way up within the company. Others were able to gain some experience through work placements as part of their studies or through recruitment agencies.

In countries where refugees are not entitled to welfare benefits (such as Greece, Italy and Spain), the interviewees were often forced to accept low-skilled and badly-paid jobs. In countries where refugees receive unemployment benefits, some interviewees were not allowed to accept voluntary work or work placements. Many interviewees were in a situation where they had to do manual jobs during the day while trying to improve their chances by studying at night.

**Bureaucracy and discrimination**

Many interviewees were confronted with lengthy asylum determination procedures and poor reception conditions. In most countries they were not allowed to work as asylum seekers, or could only apply for a work permit after a certain period. During the asylum procedure, opportunities to undertake language tuition, vocational training or education were often limited. Financial difficulties and finding a place to live were additional obstacles. Clearly, this long waiting period had a damaging influence on their self-esteem and confidence, seriously hindering their integration process.

Many interviewees experienced prejudice in the job-seeking process as well as in the workplace and in daily life. Being responsible for a family in combination with a lack of childcare facilities (especially for single mothers with young children) were mentioned as barriers to employment. Some older interviewees found that their age presented an additional barrier. The combination of age and the inevitable gap in their employment record because of becoming a refugee made their position as job seekers even more disadvantaged. Finally, red tape and bureaucracy in general were mentioned as further obstacles.

**Conclusion**

Refugee agencies need to make the business case for refugees. European member states need to take on board refugees’ experiences in the job market and develop policies and measures that make the pathways to employment quicker and easier. Instead of considering asylum seekers and refugees as a threat or a burden to society, we should acknowledge that these new citizens may contribute substantially to their host country. This approach requires a major change in attitude and policy towards these new immigrants: to encourage rather than discourage, to include rather than to exclude.

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The results of the RESOURCE Project are presented in 14 country reports and an overall summary online at: www.education-action.org/media/Resource_project.doc

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**Albania – Europe’s reluctant gatekeeper**

by Ridvan Peshkopia

Post-communist Albania has become a transit point for refugees, asylum seekers and economic migrants. Asylum policies and procedures put in place under UNHCR and EU tutelage are fragile and serve the interests of Europe, not Albania.

Prior to 1990 Albania was isolated from East and West, strictly controlled all movement across its borders and did not recognise the 1951 Refugee Convention. Border controls collapsed as the post-communist authorities were keen to allow Albanians to leave the poverty-stricken country. People smuggling – both across the Adriatic Sea to Italy and over the Albanian-Greek border – increased dramatically. The smuggling industry has been boosted by the ease with which Albanian visas can be obtained, Albania’s dire need for foreign currency and high rate of corruption among public officials.

In the early 1990s UNHCR persuaded Albania and other newly-elected Balkan governments to sign up to the Refugee Convention. The new regimes were eager to extend and forge new connections with the international community and the Albanian parliament rapidly ratified the Convention in 1992. However, it took a further six years – and the threat of a mass outflow of Kosovar refugees – before the Office for Refugees (OfR), a small unit of the Ministry of Local Government, was established. The status of OfR was undefined and it found itself in an asylum and immigration legislative vacuum which left it little to do in terms of establishing procedures for refugee status determination (RSD) and refugee protection.

**The development of an Albanian asylum system**

Albania’s new Constitution in 1998 stipulated the right of asylum and the country’s first law on asylum was passed. It generally meets the 1951 Refugee Convention criteria on the refugee definition, RSD and refugee protection. Under its provisions, the OfR receives asylum applications and conducts interviews and also serves as a collegial decision-making body at the first level. Rejected asylum seekers have the right to appeal to the National Commission for Refugees (NCR), an eight-member committee bringing together government agencies and representatives of two NGOs – the Chamber of Lawyers and the Albanian Committee of Helsinky. The National Commissioner for Refugees chairs the OR and NCR.

The establishment of an asylum system based on individual applications was undermined by humanitarian catastrophes in Kosovo. Rather than considering individual cases, the
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OfR responded to the needs of the Albanian government and international community to respond to the refugee crisis by accepting and then returning Kosovars as a group. In the aftermath of the massive Kosovar refugee return, OfR continued to care for some lingering Kosovar families. Procedures regarding RSD and refugee protection began to be put in place but were again set back in spring 2001 by a short-lived movement of ethnic Albanian refugees fleeing instability in Macedonia.

In October 2001 the Albanian Task Force on Asylum was belatedly established with the participation of some domestic and international actors. Its aim was to draft by-laws to fill legal gaps in refugee integration. Three by-laws drafted in spring 2002 – on education, health care and employment – were included in a law approved by parliament in August 2003. RSD procedures were established and a joint project between UNHCR, OFR and Peace through Justice, a local NGO, began to make legal assistance available for refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers. In 2003 OFR was renamed the Directory for Refugees and asylum seekers.

In addition to the issue of determining asylum claims, the issue of providing accommodation and support for refugees and asylum seekers has long concerned the Albanian authorities and UNHCR. For years, detained, illegally smuggled people were initially kept in police stations, often without food or appropriate sanitation, dependent on the whim of the police for their needs. UNHCR provided some local NGOs with funds to arrange for accommodation of asylum seekers in privately owned houses. In October 2001 a project began to establish the first asylum seekers’ reception centre. The Albanian government offered an old military barracks on the outskirts of Tirana’s High Level Working Group’s (HLWG) and the facility was opened in July 2003.

Illusory protection

Albania can now thus be said to have a modern asylum system, yet in many respects it is illusory and, in effect, often serves as a tool to facilitate human smuggling towards the EU. Whatever their legal status – refugees, asylum seekers or illegal immigrants – the smuggled people strive to avoid contact with public officials and police of the transit countries. Only if the police catch them, or they decide to give themselves up (in cases when they lose connections with their smugglers), do the Albanian authorities get involved.

A UNHCR-led initiative – implemented with the International Organization for Migration and the Ministry of Public Order (MPO) – seeks to pre-screen those who have come to the attention of the authorities. Pre-screening is designed to differentiate economic migrants, victims of trafficking and asylum seekers and to provide appropriate legal and humanitarian assistance tailored to their different needs.

This system has not significantly affected the illegal influx. Instructed by smugglers, many detained people seek asylum and are provided with shelter, food, medical assistance and legal aid. Only an insignificant number of them are sufficiently patient, too poor or simply unlucky enough to go through the RSD procedure to the end. Most reestablish broken connections with smugglers and continue their journey toward the West.

Thus, rather than building a protection system for people in need, Albania, with the assistance of UNHCR and under pressure from the EU, has established a system to support illegal immigrant smuggling. None of those who have received refugee status during recent years is thought to be in Albania anymore; their whereabouts are unknown. The bulk of the 107 people whom the asylum institutions in Albania are taking care of are Kosovars, leftovers from the massive influx of 1999. All of them experience harsh social problems.

Albania’s place in Europe

For Albania, asylum policy has never been part of the national agenda but has rather been the price of advancing prospects of integration into the EU. At their meeting in Seville in June 2002 EU leaders stipulated that any country entering into cooperation or association agreements with the EU must “include a clause on joint management of migration flows and on compulsory readmission in the event of illegal migration”. In its eagerness to sign a Stabilization and Association Agreement with the EU in December 2003 Albania agreed to this condition. The readmission requirement will not only apply to Albanian citizens but also to immigrants from other countries known to have passed through Albania on their way to the EU.

Readmission poses enormous challenges, none of which are currently being addressed. Mass return of its nationals would deprive Albania of vital remittance income. And whilst the EU has the political and economic muscle to compel illegal immigrants’ countries of origin in the Middle East and Central Asia to sign similar agreements, it is not clear how Albania can possibly persuade Iran, Iraq, Pakistan and Turkey to take back their nationals. Who is to pay for their needs in Albania or the costs of the increased enforcement which will be required to prevent them attempting to return to the EU? Would the presence of large numbers of readmitted asylum seekers/economic migrants affect the stability of a poor country with high levels of unemployment? Aware of the difficulties the readmission agreement might cause, the EU and Albania have agreed to delay the implementation of some clauses for a period of two years.

The Albanian authorities have reluctantly been persuaded to undertake some steps toward legislative and administrative reform but the government has other priorities. There is no reason to believe that in the near future the Albanian asylum system might really serve refugees and asylum seekers from other countries. It is instead likely to continue to fuel the wants of asylum seekers from other countries. It is instead likely to continue to fuel the wants of asylum seekers from other countries.

Ridvan Peshkopia is a graduate student at the University of Kentucky. He was National Commissioner for Refugees in Albania from 2001 to 2002 and served two terms in the Albanian parliament. Email: ridvanpeshkopia@yahoo.com