

## Summary Report on the Implementation of Source Country Information (SCI) Albania for Family Reunification Procedures for the Ministry of Foreign Affairs of Italy

### **Executive Summary:**

#### **The Challenge:**

Reliably establishing family structures (especially those core family members/structures remaining in Albania) has been the key determining factors in establishing the applicability of family reunification under Italian law. In other words, establishing the existence in Albania of any siblings or core family members of the inviting migrant in Italy may result in a negative decision for the reunification application.

Under normal circumstances, such data obtainment exercises are:

- **extremely challenging** (as well as costly in both time and finances) and,
- **legally insecure** (due to the unsystematic and undocumented nature of the research) for consular officers to obtain and then safely incorporate in their **decision-making** processes.

#### **The Solution:**

Provide **direct support to the Consular Officers** by establishing a **purpose-specific mechanism** capable of **independently and systematically verifying statements** and supporting documents related to family reunification applications. Thereby markedly **streamlining applications** in the context of family reunification procedures, while simultaneously **improving both the transparency and safety in decision-making**.

In line with the MOU initialled with the Ministry of Interior of Albania specifically for this purpose, and following extensive preparations with the Ministry for Foreign Affairs of Italy and the Consular Offices of the Italian Embassy in Tirana, the Embassy of Italy, IOM and IASCI jointly initiated the SCI Albania project at the beginning of 2007.

From February to May 2007, the Consular Office of Italy in Tirana forwarded, and IOM/IASCI processed, 284 applications of Albanian citizens for family reunification to Italy, answering a total of 1,778 questions. These applications were a representative cross-section of all family reunification applications received by the Consular Office. 1,431 family members and reunification applicants were directly involved in these 284 applications. For 85% of the cases (i.e. 1,974 sets of registry data provided as supporting evidence to the application), it was necessary to double-check the modern registry with the older ones covering the period 1950 to 1974.

The project was wound-up following a change in Italian legislation.

#### **Summary Results:**

- In more than **15%** of the requests (15.49%) the information provided through the **research produced a markedly different result than the information contained in the application and supporting documentation**. The main difference related to

additional core family members residing in Albania, but under separate registry numbers (see below).

- **Two of the requests** exposed applications data that were classified by Albanian authorities to be based on wholly **falsified documentation**; as the supplied surnames and supporting documentation numbers were found to be completely different from their respective entries within the registries, and no related data could be found.
- In most of the cases where family composition differed from the one stated by the applicant, it was shown that the head of the family in fact had **one or two children more than stipulated** in the registry entry copy that was provided in support of the his/her application. Upon research, such 'additional children', who are adults residing in Albania, were found within newly created register entries in line with their independent family structure. Further research showed that 85% of these 'new families' had been created less than three months prior to the submission of the application for family reunification.
- These findings lead to the tentative conclusion that the applicant and their families had in fact established the 'new family structure' for the sole purpose of **circumventing the requirements under Italian immigration law** for the applicants to have their core family in Italy and not in Albania. It is important to note that reregistering ones family (upon marriage for instance) is still entirely legal under Albanian law.
- Overall, the veracity or authenticity of the information or supporting documentation provided by the applicants proved to be **questionable in more than 15% of the representative sample** of family reunification applications.

These results clearly demonstrate the practical relevance and impact of Source Country Information (SCI) research methodologies as an important element in a Consular Officers data verification and decision-making tool-kit. Within the Albanian context SCI can directly support responsible consular officers in making more informed, safer and faster decisions.

### **Conclusions and Recommendations:**

With these results and objectives in mind, IOM and IASCI strongly recommend a phased expansion of SCI Albania for the group of "Schengen" Consular Offices as well as other bilateral missions in Albania.

By focussing on the large number of visa applications processed every year substantive economies of scale and efficiencies can be achieved. Resulting in:

- a) facilitation of freedom of movement for legitimate Albanian travellers/migrants;
- b) elimination of long visa processing times;
- c) risks in decision making for embassies/consular staff;
- d) substantially reduced costs for the processing of each request; and
- e) substantially faster processing times for the verification process as well as the actual use of the provided data.

## 1. Introduction

In autumn 2005, the Consular Office of the Embassy of Italy to Albania, the International Organization for Migration (IOM), Mission to Albania, and the International Agency for Source Country Information (IASCI) jointly carried out a successful *SCI Albania* pilot project. On the basis of promising results (report available upon request) and systematic preparations with the Ministry of Interior of Albania and the Ministry for Foreign Affairs of Italy, the project partners initiated the SCI Albania project in January 2007.

Experience shows that reliably assessing applications for visas in relation to family reunification by verifying supporting documents requires the carrying out of due-diligence checks in the country of origin of the applicants. This requirement exists irrespective of the variance in legal and procedural obligations or administrative preconditions between issuing countries. This prerequisite in turn requires access to reliable data than can only be obtained by extensive fieldwork and case-specific research.

Under normal circumstances, such data obtainment exercises are:

- extremely challenging (as well as costly in both time and finances); and
- legally insecure (due to the unsystematic and undocumented nature of the research) for consular officers to obtain and utilize.

In the case of the Consular Offices of Italy in Albania, and given the large numbers of family reunification applications received, the capacity to consistently and reliably carry out such verification data obtainment in cases of doubt has been extremely limited.

In order to alleviate this operational bottleneck, and acting in close collaboration with the Italian Consular Offices and the Albanian Ministry of Interior, SCI Albania was implemented from February through May 2007. The project provided particular focus on the verification of statements and supporting documents put forward by applicants for family reunification. It was carried out by combining field-based capacities of IOM Albania with the Central Unit processing capacities and methodologies<sup>1</sup> and safeguards of IASCI.

In this manner, the project aimed at streamlining applications in the context of family reunification procedures, while simultaneously improving both the transparency and safety in decision making.

*IOM and IASCI take this opportunity to thank all involved staff members at the Consular Department of the Embassy of Italy in Tirana for their enthusiastic and dedicated co-operation in this project.*

## 2. Pre-conditions and Adjustments

The Ministry of Foreign Affairs of Italy, IOM and IASCI signed a tripartite Memorandum of Understanding on 05 November 2006 on the basis of the results of the pilot project in 2005 in order to clearly define the operational conditions and scope of the project. This memorandum includes articles specifically relating to personal data protection and establishes certain operational targets (i.e. delivery times) and processes (i.e. communication procedures).

On 02 November 2006, the Albanian Ministry of Interior and the IOM Mission to Albania signed a Memorandum of Understanding clearly identifying the scope, cooperation and the role of SCI Albania in partnership with the administrative institutions of Albania and especially with the registrar offices within the different so called mini-municipalities.

In the course of the local elections held in Albania on 26 January 2007, the municipal authorities were heavily engaged in related administrative activities, and normal operations within the family registries basically came to a stop until mid February 2006.

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<sup>1</sup> See Introduction to IASCI and Guidelines of information request procedures.

On 02 March 2007, the Ministry of Interior officially informed all municipal authorities including the registrar offices about the operations of the SCI Albania project. This delay was caused by the above-mentioned municipal elections and additional administrative delays on the side of the Ministry of Interior of Albania.

On the basis of the official introduction of the SCI Albania project to the municipal authorities and the correlating letter introducing the IOM staff members in the field the cooperation with the municipal authorities could be initiated and established.

IASCI established a specialised bank account at the Italian-Albanian Bank branch at the Embassy of Italy for the applicants to pay the processing fee of €82 per application.

IASCI provided extensive training to both IOM field staff and Consular Staff of the Embassy of Italy prior to initiation of implementation. The geographic Area of Responsibility (AoR) was established as that region of Albania served by the Consulate based in the Embassy of Italy in Tirana.

It was initially envisaged to simultaneously implement the project to the Consular Offices of Italy in Shkodra and Vlore after the initial application for the Consular Office in Tirana. Changes in the legislation of Italy introducing fewer requirements for secondary checks of the application stopped the project at the beginning of March 2007.

SCI Albania worked on all applications for family reunifications received by the Consular office at the Embassy of Italy in Tirana and that were forwarded to the IASCI Central Unit between January 15, 2007 and February 2, 2007. Other than the above-mentioned area of responsibility, no further pre-conditions as to topics, number, and location of requests were in force.

The use of a project-specific Standard Family Reunification Background Information Template was introduced in order to simplify the verification of supporting background information. This efficiency measure was introduced when it became apparent that certain information requirements concerning family composition and residence of core family members of the applicants that could be standardised from a data-processing point of view.

The requests and supporting templates were received by fax by the IASCI Central Unit. It was evident that the utilisation of fax as means for communication did not prove useful due to the difficult fax communication lines between Albania and Western Europe. The IASCI Central Unit experiences the same difficulties with all fax communications between Austria and Albania.

In case SCI Albania will continue under the same framework the project partners suggest utilising a specialised scanning device that automatically transforms scanned pages into encrypted email transmission in order to simplify future correspondence with the Central Unit.

In order to expedite the processing of requests for Communes especially in Tirana, Durres and Kavaje it was necessary to provide IOM field staff member with a scanned copy of the (important to note: anonymous) cover page of the family registration certificate in question which only contains the handwritten numbers and pages of the related Registers. This process was necessary in order to more easily identify the Registry Office responsible, and the specific Register in question; while at the same time avoiding the disclosure of any personal data contained within the Registration Certificate itself.

All IOM staff members involved in the project signed a confidentiality agreement as they have access to personal data sets as a result of their research and processing activities.

All IASCI Central Unit staff members have a confidentiality agreement within their labour contracts that is specifically covering the handling of personal data as this represents an IASCI core activity.

IOM staff members were introduced to the civil servants and clerks at the Registries by specific letters of authorisation from:

- the Ministry of Interior of Albania on the basis of the general introduction to the municipal authorities; and
- the Embassy of Italy to Albania.

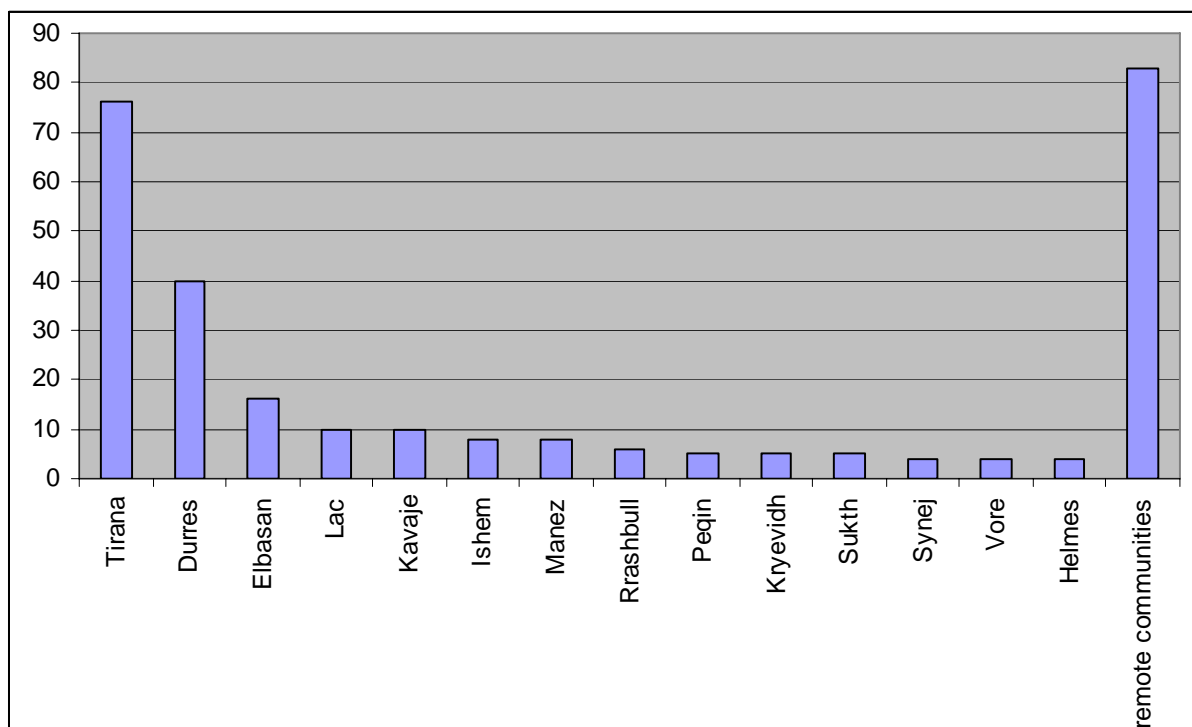
This was necessary to gain reliable and un-interrupted access to the Registries and to have the opportunity to carry out interviews with Registry staff.

### 3. Results and Analysis

#### 3.1 Amount of Requests Processed

284 Request Sets, composed of a total of 1,778 questions, were processed during the term of the project. All received requests have been fully answered. The following chart provides an overview of the places of origin of the received requests and the involved municipalities:

*Figure 1: Request Origin per main Municipalities in Albania*



As with the results of the pilot project in 2005, no geographic (urban/rural) bias of the migrating population was identified.

The average information set contained 5.03 individual persons as part of the family structure in question, including both the applicants themselves and their relatives in Albania within the registered family composition.

Therefore, while 284 Information Sets for family reunification applications were processed a total of 1,431 family members and reunification applicants were directly impacted by the project results.

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*Table 1: Number of Requests Sets per Main Settlement within the AoR in total and by percentage*

<b>Requests per main urban settlement</b>	<b>Number</b>	<b>Percent</b>
Tirana	76	26.8 %
Durres	40	14.1 %
Elbasan	16	5.6 %
Lac	10	3.5 %
Kavaje	10	3.5 %
Ishem	8	2.81 %
Manez	8	2.81 %
Rrashbull	6	2.11 %
Peqin	5	1.76 %
Kryevidh	5	1.76 %
Sukth	5	1.76 %
Synej	4	1.40 %
Vore	4	1.40 %
Helmes	4	1.40 %
remote communities	83	29.22 %
<b>Total</b>	<b>284</b>	<b>100%</b>

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Therefore, while 284 Information Sets for family reunification applications were processed a total of 1,431 family members and reunification applicants were directly impacted by the project results.

During the project period the requests concerned primarily elderly applicants seeking family reunification with their children currently residing in Italy. As such it can be estimated that the number of actual applicants (i.e. reunification beneficiaries) per request was 1.4 persons.

SCI Albania showed it is capable of delivering verification of background information of family reunification applications of any family members including parents, siblings as well as more distant relatives.

### 3.2 Topics

As expected, the focus of the requests (100%) was related to the verification of family compositions.

The reason under-pinning this dominant information requirement is that reliably establishing family structures (especially those core family structures remaining in Albania) has been the key determining factors in establishing the applicability of family reunification under Italian law. In other words, establishing the existence in Albania of any siblings or core family members of the inviting migrant in Italy has resulted in a negative decision for the reunification application.

### 3.3 Results

An important issue supporting accuracy of the results was the double-checking in 85% of the register data of the 1974 sets of registry information with older records of 1950 to 1974. These older records are stored within the Prefecture offices in Albania. These two primary sources, when taken together, resulted in a accurate picture of the actual family structure.

Unlike with the received data in the course of the pilot phase in 2005, the 2007 SCI Albania implementation involved data on the 1950-1974 family composition already in most of the forwarded applications.

In more than 15 percent of the received requests (15.49 %) the information provided through the research produced a markedly different result than the information contained in the application and the supporting documentation. The main number of differing research results provided information about additional core family structures within Albania under separate registry numbers.

Two of the requests exposed applications data that were classified by Albanian authorities to be based on wholly falsified documentation; as the supplied surnames and supporting documentation numbers were found to be completely different from their respective entries within the registries, and no related data could be found.

Contrary to results of the pilot phase (2005) none of the cases received in the SCI Albania implementation under this report provided a multiple number of family surnames and family structures under one and the same entry number within the entries at the different registrars. That might be caused by specific organisational reform within the registry offices that took place between the two project implementations.

A continuing SCI Albania project with maintaining volumes will be in the position to follow up on these requests in a systematic manner.

Operationally, SCI Albania (February through May 2007) proved that the project could be efficient and cost-effective at even relatively low caseloads. Given sufficient time-lines requests can be 'retained and stacked' for joint processing, using a monthly visiting schedule to outlying areas (or even more frequent if required).

All 284 received requests could be answered using the established SCI Albania procedures and operational safeguards. Figure 2 displays the result categories:

*Figure 2: Research Results SCI Albania May 2007*

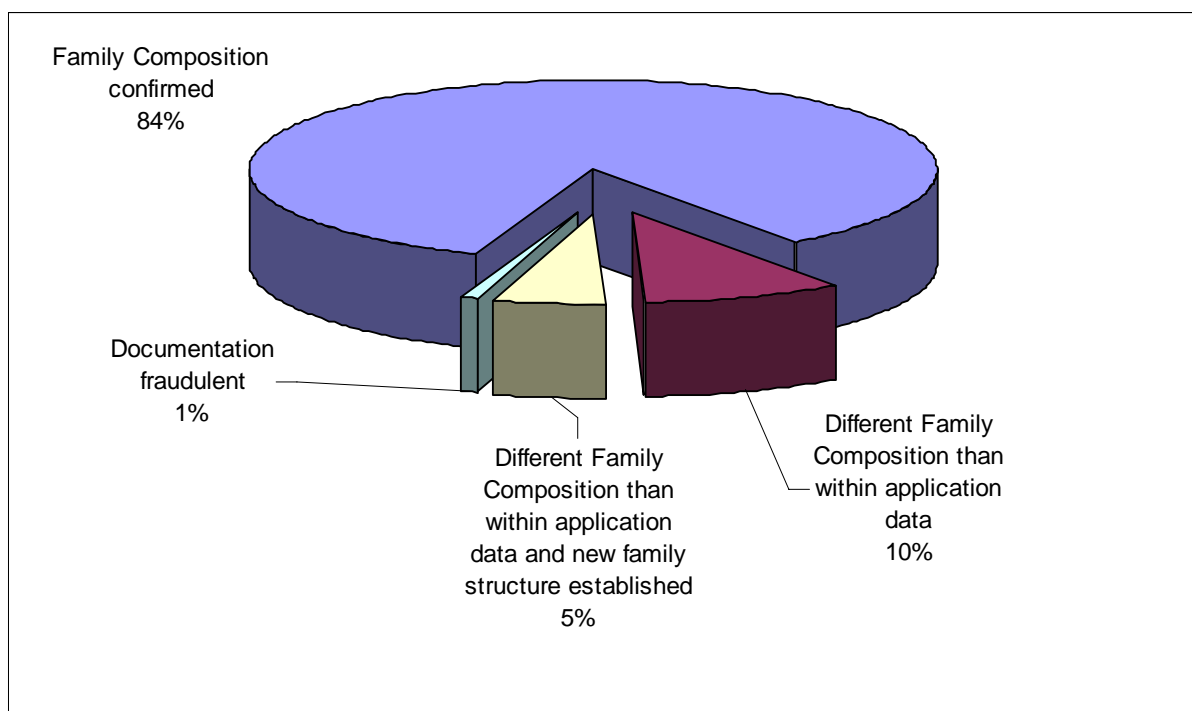


Table 2: Analysis of received requests

Family Composition confirmed	240	84.5%
Different Family Composition than within application data	27	9.5%
Different Family Composition than within application data and new family structure established	15	5.3%
Documentation fraudulent	2	0.7%
<b>TOTAL</b>	284	100%

Verification results that found a different family composition than that listed in the application (supported by an extract of the register entry provided with the application) mainly showed the existence one or two additional children

These 'additional children' who are residing in Albania were in fact listed within newly created register entries displaying their independent family structure. Further research looking at this category of 'newly created family structures' showed that 85% of these reconstituted and re-registered families had been created within three month before the handing in of the application for family reunification.

That leads to the conclusion that the new family structure (and resulting registry entry) had most likely been established for the purpose of circumventing the requirements under Italian immigration law for the applicants to have their core family in Italy and not in Albania.

Overall, the veracity or authenticity of the information or supporting documentation provided by the applicants proved to be questionable in 15.49 % of all the cases researched.

### 3.4 Primary Sources

The supporting documentation forwarded by the Consular Staff in initiating the information request cycle were:

- Certificates of entries into registers of the format 1974;
- Certificates of entries into registers of the format 1950-1974 and prior;
- Personal Identification Documents.

As a corollary, the main primary sources included the

- Registries of the 1974 format, as maintained in the Municipal and Communes Registry Offices - that report to the Ministry of Interior, as well as
- Previous registries - mainly of the format of 1950-1974 - which are stored within the offices of the Prefecture for the Communes of that Prefecture.

In the overwhelming number of requests the primary sources consulted were different civil servants working at the above-mentioned two governmental institutions. In the vast majority of cases the consulted civil servants proved to be extremely cooperative.

As noted above, operational delays occurred only within some mini municipalities in Tirana; where the heavy workload for the staff at the Registry Offices represented a burden for the carrying out of day-to-day interviews and joint checks within the registry entries.

### 3.5 Related Issues

Experience in Albania and previous applications shows that in order to achieve smooth and timely processing the maintenance of long-term and cordial working relations between staff members of project staff in the field and their civil servant counterparts at the Registries will need to be constantly reinforced.

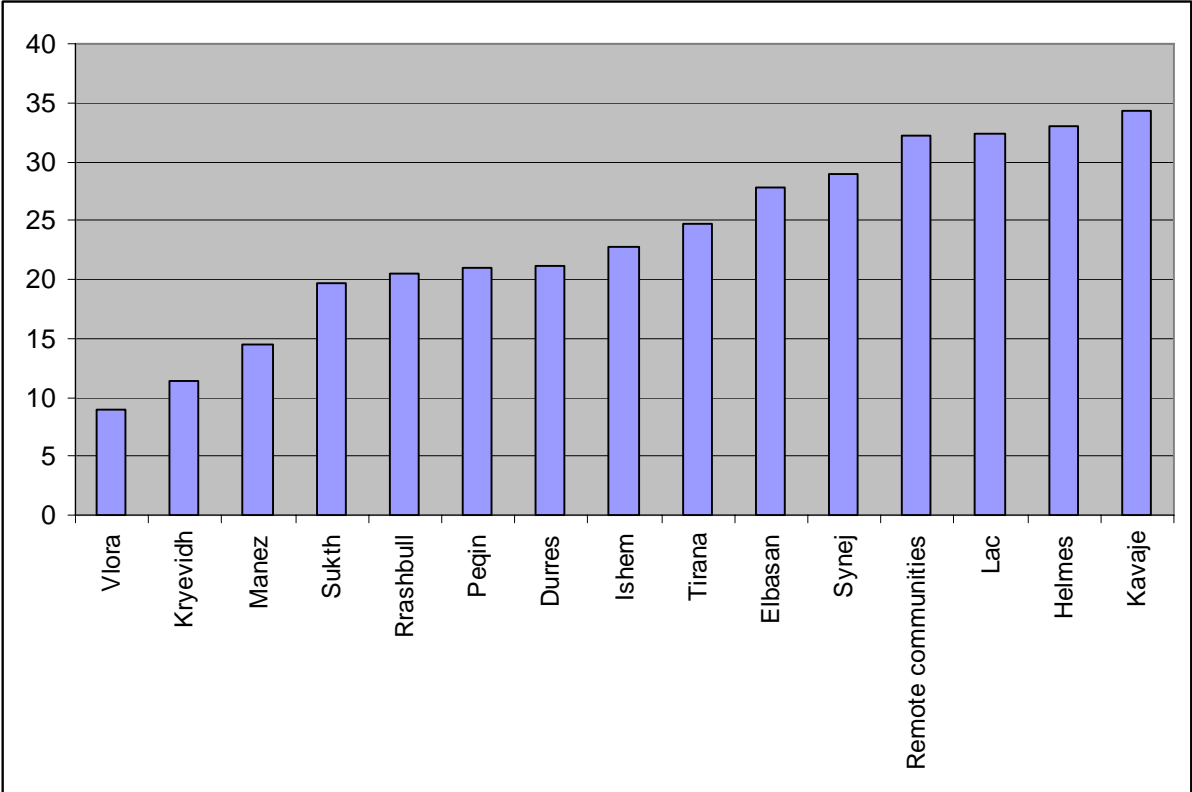
While the results achieved by SCI Albania were convincing and conclusive, an exclusive reliance on one or two primary sources is counter to the ‘unpredictable and intermittent nature’ of SCI methodology. Should research be carried out over a longer time frame and include a larger volume of applicants, a variety of reliable primary sources will need to be identified and consulted over the term of the project.

Such a “pluralistic approach” will provide the Consular Officer with even stronger corroboration and verification of the required data. Experience has shown that introducing this form of flexibility will require further training of both Consular Staff (i.e. to ask and prepare a broader range of questions) and the field staff (i.e. to identify and utilise reliable primary sources).

**3.6 Processing Times**

In line with the Terms of Service and in accordance with the SCI Albania Standard Operating Procedures 94% of the processed requests were completed within 26.41 working days (note: this period begins after the clearance of the questions by the requesting party and in the case of SCI Albania under this report after the official introduction of the project to the municipal authorities on March 4, 2007). Eight requests could be finalised within a five working days turnaround time.

*Figure 3: Average working days per municipality of origin of request*



In line with the 2005 pilot project, the municipality with the longest turnaround time for request processing was Kavaje which is directly related to difficulties in cooperation with administrative staff within this municipality.

A short-track procedure for earmarked urgent requests was introduced as a special service by SCI Albania. Two requests were processed under this facility resulting in a processing time of 6 and 8 working days respectively.

Municipal officials at some of the offices, notably Tirana municipality, expressed difficulties cooperating with the project staff in the beginning of implementation due to the heavy caseload they have to deal with on a daily basis and the unusual procedures that SCI Albania introduced to them. Persistent intervention on the side of IOM staff in Albania, relying on the introduction letter issued by the Ministry of Interior could address this problem. Nonetheless, this constraint resulted in processing times of close to 60 working days for some of the requests in Tirana. Another reason for delayed requests in Tirana has been the need for some of the cases to go through two verifications: 1) the initial verification in another city of origin of the persons concerned and the 2) the second verification in Tirana (i.e after moving from Polican to Tirana or from Lushnja to Tirana etc). So the verification in Tirana Municipality was pending until the initial verification was done.

Those cases with delayed processing times mainly related to some Registries in specific mini- municipalities in Tirana and Elbasan. Issues which can be addressed, should SCI Albania be re-launched.

#### **4. Conclusions**

The structure and standard methodologies for the obtainment of Source Country Information (SCI) was initially developed for the expedition and improvement of asylum and return/repatriation procedures. SCI Albania within its implementation for the Italian Ministry for Foreign Affairs has again demonstrated that there is substantial potential for applying case-specific research to address information needs of consular staff on the ground.

This form of data verification and informational support is specifically valuable in those cases where the Consular Officer has doubts about the material provided in support of an application.

IOM and IASCI invested substantial capacities to launch the project and establish very complex and still extremely flexible operational structures and the necessary legal preconditions especially with the government of Albania to implement the project.

SCI Albania showed that in 15.49% of cases forwarded for verification (which represent an accurate cross-section of all applications received by the Italian Consular Office) the statements and supporting documents proved to be different from what the application contained.

Two cases within the total caseload were based on fraudulent supporting documents.

From these results, the implementing partners IASCI and IOM can draw three tentative conclusions:

1. The differences between the application put forward and the verification carried out may, but only in a very few cases, be caused by mistakes within the registries themselves.
2. A significant number of applicants chose to voluntarily 'reconstitute and re-register' their family structure, and often within 3 months of the application for family reunification being submitted. Thereby 'removing' any trace of the children from the registry copy provided to the Italian Consulate in support of the application. NOTE: This process, while it can raise suspicions, is completely legal under current Albanian legislation.
3. A small percentage of applications seem to be based on entirely fraudulent documentation.

A constant verification system such as SCI Albania would undoubtedly trigger a certain deterrent effect within the community of applicants using misleading, fraudulent or inappropriate documentation; more so when independent verification can be carried out using a number of primary information sources. This element of unpredictability inherent in the SCI process makes it expensive, difficult and in the end pointless for applicants to try and take advantage of the system.

Within the Albanian context, standardised methodologies applied during this project were able to verify the validity of the facts stated in the application, thereby going beyond any forensic investigation of the provided documentation.

This was achieved through independent crosschecking/verification of personal circumstances by means of various sources in the area of origin. By means of this direct support the decision-maker was in a position to efficiently obtain the type of critical information normally associated with time-consuming, costly and in the end unsatisfactory (ad hoc and badly documented) research.

In conclusion, and assuming that data protection issues remain adequately addressed, a tailored-made Source Country Information Project, with the information request processing facility forming the core of a series of SCI-related services, showed its efficacy in supporting Consular standards and performances, and it did so in a timely and cost-effective way.

Although the focus of this project was the verification of family reunifications, the conclusions can be considered equally applicable to the verification of any other type of visa application or pre-screening activity, be they for business, tourist, study, labour migration, seasonal work or immigration, since the nature of the verification exercise is essentially very similar.

With these results and objectives in mind, IOM and IASCI strongly recommend a phased expansion of SCI Albania for the group of "Schengen" Consular Offices as well as other bilateral missions in Albania.

By focussing on the large number of visa applications processed every year substantive economies of scale and efficiencies can be achieved. Resulting in:

- a) facilitation of freedom of movement for legitimate Albanian travellers/migrants;
- b) elimination of long visa processing times and related risks for embassies/consular staff;
- c) substantially reduced costs for the processing of each request;
- d) substantially faster processing times for the research as well as use of the provided data.

The IOM Mission in Albania and IASCI stand ready to further develop this proposal with interested Consular Missions in Albania.

***IOM and IASCI, Vienna - June, 2007***