

Albania: Migration issues in the Balkans

Transit, emigration,
forced returns:
mobility obstructed

Analysis

Introduction

In the context of ongoing discussions on Albania's integration into the European Union (EU), the country represents a laboratory for EU cooperation with non-EU states, particularly on migration issues. While Albania is a country of transit for people in exile passing through, for Albanians it is also a country of emigration to other regions of the world, including the EU, as well as a country of return for nationals who have been deported from EU territory, particularly from France.

2 This note aims to contribute to the understanding of Albania's position in the following two areas: the situation of foreign nationals in transit, and the deportation of Albanian nationals from France with the assistance of the European Border and Coastguard Agency (Frontex).

The information presented is based on the findings of a mission conducted by La Cimade in Albania in June 2022, as well as preparatory research.

EU-Albania: a long history of cooperation

Dialogue between European states and Albania on its accession to the EU was initiated in the early 2000s. This cooperation process, which has been underway for more than 20 years, influences the way in which migration issues are dealt with, and the country's national policies in this area.

1. Olivier Peyroux, "Que cachent les demandes d'asile en provenance d'Albanie?", in *L'asile en France et en Europe*, Forum réfugiés COSI, 2020.

2. Agim Leka, "Albanian migration during the post communist transition and the European integration in global era: An intercultural reflection", in *Academicus*, *International Scientific Journal*, 2013.

3. Olivier Peyroux, *op. cit.*

Albania: the perspective of membership of the European Union

Located in the western part of the Balkan Peninsula, Albania was closed off under Enver Hoxha's communist dictatorship, from 1945 to 1985, when Albanians were banned from travelling and settling outside the country. According to researcher Olivier Peyroux,¹ this isolationist past and the socio-economic tensions caused by the fall of the regime in 1991 explain the specificity of Albanian emigration. During the 1990s, episodes of exodus left a lasting mark on society. The first episode took place between 1990 and 1993, following the collapse of the communist regime, with most migration destined for Italy and Greece. Between March and June 1991, more than 50,000 people left Albania for Italy.² In 1997, the Albanian financial system collapsed, and thousands of families were ruined, causing a further wave of departures. In 2001, 500,000 Albanians left the country to settle in Greece and 270,000 in Italy.³

In 2003, at the EU-Western Balkans Summit in Thessaloniki, Albania was recognised as a potential candidate for EU accession. In 2006, the signing of the Stabilisation and Association Agreement (SAA) marked the first step in this process. It contained a commitment to legislative approximation in several areas, and cooperation, particularly in the field of justice and home affairs, including migration, asylum and border management. Although Albania applied for EU membership in 2009, it did not acquire official candidate status until 2014. Following three refusals, in 2016, 2018 and 2019 (due to a French veto), the EU Council finally signed an agreement to open accession negotiations with Albania in March 2022. Formal negotiations began in July 2022.

4. European Commission, *Albania 2022 Report*, October 2022.

A laboratory for externalised migration controls in the Balkans

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As part of the accession process, the country is required to align itself with the EU *acquis*, defined by the European Commission as the “collection of common rights and obligations which binds the Member States together within the European Union”. It covers various areas, including foreign and security policy, police and judicial cooperation in criminal matters, etc. The obligation to align with EU standards influences the migration policy of Member States and candidate countries. Albania has harmonised its legislation with EU standards in areas including visa policy, border controls, the asylum system, residence permits and deportation.

In April 2005, Albania became the first Balkan country to sign a Community readmission agreement with the EU, i.e. with all Member States, imposing an obligation to accept the return of Albanian nationals in an irregular situation on EU territory, as well as all non-EU nationals suspected of having entered the EU irregularly after staying in or transiting through Albania. The country later concluded additional Memorandums of Understanding with 12 EU Member States on the practical implementation of these deportations.

Since the signing of the Stabilisation and Association Agreement in 2006, Albania has exempted EU citizens from visa requirements. At the same time, it has been urged by the EU to impose visas on the populations of certain countries (Armenia, Azerbaijan, Belarus, China, Guyana, Kazakhstan, Kuwait and Turkey). To date, the European Commission remains dissatisfied with the situation. In its latest annual report on Albania (2022), it underlines that “Albania’s visa policy is still not fully aligned with the EU’s, as regards the list of countries whose nationals require an entry visa”.⁴

5. European Commission website, *Accession of Western Balkan countries*.

6. Sophie-Anne Bisiaux, Lorenz Naegeli, "Chantage dans les Balkans : comment l'UE externalise ses politiques d'asile", Migreurop, November 2021.

In 2010, the EU and Albania signed an agreement on visa liberalisation for Albanian nationals. Under this agreement, Albanian nationals can enter the Schengen area for 90 days without a visa, provided they have a biometric passport. The EU has established a monitoring mechanism for this visa liberalisation process, which grants the Commission the possibility to suspend the right to visa-free travel when it deems it necessary to do so. Its rationale is that "while the overwhelming majority of citizens from visa-free countries in the Western Balkans are bona fide travellers with legitimate grounds to travel to the EU, the Commission regularly monitors the fulfilment of the visa liberalisation requirements and actions taken by countries. It does so to ensure, that the progress achieved is maintained and that potential abuses of the visa-free regime are effectively addressed".⁵ This situation establishes a visa policy linked to a policy of deportation of Albanian nationals whose mobility is not considered "legitimate". Moreover, as is the case for all countries along the Balkan route, the EU encourages Albania to set up systems for collecting biometric data on migrants. The information systems developed with the technical support of European agencies (Europol, Frontex) to collect these data are modelled on EU databases, with a view to their future inter-connection.⁶

In parallel to the "visa in return for deportation" policy, cooperation on border control is emerging as a particularly decisive issue in accession negotiations, with EU Member States seeking to limit the arrival of foreign nationals on their territory. In this respect, in 2019, Albania was the first non-EU country to host a joint Frontex operation at its borders. Although border and transit migration control are priorities for the EU, they do not currently seem to be a priority for the Albanian authorities. According to the stakeholders interviewed during the mission, the country is facing many other economic and social challenges, including the emigration of its population abroad. In this context, given the major impact of visa and deportation issues on the country, Albania has no choice but to show goodwill.

EU-Albania: a long history of cooperation

1992	Signature of a trade cooperation agreement between the European Union and Albania.
June 2000	European Summit in Santa Maria da Feira — First formal dialogue between the EU and the Balkan countries on potential candidates for membership.
Nov. 2000	EU-Balkans Summit in Zagreb: Albania and the EU sign the Stabilisation and Association Process (SAP), strengthening regional cooperation.
April 2005	Signature of the EU-Albania readmission agreement: Albania is the first Balkan country to sign a readmission agreement with the EU, imposing an obligation to accept the return of Albanian nationals in an irregular situation on EU territory, as well as non-EU nationals suspected of having entered the EU illegally after having stayed in or transited through Albania.
June 2006	Signature of the Stabilisation and Association and Agreement (SAA) with the EU. Albania undertakes to cooperate in the areas of visas, asylum and the fight against so-called "irregular" migration.
April 2007	Agreement between the European Community and Albania on the facilitation of the issuance of short-stay visas.
2009	Albania's application to the EU for candidate country status is rejected.
Nov. 2010	Signature of the agreement on visa liberalisation for Albanian nationals.
2014	France collaborates with Albania in the organisation of CROs (Collecting Return Operations) under the supervision of the Frontex agency.
June 2014	The EU Council grants Albania EU candidate status.
2016	First refusal by the EU Council to open accession negotiations with Albania, on the grounds that the country must continue to reform its administrative and judicial system and pursue the fight against organised crime, and intensify its efforts in the area of human rights and policies to combat discrimination against minorities.
2018	Second refusal by the EU Council to open accession negotiations with Albania, citing persistent problems of corruption, organised crime and political instability.
Oct. 2018	Signature of the status agreement between the EU and Albania on border management cooperation in relation to actions carried out by Frontex on Albanian territory.
2019	Third refusal to open accession negotiations with Albania. France, the Netherlands, Denmark and Spain vote against, arguing that guarantees on compliance with European criteria are insufficient, particularly in the area of the fight against corruption and organised crime.
May 2019	Albania becomes the first non-EU country to host a joint Frontex operation on its territory.
July 2022	The EU Council formally opens accession negotiations with Albania.

The situation of people in transit in Albania

On their journey exiles pass through Albania, mainly from Turkey and Greece, before continuing their travels through the northern Balkans.

7. Interview with UNHCR, 20 June 2022.

Border screening: the pre-identification procedure

According to the Office of the United Nations High Commissioner for Refugees (UNHCR) in Albania, 82% of people in transit declare that they come from countries with a “high protection rate” in the Near and Middle East, such as Syria, Iraq, Afghanistan or Palestine.⁷ There are also nationals from the Maghreb countries, mainly Algeria and Morocco and, to a lesser extent, from Bangladesh, Pakistan and India.

On entry at the southern border with Greece, and on exit at the northern border with Montenegro and Kosovo, people in transit arrested by national and European border guards are subjected to a so-called pre-identification procedure in special centres located near the borders. These centres are managed by the Albanian authorities and report to the Minister of the Interior. Several actors are involved, including Frontex and Caritas, in addition to Albanian border guards. Those interviewed are photographed and finger-

printed. Based on a form, they are required to answer a series of questions about their nationality, religion, occupation, journey and place of arrest. The outcome of the procedure can give rise to different scenarios:

If a person shows willingness to apply for asylum and the authorities accept the filing of the application, s/he is transferred to the National Reception Centre for Asylum Seekers in Babrru, Tirana. The Asylum and Migration Directorate of the Ministry of Interior considers that in practice “90% of the people who are brought to the Babrru centre flee within 24 hours”⁸ in order to continue their journey.

If no asylum application is made or registered by the authorities, there are two possibilities:

- An order to leave the territory voluntarily within 7 to 14 days is served on the individual, without detention.
- The person is transferred to the detention centre for foreigners in the town of Karreç. The grounds for a transfer to this centre remain unclear and responses varied among the stakeholders interviewed (Albanian National Preventive Mechanism against Torture and the Albanian Ministry of the Interior). Detention is said to apply to people considered by the authorities to be dangerous, or to those who neither want to apply for asylum nor return to Greece, or to those who have simply been arrested for having crossed the border irregularly.

8. Interview with the Asylum and Migration Directorate of the Ministry of Interior, 29 June 2022.



Poster by the roadside in front of Father Angelo's Catholic church, in Beltojë, Shkodër region. During the June 2022 field mission, we observed the existence of sites of solidarity with exiles, such as this church, which offered a place of rest for people transiting through the northern part of the country.

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The key role of the National Preventive Mechanism against Torture

The National Preventive Mechanism against Torture, Cruel, Inhuman or Degrading Treatment or Punishment (NPM) operates within the Ombudsman's office (*Avokatit të Popullit*), the administrative authority responsible for ensuring respect for rights and freedoms. As part of this body, the task of the NPM is to monitor respect for human rights in all

institutions where individual freedoms are restricted, including police facilities, prisons and detention centres, the army, hospitals, as well as border checkpoints and centres for migrants and victims of human trafficking. For example, the NPM is responsible for monitoring the detention centre for foreign nationals in Karreç, the registration and temporary accommodation centres at the borders and the Frontex deportation flights of Albanian nationals from the EU. It is the only authority with the power to visit any centre at any time.

9. Law No. 10195 published in the Albanian Official Gazette of 10 December 2009, No. 194.

10. European Commission, *Albania 2022 Report*, October 2022.

Those who are not detained in the Karreç centre usually continue their journey to the north of Albania, to the Shkodër region, on the border with Montenegro and Kosovo. Others try to cross the border by sea to the west of the country. At the time of La Cimade's field mission, there were several charitable reception centres offering respite and basic care in Tirana, Beltojë, Durrës and Hot. They were managed by religious actors, who opened up their churches or mosques, or by activists.

Migration control at its borders led Albania to sign a readmission agreement with Montenegro in 2009.⁹ Under this agreement, deportations from Montenegro are possible if the Montenegrin border guards provide proof of the intercepted person's passage through Albanian territory (e.g. a visa or an order to leave Albanian territory). On the ground, the Shkodër border police explained that in cases where there is no proof, negotiations take place between the police on each side of the border to agree which of the two countries will admit the person to its territory. Albania is also seeking to conclude a readmission agreement to facilitate deportation to Greece of migrants intercepted at the country's southern border. The Albanian authorities' proposal for an agreement remains unanswered to date.¹⁰

Transit and detention in Albania

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Focus: Centres for foreign nationals

Registration and temporary accommodation centres are located close to the border with Greece in the south. One is situated in Kapshticë, near the town of Korçë and has a capacity of 110 beds. The second is located in Gerhot, near Gjirokastër and has a capacity of 60 beds. A third centre is located on the border with Montenegro in the north (Peace Village in Shkodër).

Persons arrested in an irregular situation at the border are taken by the police to one of the centres, pending questioning by the border police, whose premises are located nearby.

National Reception Centre for Asylum Seekers in Babrru (outskirts of Tirana) was opened in 2014 with funding from the European Union. Its capacity has increased from 180 to 250 beds. The centre is presented as an “open” accommodation facility with people free to come and go as they wish. In reality,

the Babrru centre is fenced off by a locked gate and guarded by a security guard posted at the entrance. Access to the centre for outsiders also appears to be restricted.

Detention Centre for Foreign Nationals in Karreç (near Durrës) was opened in 2009 with a capacity of 100 beds and 25 rooms. Foreign nationals can be detained in Karreç by order of the Albanian authorities for a maximum of six months, which can be extended to a maximum of twelve months under certain circumstances. Representatives of the Albanian National Preventive Mechanism against Torture and Cruel, Inhuman or Degrading Treatment or Punishment (NPM) highlighted the absence of a doctor, social workers, care workers, and interpreters. The building is dilapidated, and numerous deficiencies were observed.

11. Mary Ward Loreto Foundation, “The Albanian National Reception Centre for Refugees: Babrru near Tirana”, October 2015.

2020: Halting asylum applications at the borders

In recent years, Albania has been working with the EU and the UNHCR to align its national asylum policy with the EU acquis. The new Asylum Law adopted in October 2021, which replaced the previous legislation of 2014, is the result of this collaboration. In terms of infrastructure, a National Reception Centre for Asylum Seekers was opened in 2014 in Babrru, on the outskirts of Tirana, with funding from the EU.¹¹ In 2021, the facility was renovated, and its capacity increased from 189 to 250 beds. However, since 2020, only a few people have been accommodated there. At the time of our visit in June 2022, there were 17 people in the centre. From June 2020, the practices of the Albanian authorities in relation to the registration of asylum applications appear to have changed. That year, the UNHCR observed a drop in the number of asylum

12. Interview with UNHCR, 20 June 2022.

13. Interview with the EU delegation, 21 June 2022.

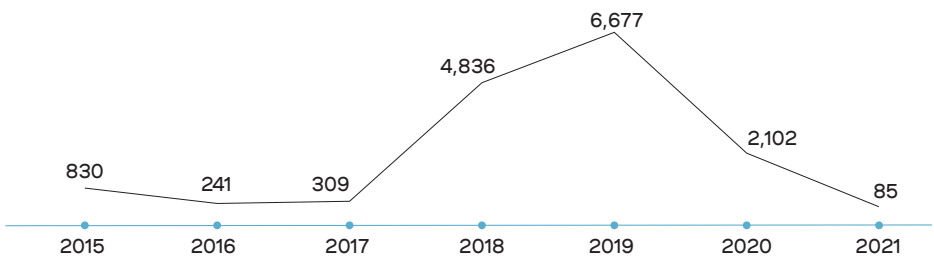
14. Avokati Popullit, *Annual Report on the activity of People's Advocate*, 2021.

applications registered by the Albanian police. While a temporary decrease due to the Covid-19 pandemic might have been expected, 99% of asylum claims in 2020 were registered before the closure of the borders in March, with none reported following their reopening in June until the end of the year.¹² The UNHCR also pointed to procedural irregularities observed during pre-identification interviews at the borders. The agency observed that border guards were no longer questioning people systematically about their needs in terms of international protection and their willingness to apply for asylum. The EU delegation in Tirana echoed these observations: "We are wondering whether the Albanian authorities are really asking people intercepted at the border with Greece whether they want to apply for asylum, as they are supposed to do. We think they have stopped".¹³ The Refugee and Migrant Services in Albania (RMSA) also found errors on forms, where the "yes" and "no" boxes had both been ticked. In the course of the field mission, La Cimade had access to the pre-identification form used at that time: there was no mention of international protection on the document. In its annual report on Albania published in October 2022, the European Commission confirmed that "referrals to asylum procedures are not implemented" and highlighted the need to restore access to asylum procedures.

In its 2021 activity report, the NPM mentioned "the need to improve the quality of the pre-screening interview [...] providing more space to needs (if any) for international protection".¹⁴ Despite efforts to meet EU demands for increased border control, in practice the Albanian authorities do not appear to demonstrate willingness to allow people to seek asylum and settle in Albania. The NPM noted that asylum applications have decreased due, among other things, to "efforts made by the Albanian authorities to [inhibit] this tendency of irregular migrants by using Albania as a transit station towards the Western European countries".

Evolution of asylum applications in Albania (2015-2021)

Source: European Commission's Annual Reports on Albania.



Albanians targeted by the EU's deportation machine

According to Eurostat, Albania is the country to which EU states carry out the highest number of deportations. In France, in 2021, 45% of deportations outside the EU were to Albania, with Albanian nationals subjected to more detentions and deportation than any other nationality. Deportations increasingly take the form of European charter flights implemented under the aegis of the European agency Frontex.

15. Interview with the EU delegation, 21 June 2022.

Frontex charter flights: the preferred tool for deportation to Albania

Among the various services offered by Frontex to Member States, “collecting” operations seem to be preferred for deportations to Western Balkan countries, especially Albania. Their distinctive feature is that they directly involve the authorities of the destination countries who come to one or several Member States, with their own police escorts, to “collect” their nationals for deportation. According to the EU delegation, in the context of EU accession negotiations “the Albanian authorities are very open to collaboration with all EU agencies, including Frontex and any others” and the EU wishes to develop this “model of cooperation [...] in the Balkans, but also beyond”.¹⁵ This practice enables EU states to benefit from Frontex’s operational support to deport several dozen people simultaneously on a special charter flight, to a large extent transferring the implementation of the deportation to the states of origin and transit, according to a logic

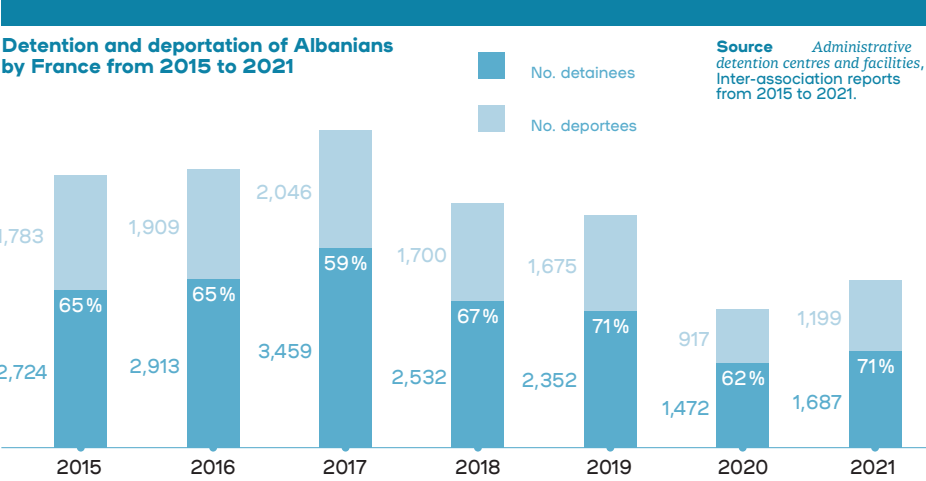
of externalisation of migration controls. These operations are characterised by a high level of security, the disproportionate nature of which is described by several actors as involving “a sometimes impressive and unnecessary number of police officers”.¹⁶

16. Interview with the National Preventive Mechanism (NPM), 30 June 2022.

“Frontex Tuesday charter flights”: routine deportation of Albanian nationals from France

Since 2017, the French authorities, with the support of Frontex, have been organising a weekly “collecting” deportation operation from Lille. This flight, which takes place every Tuesday, is almost systematically conducted in collaboration with Belgium. A large proportion of those targeted are arrested on the Calais coastline as they attempt to reach the UK. In this border territory, Albanian nationals are subject to targeted and systematic controls. Following their arrest, they are held in detention before being deported. In 2021, 40% of Albanian nationals were deported from the Coquelles detention centre for migrants, which for several years has acted as a waiting room for deportations on the “Frontex Tuesday charter flights”. It is a smooth-functioning mechanism that keeps the deportation machine running regardless of the circumstances, even at the height of the pandemic in 2020, when flights were maintained

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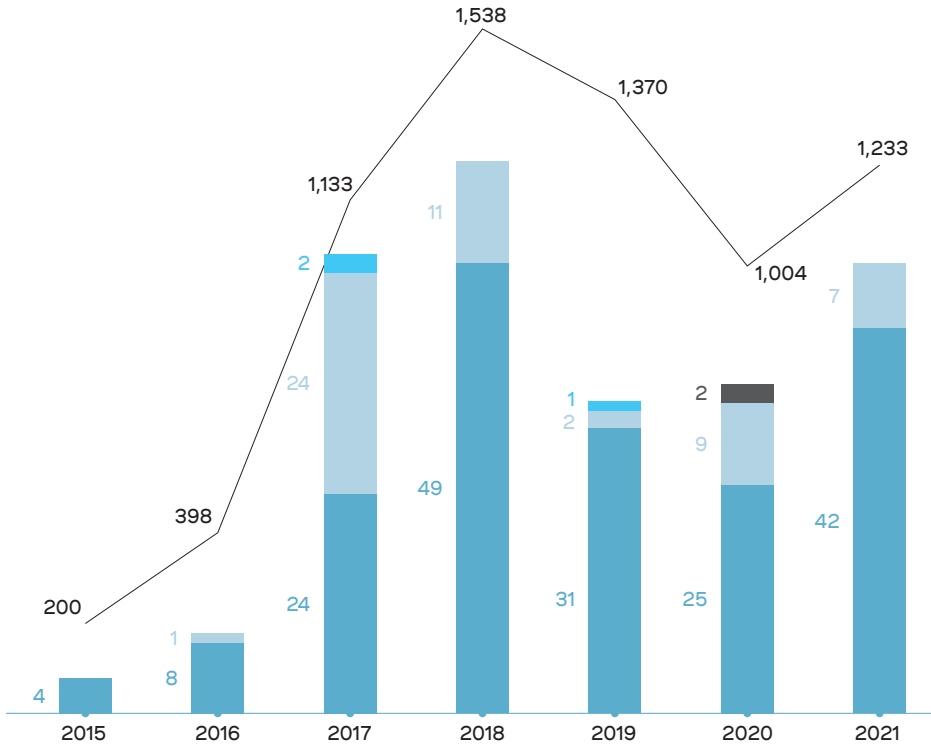


Over a six-year period, the number of deportations of Albanians from France decreased. However, the percentage of those held in administrative detention

centres who were deported increased, despite the pandemic, which considerably slowed down deportations.

Frontex deportation flights organised by France to Albania (2015 - 2021)

Source Figures provided by Frontex following requests for access to documents submitted by La Cimade in August 2019 and May 2022.



CRO (Collecting Return Operation): The authorities of the destination country come to "collect" their nationals in one or more EU Member States



NRO (National Return Operation): Deportation operation from a single Member State



JRO (Joint Return Operation): Joint deportation operation organised from several Member States



VDR (Voluntary Departure and Return): "Voluntary" deportation operation that can be organised by Frontex since the most recent revision of its regulation in 2019

— Total No. deportees

How much does it cost?

Source Figures obtained following a request for access to documents submitted to Frontex in May 2022.

	2019	2020	2021
Total cost to the French authorities	€ 2,100,000	€ 1,700,000	€ 2,400,000
Average cost per flight to the French authorities	€ 62,107	€ 47,444	€ 49,628

This table only shows the costs incurred by the French authorities. Other costs are borne by the Member States participating in these deportation flights organised by France (depending on the operation: Belgium, Luxembourg, the Netherlands,

Finland) as well as by Albania (in the case of collecting return operations — CROs) and by the Frontex agency.

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at the same rate. According to the French inter-association report on migrant detention centres published in June 2021, “the detention of Albanian people seems to illustrate a determination on the part of the authorities to target nationalities that are easily deportable, thereby increasing the number of deportations outside the EU, which was in free fall in 2020”.

Deportees' testimonies

Testimonies from deportees on this weekly Frontex charter flight reveal feelings of injustice and humiliation as well as the trauma of arrest, detention and deportation.

“I am suffering, because I know I wasn't in an irregular situation, I had the right to stay in the Schengen area for a period of three months.”¹⁷

“It was like a prison [...]. The way we were treated in the French centres is inhuman and not everyone can stand it. Those two weeks may be permanently imprinted on my memory.”¹⁸

“The plane was only used for the deportation of Albanian people. There were no travellers. The plane was full. [...]. Each person had a security escort.”¹⁹

“Since that day, as soon as the front door of the house is closed, I feel the anxiety of being locked up.”²⁰

17. Interview with A, 20 June 2022.

18. Interview with A, 22 June 2022.

19. Interview with D, 28 June 2022.

20. *Ibid.*

Frontex "Collecting Return Operation" organised by France on 16 April 2019

Source Frontex monitoring report of the deportation flight of 16 April 2019, obtained following a request for access to documents submitted by La Cimade to Frontex in May 2022.

Total cost of flight

€ 80,413

€ 43,062.72
for France

€ 170.85
for Belgium

€ 35,330.81
for Finland

€ 1,848.96
for Albania



42

deportees
34 men,
5 women, 3 children
aged 4, 7 and 8



37

police escorts
35 men
2 women



1

fundamental
rights monitoring
officer (Albanian
Ombudsperson)



1

Frontex
agent



2

health
professionals
1 doctor
1 psychologist

Banning entry to the EU and exit from Albania?

21. Interview with C, 20 June 2022.

22. Interview with NPM, 30 June 2022.

The deportation order from the European territory is combined with a ban on return, and entry in the European non-admission file (SIS file — Schengen Information System) for a period of one to three years.

“I can’t accept being treated like a criminal [...]. I would have liked to go with my friends somewhere else for the holidays, to Italy, or Greece, but I can’t go to Europe anymore. I have become different; it sets me apart and I suffer from not being treated like the others.”²¹

In addition to being banned from the EU, some people seem to be prevented from leaving Albania, including to go to a non-EU country, such as Macedonia. Two of the deportees interviewed by La Cimade reported that they had been denied the possibility to leave Albania even though they wanted to go to Macedonia. This is a discretionary and illegal practice by the Albanian border police, when they suspect a risk of transit through Macedonia to reach the Schengen area.²²

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In advance of deportations: deterring migration plans

23. IOM, Launching of “Albania/ARISE ALL” project, 29 March 2021.

In addition to the resources allocated to deportation of Albanian nationals, the European Union and its Member States also attempt to discourage the Albanian population from leaving. This is the aim of the “ARISE ALL” project, launched in March 2021, implemented by the International Organisation for Migration (IOM), and financed by the EU’s Asylum, Migration and Integration Fund (AMIF) and Member States (Belgium and the Netherlands). It takes the form of communication and information campaigns to “contribute to influencing the change of behaviour of the groups with high potential to migrate irregularly”.²³ In other words, to deter mobility and maintain people at a distance from European territory.

Conclusion

Owing to its strategic geographical location for EU Member States, Albania is at the centre of a dual European injunction: to hold back or refuse entry to people wishing to reach Western Europe through Albanian territory, and to agree to actively collaborate in the EU's deportation policy (by implementing joint Frontex deportation flights and readmitting Albanian nationals to its territory). Albania's path to far-off EU membership has a price: meeting expectations in terms of migration control, at the expense of the fundamental rights of exiles and sometimes of its own nationals.

Further reading

Avokati Popullit, *Annual Report on the activity of People's Advocate, 2021*.

Balkans Refugee and Migration Council, *Common Western Balkan Migration Policy: Borders and Returns Regional Policy Paper II and III, 2020*.

Migreurop, *Exils sans fin*
— *Chantages anti-migratoires le long de la route des Balkans, 2021*.

Sophie-Anne Bisiaux, Lorenz Naegeli, "Chantage dans les Balkans: comment l'UE externalise ses politiques d'asile", Migreurop, November 2021.

La Cimade is an association working in active solidarity with migrants, refugees and asylum seekers. With its partners in France and abroad, it has been promoting respect for human rights and dignity since 1939.

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L'humanité passe par l'autre