as the UDHR (1984), ECHR (1952), etc. As an obligation deriving from the ratification of these conventions, there was a need to regulate asylum-seeking with a specific law based on international principles. Thus, in 1998 the parliament approved the law 8432/1998 on “Asylum in the Republic of Albania” (changed in 2009) which was the first law dedicated solely to this right. It aimed to set some core obligations deriving from the 1951 Convention and to recognize some fundamental rights for refugees, asylum-seekers, and persons on subsidiary protection. This law was later on completed by a series of other laws and by-laws. However, the progress reports of the EU and UNHCR showed that further approximation was needed concerning the asylum legislation. More concretely, the Stabilization Association Agreement with EU in 2003 mentions eight priority spheres, among which is also asylum. Article 80 of the Stabilization Association Agreement stipulates that “cooperation shall focus in the field of asylum on the implementation of national legislation to meet the standards of the 1951 Convention and the 1967 New York Protocol, thereby to ensure that the principle of non-refoulement is respected as well as other rights of asylum seekers and refugees.”<sup>17</sup>

<sup>13</sup> INSTAT (2018). *Foreigners and Asylum-seekers in Albania*. Retrieved from: <http://www.instat.gov.al/media/6180/te-huajt-dhe-azilkerkuesit-ne-shqiperi-2018.pdf>

<sup>14</sup> *Ibid.*

<sup>15</sup> *Ibid.*

<sup>16</sup> Albanian Constitution (1998), Article 40.

<sup>17</sup> Stabilization Association Agreement (2009), Article 80.



Pushed by the need to approximate the asylum legislation with international standards, in 2014 a set of reforms, part of the Government's national plan on integration, was undertaken concerning the asylum legislation in order to harmonize the Albanian legal framework with *acquis communautaire*, concretely with directives 2001/55/EC, 2003/9/EC, 2003/86/EC, 2005/85/EC, 2011/95/EU. Consequently, the new law 121/2014 for asylum was approved by the parliament in 2014,<sup>18</sup> followed by a set of by-laws such as Guideline 293/2015 and the Decision of the Council of Ministers nr. 332/2016 "For the organization and functioning of the National Center for Asylum in Albania". Article 4 of the law 121/2014 reaffirms the right for asylum guaranteed by the Albanian Constitution. It is almost in the same line with Article 1(A)2 of the 1951 Convention. Excluded from the right of asylum are: aliens liable for the commitment of a crime against peace, humanity, war crime or a terrorist act; those who are a threat to the Albanian public order and security; and those culpable of actions against the principles and purposes of the UN.<sup>19</sup> The law has partially incorporated the principles of the 1951 Convention such as the principle of non-refoulement,<sup>20</sup> the third safe country,<sup>21</sup> the right for a translator,<sup>22</sup> unaccompanied minors,<sup>23</sup> and the best interest of the child.<sup>24</sup> Importance is also given to the cooperation with the UNHCR office in Albania for asylum and refugee cases.<sup>25</sup> Based on the law, asylum-seekers who have entered Albania illegally must apply for asylum within 10 days from their entrance in order not to be criminally liable for illegally passing the border.<sup>26</sup> This time limit is considered not to be beneficial since the majority of the asylum-seekers are not well informed for the procedure of asylum and most of them surpass the 10-days deadline.

The law further elaborates on the asylum application processing procedure. According to Chapter V of the law, the asylum application must be completed in writing in front of the responsible authority for asylum and refugees, whereby the person must fill in the forms and present the grounds for which he/she is requesting protection. Afterwards, the responsible authority will issue a certificate to the asylum-seeker which provides acknowledgment of the application and information for the procedures to be granted refugee status, enabling the asylum-seeker contact with a legal representative. Until a final decision is taken the person has the right to stay in Albania. Not later than 21 days from date of the application, the asylum-seeker will be informed by the responsible authority to be heard about his asylum application. During the hearing the asylum-seekers must explain the facts on which the reasons and grounds for their persecution are based, providing all the necessary information. The responsible authority takes a decision based on the declarations of the

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<sup>18</sup> Law Nr. 121/2014 for Asylum in the Republic of Albania.

<sup>19</sup> Law Nr. 121/2014 for Asylum in the Republic of Albania, Article 5(1).

<sup>20</sup> Law Nr. 121/2014 for Asylum in the Republic of Albania, Article 6.

<sup>21</sup> Law Nr. 121/2014 for Asylum in the Republic of Albania, Article 9.

<sup>22</sup> Law Nr. 121/2014 for Asylum in the Republic of Albania, Article 15.

<sup>23</sup> Law Nr. 121/2014 for Asylum in the Republic of Albania, Article 16.

<sup>24</sup> Law Nr. 121/2014 for Asylum in the Republic of Albania, Article 17.

<sup>25</sup> Law Nr. 121/2014 for Asylum in the Republic of Albania, Article 13.

<sup>26</sup> Law Nr. 121/2014 for Asylum in the Republic of Albania, Article 11.

applicant within 30 days from the date of the hearing of the asylum-seeker. If the asylum application is accepted, the responsible authority informs the asylum-seeker of the conditions of the asylum and the possibility of revocation. If the asylum application is not accepted, the responsible authority informs in writing the asylum-seeker for the reasoning behind the decision, the subject's right to appeal, the institution where the appeal may be filed, and the prescription time limit. The institution responsible for the appeals against the decision of the responsible authority is the National Commission for Asylum and Refugees.<sup>27</sup>

Lately, following several recommendations by the Albanian Ombudsman and the European Commission,<sup>28</sup> in June 2019 Albania adopted the National Strategy on Migration Governance and its action plan covering 2019-2022, providing a clear framework to better manage and coordinate migration flows. According to the EU Progress Report for 2018, since some of the EU Directives had been further updated, certain issues such as procedural safeguards and guarantees needed to be addressed.<sup>29</sup> Thus, as part of the strategy and following the priorities of Agenda 2030, a new draft-law on asylum proposed by the Council of Ministers was put for consultation in August 2019 and deposited in the Parliament on June, 1<sup>st</sup> 2020. This draft-law ensures further alignment with directives 2005/85/EC, 2013/33/EU, 2003/28/EU, 2001/55/EC, 2011/95/EU, and 2003/86/EC.<sup>30</sup> The new draft-law aims to further strengthen and improve the international asylum policy framework in the field of asylum and the capacity of the Albanian state to guarantee the implementation of EU commitments and obligations. Differently from the current law on asylum, the new-draft law explicitly elaborates the meaning, reasons of the persecution and its actors; there is a clearer separation of the responsible institutions' rights and obligations; greater importance is given to the right to information; the legal vacuum related to the treatment of vulnerable groups such as unaccompanied children, trafficked victims, disabled persons, etc. is filled; and the access to education is guaranteed for asylum-seekers.

#### IV. INSTITUTIONAL FRAMEWORK

As aforementioned, the law 121/2014 mentions some responsible authorities obliged to follow the asylum-seeking process in Albania. This section will explain the responsible institutions in the asylum-seeking process starting from the first encounter to the last legal remedy. An asylum-seeker who enters the Albanian territory will firstly encounter the migration policies, concretely the Department of Border and Migration and the Directorate of Anti-Trafficking and Migration. The

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<sup>27</sup> Law Nr. 121/2014 for Asylum in the Republic of Albania, Article 22.

<sup>28</sup> Deliu, N. (2018). *The Rights of refugees and asylum-seekers in Albania: a comparison with the European legislation*. Law Journal Albania, 6, 2523-1774, pg. 11. Retrieved from: <http://www.lawjournal.al/sites/default/files/RJSH%206-%20SHTYLLA%203%20-%20SHQIP.pdf>

<sup>29</sup> European Commission (2018). *Albania 2018 Report*. Strasbourg: European Commission, pg. 33. Retrieved from: <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-albania-report.pdf>

<sup>30</sup> Draft-law nr. [...] /2020 on Asylum in the Republic of Albania. Retrieved from: <https://www.parlament.al/Files/ProjektLigje/20200603144408AZILI.pdf>



Border Police is in charge of the pre-screening procedure by identifying the asylum-seekers, irregular migrants, potential victims of trafficking, unaccompanied minors, and channeling them into the appropriate procedures.<sup>31</sup> Once an asylum-seeker is identified he/she is transferred to the National Center for Asylum located in Babrru, Tirana. Based on the latest inspections of the Ombudsman in April 2019,<sup>32</sup> the Center is composed by a staff of 15 people and is divided in two sectors: the support one (including two social workers and one psychologist) and the sector of finance and supporting services including 11 workers. The Center offers shelter, medical care, safety, clothes, and other basic needs and its capacity is 180 persons.

One of the main problems brought by the Ombudsman was the daily quote of 330 ALL/person, a very low amount compared to the price of food in the market. Since the center accommodates a variety of categories of persons such as persons suffering from health issues, pregnant women, newborn kids, etc, the cost per person must be increased. Also, the Ombudsman recommended that the inner organics of the institution must be completed with doctors, nurses, translators, etc. There is a lack of guardians in managing the asylum-seekers in the afternoon and night. Consequently, there have been various cases of conflicts between the asylum-seekers whereby the Police Office nr 5 was called. Moreover, the inspection noticed no maintenance of the Center and lack of social workers and psychologists. Another recommendation was to take measures for the integration in the society for the persons who stay longer than usual in the Center. In 2018 the total number of cases presented in the Center was 4371, of which 159 females under age 18 years and 310 males under 31. Adult females amounted to 246 and males to 3656.

The asylum-seeker will be accommodated in the Center until the final decision is issued by the responsible authority. In this context, the decision-making authority regarding asylum applications is the Directorate for Asylum and Citizenship in the Ministry of Interior. More specifically, the Directorate for Asylum is the responsible authority obliged to register the asylum applications, make the interviews, gather the necessary documents, guide the procedure, and decide whether to grant or remove the right to asylum. This institution closely collaborates with the UNHCR office in Albania, responsible for contacting every asylum-seeker, gathering information, reviewing the files, offering recommendations to the Directorate for Asylum, and observing the decision-making procedures.

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<sup>31</sup>Xhaho, A. & Lleshi Tandili, A. (2019). *Vulnerable Asylum Seekers and Irregular Migrants in Albania*, pg. 8. Retrieved from IDM Albania official site: [http://idmalbania.org/wp-content/uploads/2019/09/policy-brief\\_Vulnerable-asylum-seekers-and-irregulat-migrants.pdf](http://idmalbania.org/wp-content/uploads/2019/09/policy-brief_Vulnerable-asylum-seekers-and-irregulat-migrants.pdf)

<sup>32</sup>Recommendation of the Albanian Ombudsman (2019). Retrieved from: <https://www.avokatipopullit.gov.al/media/manager/website/reports/Rekomandohet%20p%C3%ABrmir%C3%ABsimi%20i%20m%C3%ABtejsh%C3%ABm%20i%20kushteve%20dhe%20i%20trajtimet%20t%C3%AB%20azilk%C3%ABrkuesve%20n%C3%AB%20Qendr%C3%ABn%20Komb%C3%ABtare%20Prit%C3%ABse%20p%C3%ABr%20Azilk%C3%ABrkuesit%20Babrru,%20Tiran%C3%AB.pdf>





Before 2017, the negative decision of the Directorate was appealed directly to the Administrative Court; however, after 2017, the asylum seeker will appeal the decision to the National Commission for Asylum and Refugees. The appeal in front of this institution should be made within 15 days from the decision of the Directorate for Asylum.<sup>33</sup> From the other hand, the Commission needs to take a decision within 30 days from the day the appeal is made.<sup>34</sup> The Administrative Courts (Administrative Court of First Instance, Administrative Court of Appeal, Administrative Section of the Supreme Court, and the Constitutional Court) will then follow the judicial instances of the case since the decision given by the Directorate is considered an individual administrative act and is a product of administrative activity. Therefore, the decision can be subject to administrative appeal and review.

## V. LATEST CHALLENGES

To mention the latest challenges to asylum-seeking in Albania, this section will consider the European Commission 2019 Report for Albania.<sup>35</sup> According to this Report, progress was made in improving the institutional capacity on border management and asylum. However, the legal framework on migration needs further alignment with recent developments in the *acquis*, something taken into consideration by the new draft-law on asylum. The Report indicates that Albania still does not have facilities for unaccompanied minors. Moreover, the instruction regulating pre-screening and detention should be aligned with international standards and must include: procedural safeguards for vulnerable persons, and provisions on the identification, referral and protection of children and persons with special needs. In the context of the pre-screening, the border police staff should be trained in identifying vulnerable categories of people and referring them for assistance in compliance with the basic standards of the EU. It was noted that the overall staffing of the Department for Border and Migration is limited to 1635 employees and needs to be increased. Cooperation by the Ministry of Interior with other relevant ministries is strongly encouraged in the Report for guaranteeing fair procedures for the most vulnerable individuals. Following some reports of illicit pushback practices to Greece, Albania must apply return procedures and mechanism that are in line with the *acquis*.

Interestingly, the EU Report found that the National Commission for Refugees and Asylum was not functional in 2018. The reasons behind this are not mentioned. Although the authorities have adequately responded to the increase in arrivals in 2018, the Report suggested that the capacity of the Directorate for Asylum and Citizenship needs to be enhanced. Moreover, the Report highlighted that some asylum seekers faced significant delays during the procedures. To reduce these delays a greater staff is needed. Concerning the Directorate for Asylum and the National Commission for Asylum and Refugees, more training is needed on how to assess individual claims, information on

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<sup>33</sup> Law Nr. 121/2014 for Asylum in the Republic of Albania, Article 38(6), 39(3), 40(2).

<sup>34</sup> Law Nr. 121/2014 for Asylum in the Republic of Albania Article 39(3), 40(3).

<sup>35</sup> European Commission (2019). *Albania 2019 Report*. Strasbourg: European Commission, pp. 38-41. Retrieved from: <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-albania-report.pdf>



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country of origin and cases involving vulnerable people. Improvement is made regarding Albania's reception capacity for asylum seekers which has tripled since October 2017. The total accommodation capacity, including the National Centre for Asylum Seekers in Babrru, Tirana and temporary accommodation facilities in Gjirokastra and Shkodra, stands at 400 bed-places. Since most asylum applications were shortly withdrawn, the increased capacity has so far been sufficient. A new reception centre for vulnerable groups is now available in Gjirokastra.

## CONCLUSIONS

This paper gave an overview of the asylum-seeking in Albania by firstly reasoning on Albania's inclusion in the Western Balkans Route. As the analysis in the first section showed, Albania was never a destination or a transit country. The WBR changed due to the approval of the open gate policy by Germany followed by several restrictions imposed by some Balkan countries, resulting in a "race to the bottom" effect. Consequently, after the closing of the North Macedonian-Greek border, it is somehow easier and more possible to reach the Western European Countries by passing through Albania. The statistics in the second section depicted that the great influx of asylum-seekers reached its peak in 2019 and is estimated to be even higher in 2012. The third section briefly discussed the legal framework for asylum in Albania. From the first regulation with law 8432/1998, the law on asylum was followed by several other laws and by-laws and it was subject to constant reforms. Among the most important ones was the reform in 2014 which included the approval of law 121/2014. Although it is not fully aligned with the *acquis*, this law provides the basic international principles, a general regulation of the asylum procedures and the rights and obligations of the actors involved. Due to the recent additions in the EU legislation, as part of the new National Strategy on Migration Governance, Albania will soon adopt a new law on asylum which aims to provide greater regulation in specific fields that are considered vague in the current law.

The following section focused on the institutional framework of asylum in Albania, by briefly mentioning all the main actors involved in the process, from the Border Police to the Administrative Courts. This section highlighted the Ombudsman's recommendations regarding the National Center for Asylum in Babrru, more concretely the increase of the cost per person, improvement of the inner organics of the institution, maintenance of the Center, etc. The last section introduced the latest challenges of asylum in Albania, focusing on the European Commission Report of 2019. The most important issues were: the further alignment with *acquis*, the lack of facilities for accompanied minors, the need to review the instruction regulating pre-screening and detention, Border Police training for identifying vulnerable categories, inter-ministerial cooperation, the increase of the capacities and further training for the Directorate for Asylum. In all, Albania has still a long road ahead to the full approximation with the EU legislation on asylum. However, the latest legal reforms together with a strong consideration of international requirements will bring a better regulation for asylum procedures and a better protection for the fundamental right to asylum.