



ALBANIA: ISSUES RELATED TO IMMIGRATION DETENTION

**SUBMISSION TO THE UN COMMITTEE
ON THE PROTECTION OF THE RIGHTS
OF ALL MIGRANT WORKERS AND
MEMBERS OF THEIR FAMILIES**

41ST SESSION – DECEMBER 2025

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ABOUT THE GLOBAL DETENTION PROJECT (GDP)

The Global Detention Project (GDP) is committed to ending arbitrary and harmful migration-related detention practices around the world, and to ensuring respect for the fundamental human rights of all migrants, refugees, and asylum seekers. To achieve this, we seek to:

- Increase public knowledge and awareness of immigration detention policies.
- Expand coverage of immigration detention by human rights monitoring bodies and other international agencies.
- Expand partnerships with local and international civil society organisations working to end arbitrary and harmful immigration detention practices.
- Strategically target research and advocacy so that it effectively challenges arbitrary and harmful detention laws and policies.

ALBANIA: ISSUES RELATED TO THE DETENTION OF MIGRANTS AND REFUGEES, AND WIDER RIGHTS ABUSES AGAINST THESE POPULATIONS

SUBMISSION TO THE UN COMMITTEE ON THE PROTECTION OF THE RIGHTS OF ALL MIGRANT WORKERS AND MEMBERS OF THEIR FAMILIES AHEAD OF ITS ADOPTION OF ITS LIST OF ISSUES PRIOR TO REPORTING

41st SESSION - DECEMBER 2025

The Global Detention Project (GDP) welcomes the opportunity to provide this report on Albania to the Committee on the Protection of the Rights of All Migrant Workers and Members of their Families (CMW) ahead of its adoption of its List of Issues Prior to Reporting during its 41st Session. This submission addresses concerns about the country's migration-related detention policies and practices, including its collaboration with Italy in detaining third-country migrants deported by its neighbour.

1. MIGRATION CONTEXT

Since the fall of the Albanian Communist Party in 1991, Albania has gained a reputation as a country of emigration. Significant numbers left the country soon after the regime collapsed amidst political instability and economic crash, and again following the collapse of several pyramid investment schemes in 1997. According to the country's 2023 census, published in July 2024, Albania's population shrank by 14 percent in 12 years (from approximately 2.8 million to around 2.4 million).¹

At the same time, however, Albania has increasingly become an important transit country for many migrants and asylum seekers attempting to reach the EU via the Western Balkans—with a significant number entering irregularly from Greece. In light of this, the country has been a particular focus for “border outsourcing” efforts by the EU. In 2018 for example, the EU and Albania signed a Status Agreement (which entered into force on 1 May 2019) allowing for the deployment of Frontex teams—with Frontex quickly thereafter deploying 50 officers from EU states to the Albania-Greece border and the Adriatic Sea to control migratory flows. This was its first fully fledged joint operation outside the EU.² The arrangement was significantly enhanced in September 2023 by way of a revised status agreement granting Frontex broader powers and scope within Albania.³

The actions of both Frontex officers and Albanian border guards along the country's border with Greece has drawn significant criticism. Testimonies collected by the Border Violence

¹ Ekathimerini, “Results of Albanian Census Stir Tensions in the Region,” 4 July 2024, <https://www.ekathimerini.com/politics/foreign-policy/1243158/results-of-albanian-census-stir-relations-in-the-region/>

² Frontex, “Frontex Launched First Operation in Western Balkans,” 21 May 2019, <https://www.frontex.europa.eu/media-centre/news/news-release/frontex-launches-first-operation-in-western-balkans-znTNWM#>

³ European Council, “Council Will Sign Agreement with Albania on Frontex Cooperation,” 8 September 2023, <https://www.consilium.europa.eu/en/press/press-releases/2023/09/08/council-will-sign-agreement-with-albania-on-frontex-cooperation/>

Monitoring Network (BVMN) for example, reveal officers denying arrivals the right to apply for violence and arbitrarily pushing them back across the border—with individuals reporting being beaten with batons and kicked during the process, before being left abandoned between Albania and Greece.⁴ In 2025, Frontex’s Consultative Forum on Fundamental Rights also noted concerning practices including the returns of people to Greece without removal orders; the placement of unaccompanied children alongside unrelated adults in reception centres; and the reliance upon self-declaration for age-assessments.⁵

In 2021, Albania introduced the **Law on Asylum (No. 10/2021)**, replacing the previous Law No 121/2014 on Asylum. According to this law, someone entering Albania can lodge an application for international protection at the border or at a police station. According to the Border Violence Monitoring Network (BVMN), however, the country’s asylum system is “largely inaccessible to people entering the country.” In 28 percent of the testimonies collected by BVMN, “individuals asked for asylum but were pushed back to Greece regardless.”⁶

In 2025, a joint initiative funded by the EU and implemented by UNHCR and IOM was launched in the country, aimed at strengthening Albania’s asylum and migration systems in line with EU and international standards, supporting the country’s EU accession process.^{7 8}

2. THE DETENTION OF MIGRANTS, REFUGEES, AND ASYLUM SEEKERS

2.1 Legislation

Albania’s legal framework for immigration detention is primarily provided by **Law No. 79/2021 “On Aliens,”** which regulates the entry, stay, and exit of foreigners. Under this law, non-nationals can be detained in order to effect removal, for up to six months (extendable by an additional six months). Article 115(3) also provides that “the regional State authority responsible for dealing with aliens may hold an alien in a closed reception centre on grounds of public safety, identity or unclear motives of stay.”⁹

Article 115(1) of the 2021 Law on Aliens provides that detention is to be a “last-resort administrative action” to be enforced only “after all possible alternative actions have been exhausted.” The “alternatives to detention” (ATDs) foreseen in law include reporting obligations, financial guarantees, the seizure of documents, and the designation of a specific residence/compulsory stay.¹⁰ However, in 2025 the IOM reported that across the Western Balkan region, “the use of these alternatives remains extremely limited. In practice,

⁴ Border Violence Monitoring Network (BVMN), “Surveillance Technologies at European Borders: Assessment of Albania,” 2024, <https://borderviolence.eu/app/uploads/ALBANIA-bordertech.pdf>

⁵ Frontex Consultative Forum on Fundamental Rights, “Twelfth Annual Report 2024,” 2025, https://www.frontex.europa.eu/assets/fundamental/Twelfth_Annual_Report_2024_Frontex_CF.pdf

⁶ Border Violence Monitoring Network, “Surveillance Technologies at European Borders: Assessment of Albania,” 2024, <https://borderviolence.eu/app/uploads/ALBANIA-bordertech.pdf>

⁷ UNHCR, “EU4Migration in Albania,” <https://www.unhcr.org/europe/eu4migration-albania>

⁸ For more on Albania, see: Global Detention Project, “Albania Country Page,” <https://www.globaldetentionproject.org/countries/europe/albania>

⁹ Government of Albania, “Law No. 79/2021 “On Aliens”” https://mb.gov.al/wp-content/uploads/2024/10/Ligj-per-te-Huajt-%E2%80%9379.2021_English.pdf

¹⁰ IOM, “Alternatives to Immigration Detention in the Western Balkans – Regional Summary,” October 2025, https://bih.iom.int/sites/g/files/tmzbd11076/files/documents/2025-10/atd-booklet_v5.pdf

alternatives are not applied, and detention continues to be used in cases where non-custodial measures would suffice.”¹¹

The 2021 Law on Asylum also provides grounds for the detention of asylum seekers, with Article 45(2) permitting their detention a) for the purposes of checking identity; b) if they are not in possession of identification documents; c) if they have been found to possess counterfeit documents; d) where an international arrest warrant has been issued against them; and e) for the purposes of protecting national security and public order.¹²

Albanian legislation does not protect vulnerable groups such as unaccompanied minors from detention. Instead, Article 119(1) and (2) of the Law on Aliens note that they can be subject to detention orders and placed in a closed reception centre.

2.2 Detention Conditions

Albania operates one dedicated immigration detention centre—the [Karreç Detention Centre](#), about 20km northwest of Tirana. The centre currently has capacity for 100 people.¹³

Article 114 of Law on Aliens states that “a closed reception centre shall meet all the conditions for a humane and decent treatment and shall ensure provision of health services and safeguarding of the individual fundamental rights.” Article 121 further provides that detainees shall “have the right to humane treatment and provision of adequate food, legal aid at any time and medical care,” as well as receive information in a language they can understand (“or, at least, in English”) of any action taken by authorities concerning their detention.

In its reply to the committee’s List of Issues, Albania also notes that Karreç Detention Centre meets “standard living conditions,” and that “all efforts are made to ensure normal living conditions, freedoms, and rights for all foreigner nationals during their stay at the center.” However, despite these assurances, the Global Detention Project has documented numerous reports highlighting conditions concerns in the facility in recent years, demonstrating a disparity between the country’s domestic legislation and its practical implementation.

- In **November 2018**, the Council of Europe’s Committee for the Prevention of Torture (CPT) visited the facility and noted “deliberate physical ill-treatment (such as slaps or punches); “appalling hygienic conditions”; access to outside space on only a few days per month; officers unable to communicate with detainees; isolation cells in poor state of repair; and foreign nationals being “handcuffed to the bed inside a security cell,” and that in “at least one case, a foreign national had allegedly been hand- and ankle-cuffed to the bed in a stress position (spread-eagled) for 24 hours”–

¹¹ IOM, “Alternatives to Immigration Detention in the Western Balkans – Regional Summary,” October 2025, https://bih.iom.int/sites/g/files/tmzbd11076/files/documents/2025-10/atd-booklet_v5.pdf

¹² Government of Albania, “Law No. 10/2021 on Asylum in the Republic of Albania,” <https://www.refworld.org/legal/legislation/natlegbod/2021/en/123556>

¹³ See: Global Detention Project, “Kareç Detention Centre (Karreç),” <https://www.globaldetentionproject.org/countries/europe/albania/detention-centres/1838/karec-detention-centre-karrec>

something the CPT noted could be considered to amount to inhuman and degrading treatment.¹⁴

- In **February 2022**, the Ombudsman (*Avokat i Popullit* – designated the National Preventive Mechanism) inspected the facility and reported numerous issues including: lack of specialist staff such as physicians and dentists; difficulties faced by detainees in contacting the outside world due to a lack of telephones; absence of translators; insufficient provision of recreational activities; lack of easily accessed information about detainees' legal entitlements; and lack of alarms in bedrooms.¹⁵
- In **January 2024**, the Ombudsman conducted another visit, and noted staff shortages (including social workers, legal advisors, interpreters), "directly impacting the rights of irregular foreign nationals," visibility of "force-related objects" in areas managed by police staff, "causing psychological violence against residents"; deficiencies in maintenance; ongoing problems with food quality and variety; absence of emergency call bells in bedrooms; damp; and poor hygiene.¹⁶

Testimonies collected by the Border Violence Monitoring Network (BVMN) also point to the use of Closed Registration and Temporary Accommodation Centres along the border for brief ad hoc detention prior to pushbacks, as well as a [police station in Durrës port](#). According to the BVMN, from January 2021 the organisation has documented an "emerging trend" of hotel raids by Albanian authorities in the port city of Durrës, whereby police raid low-cost accommodation known to house migrants and detain people in a station at the port. "One respondent stated that several people were beaten by uniformed men inside the cells, using their hands to punch them as well as batons."¹⁷

While the state party notes in its reply to the List of Issues that in accordance with Law No 79/2021 non-nationals are held in the closed centre for six months to a maximum of one year, in November 2022 the Albanian Ombudsman found that three Iraqi citizens remained detained in Karreç after two years, twice the legal maximum length of detention.¹⁸

3. ITALIAN MIGRANT CENTRES ON ALBANIAN SOIL

Albania also hosts two Italian-managed detention facilities: the [Gjadër Detention Centre](#) and the [Shëngjin Migrant Processing Center](#).

In November 2023, Italy and Albania agreed a bilateral protocol enabling Italy to establish and operate two detention and processing facilities on Albanian territory.¹⁹ Under this

¹⁴ Council of Europe, "Report to the Albanian Government on the visit to Albania carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 20 to 30 November 2018," September 2019, <https://rm.coe.int/168097986b>

¹⁵ Avokat i Popullit, "Annual report on the Activity of the People's Advocate in 2022," <https://www.avokatipopullit.gov.al/media/manager/website/reports/PA%20Annual%20Report%202022%20final%20%281%29.pdf>

¹⁶ Border Violence Monitoring Network, "Surveillance Technologies at European Borders: Assessment of Albania," 2024, <https://borderviolence.eu/app/uploads/ALBANIA-bordertech.pdf>

¹⁷ Border Violence Monitoring Network, "Surveillance Technologies at European Borders: Assessment of Albania," 2024, <https://borderviolence.eu/app/uploads/ALBANIA-bordertech.pdf>

¹⁸ Avokat i Popullit, "Annual report on the Activity of the People's Advocate in 2022," <https://www.avokatipopullit.gov.al/media/manager/website/reports/PA%20Annual%20Report%202022%20final%20%281%29.pdf>

¹⁹ Odysseus Network, "Translation: Protocol Between the Government of the Italian Republic and the Council of Ministers of the Albanian Republic," 2023, <https://odysseus-network.eu/wp-content/uploads/2023/11/Protocol-between-the-Government-of-the-Italian-Republic-and-the-Council-of-Minister-of-the-Albanian-Republic-1-1.pdf>

arrangement, persons intercepted at sea by Italian authorities, particularly adult males from countries deemed “safe,” were to be transferred to the Shëngjin Migrant Processing Center for processing (medical examinations, identification procedures, asylum registration, and identification of vulnerable individuals). Those “fit for detention” were to be transferred to Gjadër Detention Centre, where they would be held while a fast-track asylum procedure, based on the safe country of origin (SCoO) concept, was completed within 28 days. Those whose applications were approved were to be returned to Italy, while those who were rejected were to be swiftly processed for deported. According to the protocol, these facilities would come under Italian jurisdiction, with proceedings carried out in accordance with Italian law, and overseen by Italian personnel. However Albanian police would provide security and external surveillance.²⁰

Speed lay at the heart of this scheme: asylum applications were to be processed quickly, with the SCoO concept employed to reject applications based purely on nationality and to limit the need for individual assessments as well as applicants’ right to appeal. However as of October 2025, the original function of these centres is on hold in the wake of an August 2025 European Court of Justice (ECJ) ruling which held that under EU law, SCoO designations must remain subject to judicial review, and applicants must be allowed to challenge the presumption based on their own individual circumstances.²¹ Instead, in March Italian authorities approved a decree to repurpose the Gjadër centre into a repatriation hub for persons whose asylum requests have been rejected or deemed inadmissible in Italy, and who are awaiting deportation.²²

Albania’s facilitation of Italian-managed migrant detention centres on its territory raises serious concerns regarding its compliance with obligations under the Convention as well as with respect to accountability and responsibility vis-à-vis the treatment of detainees. The Committee against Torture has previously issued important findings in similar cases, including importantly in the *Marine I* case regarding Spain’s agreement with Mauritania to detain interdicted migrants in a facility in Mauritania.²³ Such cases have underscored the shared responsibility of all State parties in externalised immigration detention arrangements.

4. RECOMMENDATIONS

In light of the above information, and in line with articles 16-22 of the convention, the Global Detention Project encourages the committee to request the following information from Albania:

²⁰ Mediterranean Migration and Asylum Policy Hub, “Offshoring Migration – Risking Rights: The Italy-Albania Migration Protocol in the EU’s Externalization Playbook,” November 2024, <https://med-ma.eu/publications/offshoring-migration-risking-rights-the-italy-albania-migration-protocol-in-the-eus-externalization-playbook/>

²¹ European Court of Justice, “Judgement of the Court (Grand Chamber) in Joined Cases C-758/24 [Alace] and C-759/24 [Canpelli],” 1 August 2025, <https://curia.europa.eu/juris/document/document.jsf?text=&docid=303022&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=12406133>

²² Majcher, I. “The EU and the Externalisation of Migration and Asylum: An Analysis of Potential Human Rights Violations and Legal Responsibility,” *Heinrich Böll Foundation*, September 2025, <https://gr.boell.org/sites/default/files/2025-09/the-eu-and-the-externalisation-of-migration-and-asylum.pdf>

²³ Flynn, M. “There and Back Again: On the Diffusion of Immigration Detention,” *Journal on Migration and Human Security*, 2014, <https://www.globaldetentionproject.org/there-and-back-again-on-the-diffusion-of-immigration-detention>

- Details about legislative or policy plans aimed at ensuring that immigration detention measures are always based on an individual assessment of each case, are subject to judicial review, are used only as a measure of last resort after first considering the viability of non-custodial measures (“alternatives to detention”), and are applied for as short a period as possible. In particular, Albania should:
 - Provide data on the ratio of migrants provided “alternatives to detention” instead of being placed in detention;
 - Clarify the procedures in place that ensure that “alternatives to detention” are systematically considered before imposing detention measures;
 - Provide details regarding how it will ensure greater and more systematic application of alternative measures in practice.
- Whether it is contemplating legal reforms that will ensure that vulnerable groups like children are protected from detention, in line with its obligations under the convention, and as set out in the CMW-CRC *Joint general comment on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return*.
- Whether it shares the concerns of the international community about the harmful impact of externalisation schemes on the rights of migrants, and how it ensures full compliance with its international obligations under the convention—particularly given that even though it has outsourced detention facilities to Italy for immigration detention reasons, it is equally responsible for any violations committed against these detainees during detention and removal proceedings taking place on its territory.
- Details regarding the steps that it will take to ensure that conditions in facilities where migrants, refugees, and asylum seekers are detained meet international standards.
- Whether it can provide annual statistics, going back as many years as possible, revealing the number of people who have been apprehended, detained, and/or deported for migration-related reasons, including the location and length of their detention, disaggregated by age, gender, and ground for detention.