

We are writing to you to draw your attention to Amendment 128A, proposed by Baroness Lister and Lord Cashman, and to seek your invaluable support in addressing a critical issue within the current Illegal Migration Bill.

This bill, as it stands, will classify Albania amongst a list of 'safe countries' whose citizens can be swiftly returned home, regardless of their individual asylum or human rights claims. The list comprises the EEA member states plus Switzerland.

In our considered opinion, including Albania in such a list of 'safe countries' is a categoric misplacement. Albania does not belong either in terms of EU affiliation, nor does it meet the requisite standards to be classified as a 'safe country'.

The UNHCR has aptly expressed its concerns, stating: *"UNHCR is concerned that the list includes Albania, despite UK published country guidance and decisions of UK courts which recognize that certain groups of Albanian citizens may be at risk of persecution."*¹

Designating a state as a 'safe country' necessitates the confirmation that "there is in general in that State no serious risk of persecution of nationals of that State."² Unfortunately, Albania does not meet this criterion. The country grapples with severe issues like corruption, human trafficking, gang-related violence, and discrimination against various communities including LGBTQI, Roma, and Egyptian communities. The Albanian government's persistent failure to effectively address these issues is distressing.

The acceptance rate of asylum claims from Albanian nationals in the UK further affirms the assertion that Albania falls short of the 'safe country' standard.

In 2022, the UK granted protection status to more than 650 Albanian nationals, including over 60 unaccompanied children. Furthermore, the same year witnessed a 57% success rate for appeals made by Albanians to the First-Tier tribunal on their asylum applications.³

Those of us providing professional support services for Albanian asylum seekers and victims of trafficking directly witness the fear and suffering of the Albanian asylum-seeking community. These individuals, who are extremely vulnerable, often remain unrecognised as such by society at large. This is only exacerbated by prevailing narratives of criminality and asylum system abuse that are fuelling a ratcheting racism.

The assertion that Albania is a 'safe state' for its nationals is, in our experience, fundamentally flawed. It would be a misrepresentation to insist that there is no risk of persecution for nationals in that state.

¹ UNHCR Legal Observations on the Illegal Migration Bill 2 May 2023

² As set out in the proposed new section 80AA(3) of the 2002 Act, as inserted by Clause 57(3) of the Bill.

³ For sources and more detailed statistics relating to Albania as a safe country please see: <https://miclu.org/asylum-statistics-albania-as-a-safe-country>

By including Albania in the Clause 57 list along with EEA member states and Switzerland, we risk directly contravening our international and domestic legal obligations by refouling individuals to face persecution.

We, the undersigned, stand resolutely in support of this amendment to remove Albania from the list of 'safe countries'. We implore Parliamentarians to consider the gravity of this issue, to reflect on the personal narratives and factual data provided, and to align with our stance in advocating for the fundamental human rights of Albanian nationals. We ask that you utilise your influence to prevent vulnerable individuals being refouled to face persecution, by rejecting Albania's classification as a 'safe country' within the current Illegal Migration Bill.