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Block 2 Illegal migration, including readmission

Border management

→ **measures taken to strengthen inter-agency cooperation between authorities working at the border including information exchange**

In order to implement the Regulation approved by the Joint order of the Minister of Interior No. 8575, on 04/11/2009, MF No. 10958/6, on 10/11/2009, Minister of Agriculture, Food and Customer Protection No. 3851, on 10/11/2009, and Minister of Finance “For the approval of the Regulation for the Cooperation between State Police, Custom, Veterinary Service and Phytosanitary Service” For the implementation of the principle “one stop one check” between customs and border police, the following steps are taken:

Based on the standards that should be completed in the BCPs defined by Decision of the Council of Ministers No. 1018, on 30/09/2008 “For defining the standards and criteria of control in BCPs in the Republic of Albania”, in cooperation with the other agencies that operate at the border, the analysis of fulfilling these standards has been done in all BCPs. The analysis concluded that in 24 BCPs most of the required standards and criteria have been met. For the outstanding needs, the joint work group is doing the necessary calculations in order to fulfil all the standards.

In the 5 main Border Crossing Points new joint booths (job posts) have been installed in; BCP of Kakavija, Kapshtica, Qafë Thanë, Morinë and Han i Hotit, which make possible the joint service of the border police employer and that of the customs service which is always done according to the above mentioned recommendations.

Also, in the 10 Border Crossing Points that are under construction/rehabilitation (Rips, Sopik, Goricë, Tushemisht, Bllatë, Qafë Morinë, Qafë Prush, Shishtavec, Orgjost and Bashkim) construction of joint control booths planned to be used by the border police and the customs service, which will make possible the one-stop one- control.

- **Setting up the Inter-institutional Maritime Operation Centre (IMOC) with a level of demonstrated resources. Please specify its administrative structure and functioning.**

Pursuant to the Decision of Council of Ministers No. 954, on. 30/09/2009, which demands full operational coordination of all national authorities involved in the blue border surveillance, according to the definitions of the structure and function of the IMOC, staffing has been completed as per the following functions:

From the Border and Migration Department:

Institutional Coordinator, Head of Office	1 (Leader)
Institutional Coordinators, Specialist	2 (Chief Commissars)
Civilian shift officers	5 (Commissars)

From Coast Guard:

Shift officer	5
Operators	15
Engineer	3
Coordinators (not yet appointed)	3

From customs

Coordinator	1
Assistant coordinator	1
Civilian officer	4

From the Ministry of Environment and Fishery

Coordinator	1
Service officer	1
Officer (not yet appointed)	4

Ministry of Transport, Telecommunication and Public Affairs

Coordinator	1
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Ministry of Tourism

Coordinator	1
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- the job descriptions are prepared for each working post.
- Work is in progress for building an integrated operation room, which will include all the working posts of all the above mentioned actors, and there will be installed the system for the surveillance of the sea space, the IT and communications systems with radio and telephone, as well as the necessary logistical base.

Two trainings have been delivered during the reporting period to the IMOC staff. One training was conducted by Guardia di Finanza experts between 07-12.12.2009, where border police staff took place. The other training was delivered, between 14-18. 12. 2009, by the experts of the Coast Guards where all the IMOC staff was trained.

→ *Modernisation of BCPs;*

In order to increase the work efficiency in BCPs for the border control it is invested in the modernisation of the BCPs as follows:

For the control and reading of biometric passports, 63 new devices PRMc233R Full page e-passport reader, normal+IR+UV+RFID, have purchased and installed in the BCPs in Rinas, Muriqan, Qafë -Prush, Qafë – Morinë, Qafë – Thanë, Kapshticë and in the BCPs in Durrës (Port), and another 56 readers are made available thus fulfilling the needs for all the working posts in the 24 BCPs in normal working conditions and also securing a reserve for the period of high influx of people in the BCPs.

The devices for automatic reading of the number-plate of vehicles and their connection with the data-base of stolen vehicles are installed in 3 BCPs and the work is continuing in 1 other BCP for their installation.

The system of monitoring with cameras is installed in 7 BCPs and work is in progress in two other BCPs, the images are transmitted directly to the Central Room of Coordination at the General Directorate of State Police, where a Section of the Border Police is set up, and also fully staffed, in December 2009.

4 drugs control devices, “Videoscope Ø 4.0 x 2.000 mm - 0° with two reading directions (distinguishing), connected together with a LCD video screen, of about 172mm (6.8 inch)” have been purchased for the amount of 110 thousand Euros. These equipments are distributed in the BCPs in Kapshtica, Kakavija, Port of Vlorë and Port of Durrës, which will increase the efficiency of Police in the detection of narcotic substances.

Work is in progress for the installation of the AFIS police program (SAGEM), palm and fingerprint identification for the verification of the suspected persons.

With the funding of the European Union, work is ongoing to build ten new BCPs (Rips, Sopik, Goricë, Tushemisht, Billatë, Qafë Morinë, Qafë Prush, Shishtavec, Orgjost and Bashkim). Their construction is close to completion, expected within February 2010.

Financed by the EU, work is continuing for the reconstruction of twenty facilities for the border surveillance, a process which is close to completion, expected within February 2010.

Work is in progress the building of the maintenance garage for the speed boats as well as of the facilities for the training of blue border police which are financed by the government budget.

→ **Measures taken for the strengthening of human resources.**

In order to strengthen the human resources and trainings to support the Integrated Border Management, and based on the study for the reallocation of human resources, 142 functions are reallocated to the Border and Migration Police Department and on the basis of the risk analysis they have been deployed to local units of Border Police, aiming at:

- reducing the time for the processing of people and vehicles in the BCPs, thus eliminating the lines of waiting for the completion of procedures;
- minimising the time for the interviews of the citizens caught in the act for illegal border crossing, or returned by the police of the neighbouring countries;
- increase the presence of border police during the border control and surveillance especially on the green border with Greece.

The implementation of the anti corruption program of the Border and Migration Police. In this framework it is being worked with the experts of PAMECA III for the preparation of an Action Plan as a component part of the IBM Strategy.

Asylum

Pursuant to the Law on Asylum as amended in January 2009, two sub-legal acts have been adopted: (i) Order by the Minister of Interior on receiving information on the country of origin for the persons seeking asylum, adopted on 9.12.2009; and (ii) the Decision of the Council of Ministers “ Drafting the List of Third Safe Countries and its Update”, adopted on 23.12.2009.

Likewise, the Sub-Legal acts of the Law No. 9098, dated 03.07.2003 “On the integration and family unification of the persons who have been granted asylum in the Republic of Albania” has been adopted, as well as the Decision of the Council of Ministers, date 04.11.2009 “On the Health Insurance for the Refugees”, Order by the Minister of Education “On the education of the Refugee and Asylum Seeking Children”, Nr. 1102, date 26.10.2009. With the adoption of these acts, Albania achieves the integration of refugees, their health insurance, education, tasks which till now were covered by UNHCR.

The new appeal procedure for the decision on Asylum taken by the Directorate of Nationality and Refugees has been shortened; these have helped to remove protracted administrative procedures. Thanks to the new Law on Asylum, as amended with the Law No. 10060, dated 26.01.2009, a negative decision on asylum is directly appealed to the First Instance Court and afterwards to the Court of Appeal. Referring the cases directly to the Court enables the efforts on establishing capacities to be focused on the judiciary system.

Under the Code of Administrative Procedures, the deadlines for appealing the decision by the Directorate for Nationality and Refugees in the court is 30 days; meanwhile, the decisions of the Directorate for Nationality and Refugees are taken with simple majority – 3 vs 2. This Directorate is composed of 5 persons – The Chairman, who is Director of the Directorate and National Commissioner for Refugees and 4 members.

Migration Management

→ **Measures taken for the further extension of the use of the TIMS system for the migration data, especially to ensure that all relevant ministries have access to this system.**

In order to guarantee the information management regarding the entry, stay, employment, transit and exit of the foreigners from the Republic of Albania, efforts are put in place for the creation of the National Register for the Foreigners, as well as for the preparation of the Joint Guidelines among the responsible Ministries for the use of this Register. Actually with the support of ICITAP, the creation of modules E-visas, E- Stay-permits is now completed. Work is ongoing for the preparation of the module of E-Work Permits. These modules are installed in the TIMS system and are at the testing phase from the structures of the Ministry of Interior and the consular services of the Ministry of Foreign Affairs in and outside the country, which are also given access to this system. Actually work is in progress for recording manually all the existing stay permits in the Module e-stay permit, a process which will end within January 2010. The drafting of the Draft Joint Guideline of the Minister of Interior, Minister of Foreign Affairs, Minister of Labour, Social Affairs and Equal Opportunities “On building and functioning of the National Electronic Register for the Foreigners” is also completed. This Draft Guideline is distributed to interested stakeholders to collect feedback and is expected to be signed within February 2010.

→ **The measures taken to develop a specific methodology and the rules of detection of illegal emigrants within the country.**

Pursuant to the Order of the General Director of State Police no. 1111 on 29/09/2009 “On the coordination and cooperation within the Border and Migration Police Structures, the cooperation of these structures with the other structures of State Police as well as with the structures and stakeholders outside State Police in the context of detection of illegal migration in the territory of the Republic of Albania”, the structures specified in this Order , in line with the methodology of cooperation, have drafted joint plans of measures and have carried out tasks in order to detect illegal migration in the territory. The central structure of Border and Migration Police follows-up continuously the implementation of obligations that derive from this order. As a result of the implementation of a new work methodology 16 foreign citizens (residing illegally) have been detected during this period in the country and have been deported upon deportation order.

In the framework of the strengthening of entry controls in the country, 32 requests for visa issuing coming from Ministry of Foreign Affairs have been refused during the reporting period, and 108 foreign citizens have been refused entry at the borders, 42 fines have been enforced for

the amount of 26 million Lek, approximately 200 thousand Euro, for violation of entry and stay provisions as foreseen by the Law on Foreigners.

Results achieved in the borders during 2008-2009

Years	2008	2009	Differences against 2008
Albanian citizens Returned	73 896	68 802	- 5054
Citizens detained for illegal border crossing	16464	18229	+ 1765
Citizens of third countries Returned	1	0	-1

→ **Progress of building the Reception Centre for the illegal emigrants**

Regarding the Reception Centre for the Foreigners with Illegal Stay, the Centre is being constructed with the funding of the European Commission Delegation. The Albanian side has completed the procedures for providing additional financial support for the completion of some works unplanned for in the project for an amount of about 200.000 Euro. Equipping the Centre with the logistical materials will follow the completion of the construction of the building. These materials are now stored and ready to be delivered once construction works are over. The Albanian side has realised all obligations related to the installation of power and the water supply network. The regulation “On the establishment and functioning of the Close Reception Centre for the Foreigners with Illegal Stay” was approved by the Council of Ministers with CM Decision No. 1083, on 28/10/2009 “. The staff planned to work in this Centre is already appointed and consists of 18 police staff and 6 civilian staff, and their training began as of January 2010. Work is ongoing for the drafting of the standard working procedures in this Centre and for the description of functional duties, a process that is planned to end within January 2010.

An **Action Plan for the implementation of the Law on Foreigners** of December 2008 was adopted in October 2009

In the framework of the Action Plan for the implementation of the Law for Foreigners, the Ministry of Labor, Social Affairs and Equal Opportunities (MOLSAEO) in regard to the foreigners Integration Policies is currently working for the realization of the National Program for Social Integration of Foreigners in the Republic of Albania. In this working group participate representatives of institutions and organizations involved in the process of social integration of foreigners.

The Ministry of Labor and Social Affairs and Equal Opportunities has developed several programs that are similar to programs for integration of the foreigners of some European Union member states. These programs will serve as “best practice“ on drafting the National Program for Social Integration of Foreigners

A study on reintegration is being prepared, in view of developing more systematic measures in the course of 2010. Work is ongoing regarding the drafting of this study. MOLSAEO has prepared “best practices” on returnees reintegration initiatives from governments of origin countries. All the institutions have assigned their representatives in the working group. MOLSAEO has coordinated the meetings between the institutions.

In the framework of the Action Plan for the implementation of the Law “For Foreigners” number 9959 dated 17.07.2008 the Ministry of Labor, Social Affairs and Equal Opportunities (MOLSAEO) has prepared thirteen types of leaflets, one for each type of work permits for foreigners, in the Albanian language and English language.

Block 3 Public order and security

General/Overall policy on preventing and fighting organised crime and terrorism

→ **implementation of the inter-sector strategy against organised crime, trafficking and terrorism**

Law No. 10192, date 03.12.2009 “On prevention and fight against organized crime and trafficking through precautionary measures against property”, was adopted by the Parliament on 3 December 2009, and entered into force on 24 January 2010. It provides for enhanced inter-agency cooperation, as well as cooperation with the judiciary and prosecution in the fight against organized crime. The amending of this law to provide for a legal framework that enables effective seizure and confiscation of illegal proceeds of crime, such as:

- Legal solution to the unifying decision of the High Court No. 1/2007;
- Strengthening of Law no. 9284/2004 by adding new crimes and
- Creation of an effective system to identify illegal assets.

Following the entry into force of the new law against organised crime, respective changes have been reflected in the inter-sector strategy against organised crime, trafficking and terrorism. In this context, on 27 January 2010, the Council of Ministers approved the decision “On some changes of the inter-sectorial strategy of fight against organized crime, traffics and terrorism”. This decision will serve the prevention and fight against organized crime and trafficking.

For monitoring of this Strategy will be established the Inter-institutional Committee for Measures against Organized Crime, Traffics and Terrorism. The Committee will be headed by the Prime Minister, with the participation of the minister of Interior, Foreign Minister, minister of Defense, minister of Finance, minister of Justice, Head of State Informative Service and General Prosecutor. The Inter-institutional Committee for Measures against Organized Crime, Traffics and Terrorism shall convene every three months. A technical secretariat will assist the working and monitoring of the Strategy and Action Plan against Organized Crime, Traffics and Terrorism by the Inter-institutional Committee.

Also, with regard to effective fight against organised crime and trafficking of drugs, the Government is determined to the renewal of the Moratorium for speed boats.

Operational cooperation among law enforcement agencies continues to be strengthened. Agreements have been already signed among the Police, General Prosecution and the State Information Service on providing access to TIMS. Making joint analyses, both in view of the general guiding of the activity and, more frequently, on those specific issues of shared analysis among the Prosecution and SIS or other bodies involved in these issues, continues as well.

The Structures against Illegal Trafficking at the State Police have achieved the following results:

Tab. fight against illegal trafficking (15 November 2009-22 January 2010)

Criminal Offences	Evidenced	Authors	Arrested	Free	Wanted	Detained
Assistance to illegal crossing of borders	5	11	7	1	2	1
Use of facilities for prostitution	1	1	1			
Exploitation of prostitution, aggravating circumstances	7	8	1		4	3
Exploitation of prostitution	1	1		1		
Trafficking of vehicles	29	29		28	1	
Trafficking of arms and ammunition	1	1	1			
Exercise of prostitution	5	6	3	3		
Total	49	57	13	33	7	4

As the above table shows, these structures have identified 57 suspected persons, out of whom 13 were arrested, 33 are subject to criminal proceedings while free; 7 declared as wanted and 4 are detained.

Operations using special investigation techniques

During the reporting period, there were 4 police operations conducted using the special investigation techniques to strike the phenomena of illegal trafficking, namely:

- 2 operations against “Prostitution, exploitation of prostitution in aggravating circumstances and use of facilities for prostitution” (Articles 113, 114/a, and 115 of the Criminal Code).
- 1 operation against “Assistance for illegal crossing of the state borders”(Article 298 of the Criminal Code).
- 1 operation against “Trafficking of arms and army ammunition”(Article 278/a of the Criminal Code).

Tab. Operations conducted for 15 November-22 January 2010

No.	Year	Operation	Authors	Arrested	Detained	Free	Wanted	Month	Criminal Offence
1	2010	For prostitution, exploitation, use of facilities for prostitution.	3	3				January	113, 114/a & 115
2	2010	For prostitution, exploitation, use of facilities for prostitution.	6	5			1	January	298

3	2010	Assistance for illegal crossing of the state borders	3		1	2		January	113, 114/a & 115
4	2010	Trafficking of arms and ammunition	1	1				January	278/a
		Total	13	9	1	2	1		

As the above table shows, the 4 police operations conducted to strike the criminal phenomena of illegal trafficking resulted in the identification of 13 authors, out of whom 9 authors were arrested in the act, 2 are investigated while free, 1 is detained and 1 declared wanted.

Criminal groups hit for the period: During the reporting period 2 criminal groups involved in illegal trafficking were hit, resulting in the identification of 9 authors and all 9 authors were arrested in the act. The criminal groups hit were engaged in:

- 1 criminal group involved in “Prostitution, exploitation of prostitution in aggravating circumstances and use of facilities for prostitution” (Articles 113, 114/a and 115 of the Criminal Code)
- 1 criminal group involved in “Assistance for illegal crossing of the state borders”. (Article 298 of the Criminal Code).

Fight against Cyber-crime

The Sector against Cyber-crime has referred to and filed to the Prosecution Office 8 cases of cyber-crime offences, namely:

- 5 criminal proceedings for the criminal offence of “Computer Fraud”, foreseen by Article 143/b related to theft of huge sums of money by using cloned plastic cards;
- 1 criminal proceeding for the same criminal offence relating to gain by fraud of huge sums of money by using false computer data;
- 1 criminal proceeding for the criminal offence “Intervention in computer systems” foreseen by Article 293/c relating to assault to the internet website of an Albanian public institution;
- 1 case for the criminal offence of computer fraud finalised as an operation on 13.01.2010, with the result of arrest in the act of two Italian citizens withdrawing cash from ATM machines of a Second-Tier Bank in Albania by using cloned cards. After the arrest, both authors were found to possess 10 cloned cards, computer parts serving to clone the cards and 23,000 Euros benefited from such an activity.

→ Policy on preventing and fighting trafficking in human beings

The implementation of the National Strategy for the Fight against Human Trafficking 2008-2010 and the fight against trafficking of children and their plan of action (including

the trainings for the respective structures and the planning of financial and human resources).

The implementation of the National Strategy for the fight against Human Beings 2008-2009 and its additional documents, the National Strategy for the fight against Children Trafficking 2008-2010 has been proceeding based on the timetable and its action plan as scheduled. Anti-trafficking action continues to focus in three main directions: prosecution of the traffickers, protection and assistance to the victims and prevention and coordination.

Prosecution and criminal justice

During 2009, the law enforcement unit has continued to work for the successful investigation of criminal acts of trafficking and acts related to it as well as the prosecution of the persons who commit these crimes. There has been a good cooperation between the prosecutor Office and the police in the fight against human trafficking and the phenomena related to it also part of this cooperation was the Exchange of statistical data. Some of the measures taken in this direction are:

- The increase (double) of the staff of the anti-trafficking unit in the State Police in the central as well as local level.
- The training of law enforcement unit - 270 police staff and approximately 200 judges, prosecutors and officers of the judicial police – for the right functioning of the National Referral Mechanism (NRM), improvement of the identification process of the victims of trafficking, interrogation techniques, the analysis of the criminal information, organization of special operations, as well as other subjects related to the protection of the victim and especially children.
- Organization of police operations for the attack of criminal groups- 3 operations against women trafficking and 8 operations against use for prostitution, exercise of prostitution and as well as the possession of bars for prostitution., where 29 persons were arrested.
- Organization of operations against begging in the Region of Tirana. From December 2009 the police are implementing an Operational Plan against begging and the exploitation of children.
- Improvement of the legal framework in this field. In the last three months of 2009 it has been approved as follows:
 - o the new law for witness protection and justice cooperators, which among other things, widens the laws field of action and strengthens the Directorate for the Protection of Witnesses in order to autonomous measures for the witnesses and justice cooperators:
 - o The law for the jurisdictional relations with foreign authorities in criminal matters, which helps to improve the cooperation with other countries especially in the execution of rogatory letters, and
 - o The new law for the prevention and fight of organized crime and the trafficking through preventive measures against fortune, which among other things foresees the creation of a Special Fund for the Prevention of Criminality, which serves also to increase the services for the victims and their compensation.

- The increase of the number of the Albanian contact officers in partner countries. Actually Albania has contact officers in Great Britain (London); Italy (Rome, Bari); Greece (Athens, Selanic); Kosovo (Prishtina); Turkey (Istanbul); Belgium (Brussels), Rumania (Bucurest-SECI center); the Netherlands (Hague-EUROPOL). Also two new contact officers, one in USA and another in France INTERPOL.

In direction of the protection and help for the victims/possible victims of trafficking

In Albania, the protection and help for the victims of trafficking is not conditional from the cooperation with the law enforcement units. The protection and help in unconditional manner is offered to all individuals identified as victims of trafficking according to the directions of the National Referral Mechanism for the victims of trafficking.

Within the year 2009, in accordance with the new law for social help and assistance, victims of trafficking, beside the services offered during their accommodation in the reintegrating and hosting shelters, they will benefit financial help even after the time they leave the institutions and social assistance (host shelters) until their employment.

It has been drafted the Instruction for the implementation of the standards for social assistance services for the trafficked persons or in danger of trafficking in order to help the institutions that offer the social service (residential public or private centers that offer services for the victims of trafficking). Therefore, the services and professional activities offered by the host and reintegrating centers for the victims of human trafficking have reached the necessary standards. Also, there has been an increase in the financial fund for the Nation Reception Center for the victims of human trafficking for the year 2010 by 24% compared to the year 2009 (approximately 35 700 \$ or 25 000 Euros). The funds from the state budget planed for social service are allocated to the municipalities, organization, and civil societies, including here the reception centers that profit from this fund to support the victims of trafficking. With regard to finance with funds from the state budget of 4 reception centers that are financed by the donators, the Albanian government is fully engaged to support these centers financially, initially partial and later full based on a detailed common plan, starting form 2010. For the time to be, we are waiting for the center's projects-proposals for the support planed to be offered.

During the year 2009, 82 victims were reintegrated and 38 victims were trained professionally from the Regional Employment Offices. Professional trainings in Albania are offered for free for different categories of victims of trafficking.

There have been build Child Protection Units in the municipality level for the protection of exploit, in difficulty and without parental care. These are multidisciplinary units responsible for the identification, protection, assistance and integration of this category of children in 12 Municipalities, and 3 Communes in the region of Lezha. Also in the day centers in Tirana, Korça, Elbasan, Berat 1394 children have been treated. The help offered for these children has been: food, clothing, school materials, refer/register in kinder gardens, schools or professional courses; legal assistance for the registration in the civil registry, refer and register in the day

centers or residential; psico-socail advice; refer in the hospitals or medical centers; refferal and/or members of their family in the labour office, economic assistance office etc.

Regional Anti-Trafficking Comitties have held meetings systematically in the community where they operate to discuss concrete cases of exploit persons or in need for help. From their activity it is worth mentioning : awarness campaign for girls and women of the community, identification of vulnerable social groups, identification of trafficked cases as well as the report on the measures taken for these cases, identification of the number of children who have abandoned school and their return to school, identification of organizations form the civil society that operate and implement different projects in the fight against against human trafficking in their communities and the suppor them in orde to achieve their objectives. In cooperation with the presence in Albania of OSCE there have been organized trainings with members of the Regional Anti-Trafficking Comitties in 12 regions wehre they are established. 300 people have been training in this regard.

Prevention:

Prevention of the human trafficking is focused in the organizing of awarness campaignhs, education, employment, registration of the citizens, the buildg of a system to prevent children's labor, increase of capacities, etc. Regarding the above mentioned some of the measures and achievements in direction of prevention are:

- expanding of programs that stimulate children to go to school, such as, offering free school materials for the students of the basic level of education that are treated with social-economical assistance, working with special programs for children that risk to abandon school; by stimulating education oriented toward alternative measure beside punishment but towards the best interest of the child; by offering psychological assistance in schools, etc;
- Improvement of the professional education. 121 from the Roma community, 38 victims of trafficking, young women and 62 orphans have profit from these programs free of charge professional training in public centers for professional education ;
- Facilitation of the registration of the birth act in the office of the civil registrations has made possible the registration of 7000 children, which had passed the deadline to declare the birth;
- The development of awareness campaigns regarding the trafficking of persons. These campaigns have aimed the information and awareness of children aged 7-14 years old, young as well as other vulnerable groups; the organization on 20 October 2009 of the interactive theatre for children "*I travel ... alone*", the first of this kind in the region was followed by around 4000 students aged from 7-12 years old, from the period 20 October – 13 November2009;
- Undertaking of actions and concrete activities to withdraw from work of children, their reintegration and the prevention of phenomena of children labor. To monitor the labor of children there has been settled Committees of Local Action in 5 municipalities, in Tirana, Korça, Berat, Elbasan and Shkodër.

Coordination

State Committee and Anti-trafficking task force have held periodical meetings, respectively on 19.12.2008, 11.05.2009 and 21.12.2009, to evidence the actual situation of the trafficking in human beings and the establishment of a short term working plan for each central and local state agency in implementing of the priorities of the Anti-Trafficking National Plan 2008-2010.

The national Coordinator and Anti-trafficking Unit continued the monitoring and coordination of the anti-trafficking actions in the country. The national coordinator has drafted a guideline which clearly establishes the division of duties and responsibilities between the central and local structures against the fight of human trafficking.

The functioning of the **National Referral Mechanism for the victims of trafficking** is working with the full involvement of police, state social service, Albanian diplomatic service abroad and reception centres. It is planned the enlargement of the partnership of NRM with a non-profit organization active in the protection and reintegration of children victims of trafficking or in danger of being trafficked. Also in cooperation with IOM Tirana it is being planned the drafting of the terms of reference for the revision insubstance of the Agreement for the National Referral Mechanism in order to specify and clearly divide the duties of the parties in the agreement and improve of the process of identification of the victims of trafficking. In the regional plan, with regards to the creation of a **Trasborder Referral Mechanism**, in October 2009 it was published the Guidelines for the Standart Operational Procedures for the implementation of the Transnational Referral Mechanism that foresees standart procedures for the identification, referral, assistance and assisted return of the victims of trafficking as well as the facilitation of the regional cooperation in this directions.

As regards the well functioning and menagment of the Në drejtim të mirëfunksionimit dhe menaxhimit të **Database for the Victims of Trafficking**, which functions normally, we are working for the improvement of the sectors of reporting in order to have a detailed report of the identified cases, protected and reintegrated victims of trafficking. This will be helpful to show the real situation of trafficking in Albania as well as the identification of the forms of exploitation of the victims of trafficking. For the year 2009 there have been identified, refered and have taken assistance (in shelters or in their families) Për vitin 2009 janë identifikuar, referuar dhe kanë marrë asistencë (në qendra apo pranë familjes) **94 victims of trafficking**, from which **22children** (17 women and 5 males) and **72 adults** (females).

Recommendations¹

Recommendation concerning the improvement of the protection of children in danger to be trafficked through the establishment of a national protection system by offering services in the families or in the day centres.

The Albanian Government and its agencies in cooperation with the organizations that offer services for the victims of trafficking has been working for the improvement of the system to protect children and especially for the identification, referral and the assurance of services ofr

¹ Recommendations made by the experts in conclusion of the first field mission in this area.

trafficked children or in risk of being trafficked. There has been an increase of the services close to the families and day or residential centers. It has also been worked for the prevention and protection of children in danger of being trafficked, through their involvement in schools, elimination of children's labor and the assistance of families in need. It has been increased the cooperation of agencies that offer services for children in local and central level especially of the Regional Anti-Trafficking Committee, Units for the Children Protections, Social Psychological System etc.

Regarding the rights of children, the Ministry of Labor, Social Affairs and Equal Opportunities in collaboration with the other state agencies and the civil society has prepared a new draft law "*For the protection of the children's rights*" which provides for the rights of children like the right for social protection (Art. 20), the right for protection against violence (Art. 21), the right for protection against economic exploitation (Art. 22) and the right for protection against any type of sexual exploitation and maltreatment (Art. 24), based in international conventions where Albania is part by guaranteeing their protection through central and local institutional mechanisms. To ensure the well functioning of these mechanisms, the draft-law provides as a legal obligation the collaboration and coordination through these institutions with rules defined by the Council of Ministers. The draft-law establishes mechanisms like: a) The National Council for the Protection of Children's Rights, b) The State Agency for the Protection of Children, c) The Commissioner for the Protection of Children's rights in the level of an Ombudsman, d) The Units for Children's Rights in District level, e) The Units for the Protection of Children's Rights in every municipality and commune. The draft-law is in the process of calculating the financial effects and will be sent soon to the Council of Ministers.

Services offered for the children in the day centers

In all the country, there are established and function totally **26-day care centres for children**. From these three are public and 23 private. The public day centers are two in Shkodra with totally 56 children (45 day and 11 residential) and one in Durrës with 43 children (25 day care and 18 residential). In the public day care centres and private, the care offered for the children involves these services:

- Psycho-social and integrating (advice, group work, cultural activities, sports, integrating, entertaining etc).
- Medical service (medical checks);
- Educational service (help and support for the children during studying hours, qualifying courses);
- Food;
- Legal Assistance to register in the civil registry;
- Support for the families (advising, psico-social care, information, food care);

An important contribution in the protection and assistance of the children has been given from different NGO with their centres settled (23 day care centres) in Tiaran, Korça, Elbasan, Berat, Shkodër, Durrës, and Vlora. Lezha, Fier etc. From these centres we would particularly mention

TDH - 610 trained children ARSIS – 377 children, World Vision – 60 children, NPF – 270 and ILO-IPEC – 77 children.

ARSIS with the support of the National coordinator against human trafficking will implement a project, which consists in the establishment of three Children Protection Units in three small municipalities within the year 2010, the establishment of a transitory centre in Tirana for the children victim or potential victims of trafficking and a day care centre for the street children as well as the strengthening of the existing centres and units.

The Units for the protection of children

The units for the Protection of Children(CPU) are established with the initiative and support of UNICEF and the MOLSAEO, CPU until now are settled in **12 Municipalities** (Durrës, Korçë, Kuçovë, Fier, Gjirokastër, Sarandë, Elbasan, Pogradec, Kukës, Peshkopi, Vlorë dhe Shkodër) and in **3 Commune** in Lezhë Region (Balldre, Kolsh, Zejmen). The establishment and functioning of CPU is realized in cooperation with NGOs like, TDH, Partners for Children and ALB-AID Kukës. CPU serves to address the problems of trafficked children, evaluation of their needs, referral of the cases and offering of services for children and their families as well as other risked groups. These Units cooperate closely with other structures in local level and are now part of the technical table of the Anti-Trafficking Regional Committees.

Registration of children in the civil registry

Another improvement in the framework of the improvement of the system of the children registration is the approval of the Law nr. 10 129, date 11.05.2009 “For *the civil registry*”, which resulted in improvements with regards to children registrations and supports the prevention of the phenomenon of trafficking of human beings. The changes are:

- Removal of the deadline to declare the birth and the confirmation of the fact of the birth by a judicial decision for the aim to register the child;
- The offering from the state budget of a reward of 5 000 lekë (40 euros) for any registered birth

Because of the removal of these restrictive measures for the registration of the births it is made possible that during year 2009 to be registered around **7000 children**, which have passed the deadline for the registration.

The system for children protections in schools

The Ministry of Education and Science (MES) has prepared and is implementing “**The plan for action and reduction to zero of school abandonment**”, through a monthly monitoring of school attendance from the students. In those schools where the abandonment is present, the teachers work with special programs with the potential children to abandon and their families. In order to stimulate the return of children in schools and facilitate their expenses it has been approved the Decision of the Council of Ministers, Nr. 997, data 13.05.2009 “For and addition to the decision Nr. 260, data 18.04.2007 of the Council of Ministers, “For the printing and

distribution of the school texts of the preuniversity system” , changed, where it is fireseen - point 6.1 “ ... that **payments for school texts, of students of basic education whose families ae treated with social-econimic assistance, will be reimbursed 100%**.

With the initiative of MES it is established **School Psychological Service (SPS)**. Actually, this system functions in the schools in municipality level. The role of the psychologist is to identify and answer to the social problems of the children in cooperation with the teachers and school director. During the year 2009, has been **trained 180 psichologes and 85-school directors'** for the prevention of school abandonment of student risked to be trafficked. From this service there have been supported around **1000 children** of school age, children at risk or potential victims of trafficking.

Elimination of child labor

In order to tackle child labor the State Police has conducted several operations to strike on groups who exploit street children for begging or other petty jobs. Children were offered counseling and were referred to services accordingly. During year 2009 there has been an **increase of funds on incentive employment programs** for women, youngsters and other categories in need and such programs are being implemented throughout the country and in particular in the northeastern region.

Ministry of Labor, Social Affairs and Equal Opportunities (MoLSAEO) is implementing a project on elimination of child labor in Albania in 5 municipalities, more specifically in Tiranë, Korçë, Berat, Elbasan and Shkodër. In this frame, **610** children were identified working in different sites (in the streets, agriculture and construction site). These children are being assisted by referring them to appropriate services. The project is being implemented by the **Regional Action Committees** which cooperate with other structures at the local level (Regional Anti-trafficking Committees).

Recommendation on foster care mechanism

Foster care service is based on some fundamental principals laid down in the national and international documents such as: the Constitution of the Republic of Albania, Convention on the Rights of the Child, Communications of the European Commission, of 12 March 1997 “On modernization and improvement of social protection”, Law no. 9062, date 08.05.2003 on the “Family Code”, Law no. 9355, date 10.03.2005 “On social assistance and services”, “National Strategy for Children” etc, which stipulate that all children have the right to be loved and cared in a safe family environment; all children shall be protected from sexual or psychological abuse; all children have the right to alternative care in a family other than their biological one in cases when the latter is inappropriate or does not exist.

Steps taken with regard to foster care service

1. The document on the implementation of foster care and the **Action Plan** for its implementation 2008-2010 was approved with the Council of Ministers Decision no. 1104,

date 30.7.2008 as supplement to the Strategy on Social Protection. This strategic document provides for foster care service for children without parental care and from families with social problems.

2. **Piloting of foster care service in two municipalities** (Tirana and Shkodra) 2008-2010, following after with spreading this service to other local units.
3. In cooperation with donors **8 family units have been established in Shkodër** which take care of children who have previously been accommodated in residential centers.
4. During year 2009 (June 2009) with the support of UNICEF there were conducted **trainings with local government structures, foster care families** etc.
5. Approximately 10 000 lekë /year are allocated for the piloting phase of the **Foster Care Service** in the first three years (2008-2010) in Tirana and Shkodër.
6. **There have been drafted the draft- standards on foster care service for children in need**, which **guarantee** safety and improvement of the situation of these children and provision of services for children and young people outside their homes. Shortly, this draft will be sent to the Council of Ministers for approval;
7. **There has been drafted a Council of Ministers decision “On the criteria and necessary documentation for foster care”**. This draft–decision lays down the assessment criteria of foster care families, the selection procedures, the child assessment, the financial value of this service, etc. This draft-act will shortly be sent for approval to the Council of Ministers in the frame of the Strategy for Foster Care.

Recommendation to increase the personnel and the funding dedicated to this field at the central and local levels

Taking in consideration the fact that prevention and fight against human trafficking is one of the priorities of the Albanian government, the Ministry of Interior within January 2010 has increased the personnel of:

- a. **The Office of the National Coordinator** – in compliance with the National Strategy against Human Trafficking 2008-2010, chapter IV Coordination, section 1.b.2 this office will soon create a nucleus office (of three full-time staff) of the Responsible Authority.
- b. **The Sections against Illicit Trafficking both at the center and local level** – According to an Order of the Director General of the State Police, the Sector against Illicit Trafficking at the Directorate against Organized Crime, and their sections at the local level have two folded their personnel.

Increasing the personnel will facilitate the efficient implementation of all activities laid out in the National Strategy against Human Trafficking and enhance proactive investigations against human trafficking offences or other offences related to trafficking.

Recommendation to issue clear instruction detailing responsibilities and tasks between the central and local level

Along with the National Strategy on the Fight against Human Trafficking 2008-2010, the Prime Minister’s Order no. 203, date 19.12.2005 “On the functioning of the Anti-trafficking Unit”, the

Prime Minister's Order No. 139, date 19.06.2009 "On the establishment of the Regional Committees on Anti-trafficking", the Agreement on the National Referral Mechanism and other important documents, the National Coordinator for the Fight against Human Trafficking has drafted guidelines on clear division of tasks and duties among all agencies involved in anti-trafficking efforts (both at the central and local level).

Furthermore, terms of reference are considered to be drafted in cooperation with IOM Tirana for the appropriate revision of the agreement on the National Referral Mechanism aiming at a clear determination and division of tasks and duties of the parties to this agreement, as well as improvement of victims' identification process. In the regional facet, with regard to establishing a **Transnational Referral Mechanism**, in October 2009 were published the Guidelines on Standard Operating Procedures for the implementation of the Transnational Referral Mechanism for victims of trafficking, which lay down the standard procedures on identification, referral, assistance and assisted return of victims of trafficking, as well as facilitate the regional cooperation in this directions.

Recommendation on training with law enforcement

A series of **training sessions** were conducted with law enforcement and other actors involved in the prevention and fight against human trafficking. These trainings dealt with different issues on the functioning of the National Referral Mechanism and its guideline on the identification of the victims of trafficking, interviewing techniques, criminal intelligence analysis, special operations organization, as well as other issues on protection of victims, especially children. During 2009, around **270 police personnel**² of different levels and structures **were trained**, mainly from Criminal Investigation Department (CID), Border and Migration Department (BMD), as well as Public Security Department (PSD).

During the year 2009, the **School of Magistrates** with the participation of around 200 judges, prosecutors and officers of the Judiciary Police organized three training modules.³ These trainings had as subjects specific topics for the fight against trafficking in human beings, and the increase of knowledge for the criminal offences of trafficking by distinguishing them from other similar offences, like the smuggling of migrants, exploitation for prostitution, and other similar topics for the implementation of the Council of Europe Convention "For the Fight against Trafficking in Human Beings" of the year 2005.

During the year 2009, were organized **12 trainings with the Regional Anti-trafficking Committees**, respectively with the committees of Elbasan, Lezha, Shkodra, Tirana, Durres, Fier, Berat, Korça, Kukës, Gjirokastra, Dibër and Vlora. 300 persons participated and were trained in these trainings (members of the Technical Tables of the committees and other local actors by including the civil society). The National Coordinator organized the trainings with the support of OSBE. One important component of these trainings was the guidelines for the implementation of the Anti-trafficking Strategy 2008-2010, by focusing mainly in the vision of

² For more information refer to Annex 3

³ For more information see the table at Annex 4

this strategy for the functioning of the Regional Committees (duties, obligations and responsibilities).

The recommendation regarding the financing of the private reception centers that are financed by donors

Regarding the financing of the reception and rehabilitation centers for victims / potential victims of trafficking from the state's budget, on 22 January the Minister of Interior and the National Coordinator have organized an especial meeting with representatives from all centers that are part of the National Referral Mechanism. Starting from the year 2010, proper legal acts shall be drafted for direct financial support, which will be partial in the beginning, and complete afterwards, based in a common plan and in concrete proposals by the centers.

The Ministry of Labor, Social Affairs and Equal Opportunities, for the year 2010, has increased the financing fund for the National Reception Center for Victims of Trafficking in Tirana with 24 % more than the year 2009 (around \$ 35 700 or € 25 200). The funds from the state's budget designated for social services are allocated for the municipalities and communes and the civil society organizations, by including the reception centers profit from these funds for the support of victims of trafficking.

The recommendation regarding the improvement and clearance of the identification process

In Albania, the protection and support for victims of trafficking is not conditional from the collaboration with the justice institutions. Unconditional protection and support is offered to all persons who are identified as victims of trafficking in accordance with the guideline of the National Referral Mechanism for victims of trafficking.

As it is mentioned above, it is on the process the drafting of the terms of reference for reviewing the content of the Agreement for the National Referral Mechanism, with the aim to specify and clearly distinguish the obligations of parties in the agreement and to improve the process of identification of victims of trafficking. In any case, regardless of the agency that makes the identification, the status of the victims is acquired only based in the guidelines of the Agreement for the National Referral Mechanism. This document is the only one that is taken into consideration from all the persons involved in the process of identification to define the status of the victim. In addition, the database in which the data for victims of trafficking identified based in the Agreement for the National Referral Mechanism, are registered is the only official statistical source in national level. Starting from September 2008, when this database started to function, was resolved the problem of statistics non-accordance between the police and the NGO-s.

The recommendation regarding the attention to manage the database for victims of trafficking

The management of the database for victims of trafficking is done in accordance with the law for the protection of personal data and with the confidentiality principle. In this database, register and process data only authorized persons. The access is limited. Each of the users has access only in the modules related with the field that he covers.

The implementation of the Council of Europe Convention “For the Fight against Trafficking in Human Beings” through Albanian Legislation

The Council of Europe Convention “For the Fight against Trafficking in Human Beings” is adopted in Albania through the law no. 9642, dated 20.11.2006 “for the Ratification of the Council of Europe Convention for the Fight against Trafficking in Human Beings” and is actually in power. The Ministry of Interior is working for the implementation of this Convention as follows:

The office of the National Coordinator against Trafficking in Persons has prepared a *Preliminary Opinion* on the accordance of the Albanian legislation with the Convention. This opinion will serve as a starting point for the Inter-institutional Working Group which is established with the initiative of the Ministry of Interior, with the purpose to analyze and draft an internal Report for the implementation of the Council of Europe Convention “For the Fight against Trafficking in Human Beings” in the national legislation, with members from the Ministry of Interior, Ministry of Foreign Affairs, Ministry of Labor, Social Affairs and Equal Opportunities, Ministry of Finances, the General Prosecutor’s Office and from the High Council of Justice.

The victims of trafficking are offered the opportunities to stay in the reception centers in the country and to take psychological and medical treatment. The victims can continue their studies and participate in professional courses, offered free to them by the Regional Directorates of Employment. The new draft-law that will change the Law no. 9355 “For the Social Assistance and Services” was approved in the Council of Ministers on 27.01.2010. This law will contribute for the improvement of the financial support given to victims of trafficking during and after leaving the institutions of social care until they are employed. The Centres that treat the victims of trafficking will be supported by the state budget and personnel from the State Social Service based in the agreement they have.

→ Policy on preventing and fighting financial crimes (money-laundering, terrorist financing, confiscation of assets)

A national strategy to fight money laundering and financial crime was drafted with the support of the German Federal Police and consultations on the strategy took place with key stakeholders. The strategy and action plan were adopted by the Council of Ministers in October 2009.

All the institutions involved in the implementation of the National Strategic Document have appointed key experts that will be responsible for monitoring the performance as well as provide guidance. The forthcoming meeting is scheduled for January 29th 2010.

The MONEYVAL Committee has continuously given recommendations regarding the implementation of the FATF recommendations, that have been also reflected in Albania's two year progress report during the 30th Plenary in September 2009.

A law to amend the 2004 law on confiscation, i.e. **Law No. 10192, date 03.12.2009 “On prevention and fight against organized crime and trafficking through precautionary measures against property”**, was adopted by the Parliament on 3 December 2009, and entered into force on 24 January 2010. The amending of this law to provide for a legal framework that enables effective seizure and confiscation of illegal proceeds of crime, such as:

- Legal solution to the unifying decision of the High Court No. 1/2007;
- Strengthening of Law no. 9284/2004 by adding new crimes and
- Creation of an effective system to identify illegal assets.

The final draft has fully reflected the suggestions and recommendations provided by domestic and foreign actors, who have taken part in its drafting process.

The following table contains comprehensive data that do provide a snapshot related to the fulfilment by GDPML of its obligation with regard to temporary freezing of transactions during 2009 GDPML.

	Year 2007	Year 2008	Year 2009
Freezing Orders	0	5	23
Frozen Bank accounts	0	45	47
EUR	0	504,934	3,736,275
USD	0	486,046	20,000
ALL	0	952,032	31,737,850
Land	0	0 m ²	1,060 m ²
Seized by Prosecutor's Office and the Court.	0	0	2,946,275 EUR 31,662,565 LEKE 1,060 m ²

The total number of cases referred to Law enforcement agencies during 2009 is 194 (135 to Albanian State Police and 59 to Prosecutor's Office).

Following the approval of the new structure of the FIU by the Prime Minister, its staff has been increased. Training has been given to the FIU through a twinning project with the German Federal Criminal Police and efforts have been made to raise the awareness of reporting entities of their obligations.

The efforts to raise the awareness of the reporting entities is continuous. During the second part of November the FIU has organised training activities with construction companies and the Agency for Legalization, Urbanization and Integration of Informal Areas/ Constructions. FIU is planning to organize trainings with bureaux de change.

GDPML is currently drafting the annual training plan that envisages a timeline regarding the training activities of all the reporting entities including bureaux de change. As of the end of 2009 the total number of inspections carried out was 146 (an increase of 19% compared to 2008). The total amount of administrative sanctions applied for *non* compliance during 2009 was 67,200,000 ALL (an almost two fold increase compared to the previous year).

Currently all the banks in Albania report electronically all the transactions in accordance with the thresholds set forth in the legislation.

Continuous training for the police and prosecution as well as awareness raising for reporting institutions needs are being held in this area in order to effectively investigate and prosecute cases of money laundering. In November 2009 FIU's human resources department held a workshop with the representatives of state police who are involved in the fight against financial crime in order to assist them with the investigation of the suspicious cases related to money laundering

With the aim of strengthening the institutional capacity, on 25 January 2010, a new structure was established, namely the Sector of Investigation of Criminal Assets, at the Directorate against Financial Crime of the Crime Investigation Department at the General Directorate of Police, with a staff of 3 functions, one head of sector and two specialists. This Sector will investigate criminal assets as foreseen in the new law No. 10192 dated 03.01.2009 "On prevention and fight against organised crime and illegal trafficking through measures against their assets".

General Results against financial crime

The Structures against Financial Crime have intensified their measures against financial crime in striking the crimes in the area of money forgery, fraud, smuggling of goods, cyber-crime, corruption and money laundering, illegal market of currencies, the control of 'cash' money flow across borders.

During the reporting period, there have been evidenced 383 criminal offences with 408 authors, out of whom 84 were arrested, 309 are free and 15 were declared wanted.

10 police operations have been conducted against 113 authors, out of whom 47 authors were arrested and detained, 67 authors subject to criminal proceedings while free and 2 are declared wanted after detention orders were issued by the court.

Information on implementation of the Convention of the Council of Europe on Laundering, Search, Seizure and Confiscation of Proceeds of Crime

The structures of money laundering investigation at State Police have intensified their work and enhanced the efficiency regarding the prosecution of cases under investigation for laundering crime proceeds and of cases under preliminary investigation. Information received from GDSP, INTERPOL and from other police services has led to police investigation and surveillance to document the criminal activity.

3 new cases related to criminal offence of money laundering, as foreseen by article 287 of the Criminal Code, have been reported to the Prosecution Office. In one case of criminal prosecution, the GDSP froze bank accounts for a sum of 500,000 Euros, and after registering the criminal proceedings, upon court decision, 6 bank accounts amounting to the above mentioned sum were seized. Priority is given to investigation of criminal offences related to money laundering.

→ **Anti-drug policy**

In the framework of the implementation of the action plan for the implementation of the strategy against organised crime, trafficking and terrorism, a draft Order of the Prime Minister has been prepared providing for the establishment of the working group which will draft the necessary by-laws regarding the functioning of the National Coordination Committee of the Fight against Drugs and the setting up of the Center for the Collection and Analysis of the Data on Drugs.

In order to improve the organisation of work in the fight against trafficking of human beings, the General Director of Police passed the Order No. 69 dated 25.01.2010 “On coordination of work among the central and local structures in the fight against trafficking of human beings and identification of victims of trafficking”.

The General Directorate of State Police has undertaken a number of steps regarding the increase of human resources engaged in the fight against illegal trafficking, which consist in structural improvements and capacity building through trainings for all officers of these structures.

Actually, three functions were added on in the Structures against Illicit Trafficking, namely, one function at the General Directorate of Police and two functions at the local structures engaged in the fight against illegal trafficking, respectively one function at the Regional Police Directorate of Gjirokaster and another one at the Regional Police Directorate of Shkoder.

Work is ongoing to set up the Room of Special Operations Management, in order to monitor the special operations conducted by the Crime Investigation Department. The budget allocated for the establishment of this room, by the state budget for 2009 was 80,000 Euros, and for the second phase (2010) again the state budget has allocated another 40,000 Euros.

Another important step is the re-training of the anti-trafficking and border police staff with regard to identification of victims of trafficking, techniques of interviews and legislation in power in the area of illegal trafficking, in cooperation with IOM; these trainings are planned to be delivered during February 2010.

During the reporting period, the structures against narcotics have achieved the following results:

Tab. Results of the fight against narcotics (15 November 2009 – 22 January 2010)

Type	Cases	Detected	Quantity	Authors	Arrested/ Detained	Free	Wanted
Heroin	16	16	29 kg 74.3 gr	26	23	3	0
Cocaine	3	3	139.8 gr	8	8	0	0
Marijuana	55	49	2125 kg 159.6 gr	64	49	12	3
Cannabis seeds	1	1	53 gr	1	1	0	0
Mixers	2	2	2 kg 281 gr	2	1	1	0
Total	77	71		101	82	16	3

During this reporting period, 77 cases have been evidenced whereby there were seized 29 kg 74.3 gr heroine, 139.8 gr cocaine, 2125 kg 159.6 gr marijuanë, 53 gr cannabis seeds and 2 kg 281 gr. of mixer substances. Out of 101 identified authors, 82 of them were arrested/detained, and 16 are subject to criminal proceedings while free and 3 authors are declared wanted.

Operations using special techniques of the anti-narcotics structures:

- 11 police operations using special investigation techniques have been successfully conducted.
- During the above operations 10 criminal groups engaged in trafficking and distribution of narcotic substances were hit and 41 persons criminally prosecuted.
- 4 international operations, in cooperation with the Prosecution and Judicial Authorities of other countries (2 with Italy, 1 with USA and 1 with Kosova) were conducted resulting in the arrest of 4 persons in our country.

With the aim of enhancing the training capacities of officers of this service, there were 7 specific trainings delivered in the area of the fight against narcotics”

Table. Trainings delivered (15 November 2009-22 January 2010)

No.	Course Title	Duration	Course venue	Participants of the Anti-drug unit	Donors (if any) or in cooperation with
1	Workshop – Train the Trainers	16-17.11.2009	TADOC Ankara, TURKEY	1	LexPro (UNODC)
2	Workshop – “Organised Crime, OLAF, Illegal	17-19.11.2009	Tirana ASP HQ	2	ILECU Austria

	Migration & Drugs.				
3	Workshop – “Strengthening of the overall cooperation in the Fight against Drugs in South-Eastern Europe”	23-24.11.2009	Bosnja- Hercegovina	2	OSCE
4	Seminar – Investigation and criminal prosecution for drug trafficking in EU	25-26.11.2009	Tirana	11	TAIEX Albanian Government
5	Fight against Trafficking of narcotic substances as a specific form of organised crime	07 – 11.12.2009	Police Academy, Tirana	15	German Government (BKA)
6	“On the use of Intelligence Management System – MEMEX”	28-29.12.2009	Pol. Commissariat No.3,Tirana	8	UNODC
7	“Instructor Training”	18.01– 12.02.2010	Center of Police Training Tirana	1	

→ **Policy on preventing and fighting corruption**

The implementation of the integrated anti-corruption action plan is ongoing. The training program of the Magistrates School for 2009-2012 includes training on corruption and economic crime⁴.

11 out of 13 GRECO recommendations from the second round of evaluation have been satisfactorily fulfilled. Following the third evaluation round, 12 further recommendations regarding the transparency of party funding and incrimination in cases of bribery were made.

The IPA 2008 Project for combating corruption, financed by the EU delegation and being implemented by the Council of Europe, has the following purposes: (i) to enhance the implementation of anti-corruption policies and strategies (Anti-corruption Strategy and Action Plan 2007-2013) in line with GRECO and MONEYVAL recommendations and European Partnership commitments; (ii) to provide a review of the legal and institutional framework for regulating and supervising the financing of political parties and elected representatives, including

⁴ See Annex 1 on trainings by the School of Magistrates

recommendations for amendments to the Law on Political Parties, *inter alia* in the light of the 3rd Round GRECO Evaluation recommendations.

Also, in the framework of this project there will be trainings for judges and law enforcement agencies (prosecutors and police forces) in the field of corruption.

The Ministry of Justice has analysed in October 2009 GRECO recommendations and reported the relevant interventions in the legislation. In this respect, suggestions/review from the Anti-corruption Department at the Council of Ministers is expected in the framework of such recommendations. A draft on some addenda and amendments to the Law No. 7895 dated 27.01.1995 “Criminal Code of the Republic of Albania”, as amended, has been prepared. It is expected to be submitted for opinion to other institutions. Such initiative of the Ministry of Justice shall include only the criminal offences related to corruption, envisaging amendments to articles 164/a and 164/b (enhancement of financial measures against corruption in the private sector) and increase of new corruptive offences related to the commission of this criminal offence by public foreign senior officials in the public sector (articles: 244/a, 244/b, 244/c, 259/a, 259/b, 259/c, 319/a, 319/b, 319/c, 319/ç, 319/d, 319/dh, 319/e, 319/ë, 319/f are inserted).

In implementation of the Action Plan of the Anti-corruption Strategy, the anti-corruption structures at **State Police** have identified as their priority the fight against corruption in some key services like customs, tax office, courts, educational service, health service, public procurements. During the reporting period, there have been evidenced 35 criminal offences related to corruption and crimes of abuse of duty with 59 authors, out of whom 26 authors have been arrested, 31 are subject to criminal proceedings while free and 2 have been declared wanted. Regarding the nature of these criminal offences:

- Passive corruption by persons exercising public functions, article 259 of the Criminal Code, 13 cases with 17 authors, out of whom 13 arrested and 4 are subject to criminal proceedings while free.
- Active corruption, article 244 of the Criminal Code, 2 cases with 6 authors arrested.
- Abuse of duty, article 248 of the Criminal Code, 18 cases evidenced, 31 authors under criminal proceedings, out of whom 3 arrested and 28 investigated while free.
- Embezzlement through abuse of duty, article 135 of the Criminal Code, 1 case evidenced with 4 authors arrested.
- Violation of equality in tenders, article 258 of the Criminal Code, 1 author evidenced while is free.

Application of special investigation techniques by the anti-corruption and financial crime investigating structures

The structures of financial crime investigation have organized 10 police operations during using special techniques of investigation resulting in the identification of 116 suspicious persons, out of whom 47 persons were arrested, 67 persons were investigated while free and 2 persons are declared as wanted with security measures imposed by the court.

Operations using special investigation techniques against corruption

There have been conducted 5 police operations against corruption using special investigation techniques resulting in the identification of 18 persons, out of whom 15 were arrested, 2 declared wanted and 1 person under the security measure with the obligation to present himself.

3 groups were hit, with over 3 authors each, involved in the criminal activity of corruption and abuse of power with 15 authors, out of whom 12 were arrested, 2 declared wanted and 1 under security measure of presenting himself.

Operations using special investigation techniques against corruption during the reporting period were:

- One police operation for against the abusive actions in a Concessionaire Company, was organized on 16.11.2009, after an one-year and a half investigation by the Sector against Financial Crime in Elbasan District, resulting in the arrest of 4 former-employees of this company who over a five-year period, had stolen the state property in cooperation, by causing to the state a considerable economic damage of the value of 6, 000,000 euro.
- On 20.11.2009, the Sector against Corruption at the Directorate Against Financial Crime and the Police Directorate in Gjirokastra District organised a police operation resulting in the arrest of two citizens, 29 and 30 years old, inhabitants in Gjirokastra, one working as a specialist of State Intelligence Service and the other Inspector in the Taxation Branch, because in collusion they had taken 4000 €, from a citizen while on duty, she was a professor in the University of Gjirokastra, in the exchange of a film material dealing with her job as a penal act of passive corruption by persons who exercise public functions, foreseen by the articles 259 and 25 of the Penal Code.
- On 25.11.2009, the Sector Against Corruption of Police Directorate in Vlora District and the Sector against Corruption in the Directorate Against Financial Crime finalized a police operation against corruption wherein officials of the urban inspectorate were involved resulting in the arrest in the act of a police officer of Police Commissariat of Vlora District, as well as detention of two citizens, one was an employee at the INUK in Tirana, and the other an inspector declared wanted for the criminal offence of duty of abuse, foreseen by article 248 of the Criminal Code.
- On 02.12.2009 the sector Against Financial Crime in Police Directorate in Shkodra District finalized a police operation against corruption wherein the employees of the forestry service were involved resulting in the arrest of an inspector at the Directorate of Forestry Service in Shkodra.
- On 22.12.2009 the Directorate Against Financial Crime finalized a police operation resulting in the arrest of 2 officials of the Ministry of Interior (General Director of Development of Procedures of Procurement at the Ministry of Interior), one head of Programming of Procurement at the National Guard and the other working as a specialist at the Ministry of Integration, as well as four other citizens who were owners of the companies involved and implicated in corruption. This operation was a result of a 4-month investigation carried out by the Department of Crime Investigation as well as by the Joint Investigative Unit Against Corruption and Economic Crime at the Prosecutor's Office of Tirana District, whereby corruptive actions of the three above mentioned officials were evidenced, who had favoured and selected some business companies to

classify them as winners in the procedures of procurement of the date 09.09.2009 about “purchase of clothing for some institutions“.

Strengthening of professional capacities in the structures against financial crime:

Aiming at strengthening the professional capacities of the specialists of these structures 5 trainings have taken place during the reporting period:

1. Training on “Training on a practical case of investigation of money laundering, starting from the moment information is received to taking the case to court”, on 02-03 November 2009. It took place at the Police Training Center with the participation of 24 police officers, who were then all certified. The goal of this training was :

- knowledge on forms and methods of investigation of money laundering.
- Special techniques used in the investigation of criminal offences in this area.
- Case studies, group discussions, exchange of experiences.

2. Training on “ Security Elements of the Travel Documents”, on 16 – 17 November 2009 at the Police Training Center, with the participation of 25 police officers, who were then all certified. The goal of this training was :

- Knowledge on the Security Elements of the Travel Documents.
- Special techniques used in the detection of the forgery of travel documents and in the investigation of criminal offences in this area
- Case studies, group discussions, exchange of experiences.

3. Training on “ Forged Travel Documents ”, on 16 - 19 November 2009. The training was delivered by the USA Embassy in Tirana with the participation of 24 police officers, who were then all certified. The goal of this training was :

- Knowledge on Forged Travel Documents
- Special techniques used in the detection of the forgery of travel documents and in the investigation of criminal offences in this area
- Case studies, group discussions, exchange of experiences..

4. Training on “Inspection of containers at ports”, on 18 - 22 January 2010. The training was delivered by the USA Embassy in Tirana and took place in Durres, with the participation of 5 police officers, who were then all certified. The goal of this training was:

- Knowledge on Inspection of Containers at Ports
- Forms, methods and special techniques used for the check of containers aiming at detection of illegal or dangerous goods.
- Case studies, group discussions, exchange of experiences.

5. Training on “ Fight against Economic-Financial Crime”, on 25–28 January 2010. The training was delivered by the Belgian Police and took place in Tirana with the participation of 24 police officers, who were then all certified. The goal of this training was:

- Knowledge on Economic-Financial Crime
- Forms, methods and special techniques used in the investigation of criminal offences in this area.
- Case studies, group discussions, exchange of experiences.

Developments as regards preventive and **internal control mechanisms** to prevent and detect corruption in the administration and law enforcement bodies: The Internal Control Service at the Ministry of Interior (ICS), as a law enforcement agency was reorganized in compliance with Law 10002 date 06 Oct 2008 “On the Internal Control Service in the Ministry of Interiors”. The new law brought more independence to the agency, strengthening of administrative capabilities, independent budget management, a new inspection structure, staff training and strengthening of operational and investigative staff.

Legal acts and regulations have been approved by decision of the Council of Ministers in order to fully implement the law on ICS.

- a) COM decision on disciplinary regulation
- b) COM decision on personnel regulation
- c) COM decision on allocation and use of the special budget fund
- d) COM decision on grades of the ICS staff
- e) COM decision on wages of ICS personnel
- f) COM decision on logo and symbols of ICS

Acts and regulations approved by decision of the Minister of Interior:

Structure and staff of ICS have been approved by such decision; The following regulations are under preparation and almost completed:

- Regulation on ordinary inspections
 - Guide on extraordinary inspections
 - Guide on procedures concerning the conduction of integrity tests
 - Guide on informative process
 - Guide on use of the special fund
- The Order No. 588, date 03 Sept 2009 of the Minister of Interiors “On the approval of ICS’s structure and staff” defines ICS’s status which was upgraded from Directorate into General Directorate. As a result new structures were created at central level such as the Directorate for investigations and integrity tests, Inspections directorate and the Directorate of support services.
 - ICS’s Tirana Field Directorate was created with its structure made of two sections. Prior to that ICS operated in Tirana with its field office. Other 11 (eleven) field sections throughout the country were upgraded to field offices.

- ICS has an ongoing recruitment process for its two new structures. Vacancies are published on two national newspapers and on the website of the Ministry of Interior www.moi.gov.al. This process will end in February 2010 and the training for the new staff of Inspections directorate is scheduled to start in March 2010.
- ICs for the first time in 2010 can self manage its budget as a special structure of the Ministry of Interior. The ICS's budget includes a special fund which will cover the expenses on new equipments designated to use in ICS's operational activities.
- The budget on rewards of informants and other persons who cooperate with ICS is also introduced for the first time in 2010.

Based on its mission and function ICS works as an oversight agency of the Albanian State Police and as an anti-corruption agency. ICS's objectives are focused entirely on the ASP structures including all sections and members with no regard on rank or title.

ICS's competences:

- a) Prevention, detection, evidencing and preliminary investigation of the crimes committed by Albanian State Police members, disregarding ranks and titles.
- b) Inspection of the ASP's work in order to define if it complies with laws and regulations at force and approved standards, to assure responsibility, effectiveness and efficiency.
- c) ICS conducts the integrity test on the ASP members. The test includes methods and techniques who aim to verify personal ethics and integrity of ASP members.

1. Preventive Measures:

- Initiation of informative processes and special investigative measures in order to collect information in accordance with article 24 of Law No. 10002 date 06 Oct 2008.
- Preventive interception of phone calls in compliance with Law no. 9157 date 04 Dec 2003 "On electronic surveillance of communications" changed by Law no. 9885 date 03 March 2008
- Collection and analyzing of intelligence provided by other structures or by confidential sources and informants.
- Integrity tests will serve to verify at what rate is the temptation of ASP members toward corruption or other law violations.
- Ordinary and extraordinary inspections will evaluate the performance of the ASP structures. Data collected on inspections will be used to assess the sections which are highly exposed to corruption in order to take action in the future.
- The creation of the new system to collect claims and complains
- Green telephone lines for those who want to report corruption acts of ASP members.
- Cooperation with other governmental or NGO-s in conducting surveys on how corruption among ASP members is perceived.

2. Operational Investigative Measures (reactive measures)

ICS initiates penal investigations, in order to collect evidences or enough information on possible involvement of ASP members in criminal activities or corruptive acts.

Investigations are conducted by investigative personnel of ICS during the preliminary investigation and also after the case has been submitted to the district attorney which demands other investigations.

In investigating serious crimes including corruption acts ICS uses special investigative techniques and methods:

- a) Interception of telecommunications
- b) Interception of communications in public or other areas
- c) Equipments which detect locations
- d) Foot and vehicular surveillance
- e) Telephone records,
- f) Identification of the user of a certain phone number
- g) Mail checks,
- h) Simulated acts
- i) Undercover agents
- j) Investigation and seizure of assets accumulated due to corruptive activities

Latest developments on measures taken in order to improve inter-institutional cooperation mechanisms.

In compliance with its mission and objectives ICS cooperates with other law enforcement agencies such as the Albanian State police, Prosecution Office and State Intelligence Services. The Law no.10002 date 06 Oct 2008 on the “Internal Control Service of the Ministry of Interiors” foresees the cooperation with other law enforcements agencies and makes obligatory for them to provide information in cases when ASP members are involved in serious crimes.

ICS exchanges information with: Albanian State Police, State Intelligence Service, Prosecution Office, Directorate of Money Laundry Prevention, Customs and Tax Office. Joint operations have also been made in cooperation with some of the above mentioned structures.

Joint investigative units created in various districts of the country in cooperation with DA offices deserve a special attention, just because of the efficiency of such cooperation. The cooperation consists in reporting cases of involvements in corruptive acts of members of the ASP belonging to different levels of hierarchy (chief of station, director of regional police directorate). Investigations are performed by ICS but deputed by DA.

ICS is an active member of inter-institutional work groups such as:

- The work group on drafting the action plan within the frame Stabilization and Association Agreement regarding the Ministry of Interiors
- Task Force on fight against illegal trafficking and trafficking of children.
- Task Force Committee against corruption chaired by the Prime Minister.
- The work group on drafting inter-sectional strategy against corruption and the action plan with regards to the implementation of such strategy chaired by the Deputy Prime Minister.

Cases and results of investigations taken to undermine corruptive acts

ICS in conducting its investigative and operational activities in the last months November 2009 – January 2010 has reported to the DA office 15 new cases involving **35** members of Albanian State Police, from which **1** (one) belongs to mid executive level, **4** (four) to the first executive level and other **30** (thirty) officers involved in corruptive activities. 14 (fourteen) has been arrested on spot. Special investigation techniques have been applied in all above mentioned cases by joint investigative units (ICS-DA).

- ICS's field office of Fier in cooperation with ICS operational group and Task force of DA of Fier completed a six-month long investigation with a successful operation. As a result of it 17 (seventeen) police officers were arrested.
- The investigation and the arrest of the chief of the traffic police in Peqin and of one other member of his staff.
- The arrest of three police officers of the traffic police in Elbasan
- The investigation following the arrest of a police officer in Durres suspected to be the collaborator of Dritan Dajti. The police officer is believed to have facilitated Dajti's moves and to have provided him with information on police operations to arrest the most wanted by the Albanian justice.

Judicial co-operation in criminal matters

Law No. 10193, dated 03.12.2009 “On jurisdictional relations with foreign authorities in criminal matters”, was approved by the Albanian Assembly on 3.12.2009. This law was proclaimed by the President of the Republic by the Decree No.6363, dated 22.12.2009 and was published in the Official Journal on 24.12.2009. The new law completes procedural rules provided for in the Code of Criminal Procedure in relation to international judicial cooperation and in compliance with this Code. Its provisions are applicable when the international agreements to which the Republic of Albania is a party do not provide otherwise.

The final draft of the law has fully reflected the recommendations and suggestions provided by domestic and foreign actors, who have taken part in drafting.

Regarding efforts to draft a new **law to amend the 2000 law on the organization and functioning of the Judicial Police**, in September 2009 the Ministry of Justice has started

procedures for drafting of this legal initiative. It aims to improve the existing law in order to make it compatible to developments brought forward by the laws approved in the framework of justice system reform, and, in particular, of the judicial system reform. By order of the Minister of Justice no. 8472/1, dated 10/11/2009, the working group has been established. Based on this order, a draft policy paper on verification of legal interventions in law no. 8677/2000, has been prepared. It consists in:

- 1) Juridical determination of concept of the functioning of judicial police, if it will be an authentic state/public body or function/service as it currently operates;
- 2) Improvement of the criteria on appointment of the judicial police officer;
- 3) Improvement of rules on recruitment conditions and procedures, selection, promotion, commencement and progress of their disciplinary procedures;
- 4) Improvement of the status of the judicial police officer in relation to pay raise, material and professional benefits;
- 5) Determination of rules on basis of which the relations in place are regulated between the judicial police and prosecution.

In application of the order of the Minister of Justice no. 8472/2, dated 10/11/2009, the General Prosecutor's Office and Ministry of Interior have appointed their representatives to the working group, which has convened for its first meeting on 25 January 2010.

Training given to all staff dealing with requests for mutual legal assistance, is being coordinated also with PROSECO and TAIEX projects. Actually, after the approval in the Assembly of the law 10193/2009 "On jurisdictional relations with foreign authorities, in criminal matters", the Ministry of Justice has requested to the coordinator of PROSECO Project, to define the exact dates of the training of experts of the MoJ, in the field of international judicial cooperation. The representative of this Project has sent a response via email, on the impossibility to organize the trainings within December 2009, because the European Council closes its activity for 2009 on 22 December, proposing to develop the trainings in January or February 2010. Actually, there is still no notice from PROSECO Project for commencement of the trainings.

Cooperation with Eurojust: Drafting and signature of the Agreement "On Judicial Cooperation" with Eurojust is subject to the feedback from EUROJUST after the appointment of the contact person from the Ministry of Justice. Eurojust has confirmed the potential start of formal negotiations for the signature of this agreement in June 2010.

Law enforcement co-operation and operational capacity of law enforcement services For the period 15 November 2009 - 20 January 2010, Central Office of Interpol-Tirana has performed the following activities:

- about 30 citizens convicted by the Albanian justice authorities are declared internationally wanted
- 21 Albanian citizens are declared internationally wanted by the counterpart offices
- about 19 citizens are arrested for extradition to Albania ;
- another 2 citizens are arrested for extradition to other countries;

- there are extradited to Albania about 18 citizens convicted by the Albanian justice authorities;
- there is extradited to another country 1 citizen wanted by the counterpart authorities;
- 1 citizen is transferred to Albania;
- 1 citizen is transferred to another country

Use of MEMEX information system

Actually, the system functions online for the central structures of investigation in the General Directorate of Police (Department of Crime Investigation, Department of Border and Migration, Department of Public Security), and for the local structures of investigation at 11 regional police directorates and 8 Regional Directorate of Border and Migration Police. Training courses have been continuously organised for the police officers on the use of the System of Criminal Information Management "Memex".

Pursuant to the Order of the General Director No. 996 dated 01.09.2009 "For the risk assessment of the criminal groups", the Criminal Information Analysis Directorate has finished such an assessment making use of the questionnaires filled by the crime investigations specialists and also making good use of the information in MEMEX. This assessment analyses the criminal activity of the group and the area where they operate. For the first time such an assessment was done in 2009 for 2008, And on 20 January 2010 for 2009.

International Cooperation

On 27 January 2010, in Vienna, the Memorandum of Understanding between the Federal Minister of Interior of Austria and the Minister of Interior of Albania has been signed regarding the strengthening of the cooperation in the field of international security. This MoU provides for strengthening of the cooperation between the two Ministries in the fight against illegal migration, trafficking of human beings, drug trafficking, corruption and terrorism.

→ Protection of personal data

Procedures for notification of control subjects connected with the publication of information to personal data they process have started. In this framework, Data Protection Authority has provided sending relevant documents to recall the legal obligation for registration. Sectors for which notifications have started are banking sector, healthcare, telecommunications and education.

During the time period 23.11.2009-22.01.2010 the Office for Protection of Personal Data has examined notifications from the banking sector and health clinics through the Notification Form.

For the purpose of having a central register of control subjects and the publication on line of information necessary for the processing of personal data which are responsible in December 2009 has been set up central computer system of electronic registry. This system has to do with completing the Form On Line on the official website of Data Protection Authority www.kmdp.al, electronic registration and publication in the register open to the public.

Based on Law no. 9367, dated 7.04.2006 "On the prevention of conflict of interest in the exercise of public functions", was drafted a Regulation "On preventing conflict of interest in the exercise of public functions in the Institution of the Commissioner for Personal Data Protection".

Conclusion of all procedures for participation in Study Visits and practical training to the corresponding Personal Data Protection Offices; in Sweden 01-02 December 2009, in Portugal 10-11 December 2009, in Slovenia 15-16 December 2009 and in Italy 21-22 December 2009. The programs of these visits specifically relate to all spheres of personal data protection and privacy.

During this period it is drafted and published by the Commissioner Office a new leaflet about "privacy".

In cooperation with the OSCE, the following activities have been completed:

- drafting and publishing of the 'banking' leaflet . This leaflet is an awareness material for the banking sector;
- republication of the "notification obligation" leaflet
- the "Presentation with the law" leaflet and the "social networks" leaflet will be republished;
- the "Ethics Code" and the "Internal Regulations of the Authority " will be republished

Regarding the preparation for the organization of the European Day of Data Protection, which took place on the 28th of January, a series of activities have been organized during the week of 25 to 28 January.

The translation process of brochures and various acts of international institutions related to the protection of personal data is ongoing.

Meetings have been organized with private Controllers. The purpose of these contacts was the receiving of information regarding personal data that these companies collect for the purpose of equipping citizens with the client card. Also there has been retired some type forms that the controllers use for this purpose. In the framework of cooperation and awareness, a meeting was carried out as with "Sagem" company as one of biggest processors of personal data of Albanian citizens.

Annex 1: Training of the School of Magistrates

The School of Magistrates has approved the Thematic Program of the Continuous Training 2009 – 2012 (in the meeting of the Steering Council on 15.07.2009), in which the continuous training of judges and prosecutors shall be included with the following topics:

- 1) *“Criminal offences against state activity committed by state or public service officials. Active and passive corruption in view of international Conventions and the Albanian judicial practice”*;
- 2) *“Theoretical and practical aspects of economic and financial crime in line with the International Conventions. Laundering of money products and criminal offences in commercial companies”*;
- 3) *“Criminal defense of undertakings. Criminal offences related to commercial companies and practice. Judicial topic on criminal liability of legal entities”*;
- 4) *“Training seminars of investigative anti-corruption units”*
- 5) *“Problems of deontology and ethics in the exercise of criminal prosecution and of judicial functions”* with the following subtopics:
 - i. Principles of ethics according to the Code of Ethics of prosecutors and the judicial Code of Ethics, procedural legislation, organic laws and their importance;
 - ii. Power of the Code of Ethics of Prosecutors and Judicial Code of Ethics, its application;
 - iii. Professional system of evaluation and principles of ethics;
 - iv. Disciplinary and ethical violations, distinction between them;
 - v. Role of commission of ethics, judicial practice on violations committed by judges, of principles of judicial ethics.

During the period November 2009 – February 2010, the following activities were performed at the School of Magistrates, with currently hired judges and prosecutors.

05-06 November 2009 – Restorative justice and mediation victim-offender in relation to juveniles. Basic and advanced training for judges and prosecutors.
10 trainees

16-17 November 2009 – Alternatives of sentence following the reform of the punishment system (semi-liberty, public-interest work, stay in house premises, provisional sentence, probation service) and their execution. Problems of judicial practice and approximation to the European experience.
25 trainees

- 18 November 2009 – Processing of an initial and continuous vocational program (training) at the School of Magistrates on administrative law.
28 trainees (judges and candidates for magistrates of the School of Magistrates)
- 19-20 November 2009 – Alternatives of sentence following the reform of the punishment system (semi-liberty, public-interest work, stay in house premises, provisional sentence, probation service) and their execution. Problems of judicial practice and approximation to the European experience.
19 trainees
- 23-24 November 2009 – Background information on the SAA (and/or other agreements between EU and Albania). Their implementation in solving concrete priority issues in Albania, when they run counter to the domestic law. Role of the judiciary in the integration process. Relations between the domestic law and the international law. International agreements as self-applicable instruments (Train the Trainers).
17 trainees
- 25 –26 November 2009 – Cybercrime. Frauds on insurance, subsidies and loans. Cyber-fraud.
16 trainees
- 2-3 December 2009 – Implementation of the Family Law and Civil Legislation in relation to Juvenile Matters.
- 3 December 2009 – Researches on Issues of European Court of Human Rights.
We are waiting for data from USAID
- 3-4 December 2009 – Norms on trafficking of narcotic substances. Aspects of complicity and attempt, and controversies of the judicial practice.
14 trainees
- 4 December 2009 – Researches on Issues of European Court of Human Rights.
- 7 December 2009 – Researches on Issues of European Court of Human Rights.
- 8 December 2009 – Researches on Issues of European Court of Human Rights.
- 8-9 December 2009 – Alternatives of sentence following the reform of the punishment system (semi-liberty, public- interest work, stay in house premises, provisional

sentence, probation service) and their execution. Problems of judicial practice and approximation to the European experience.
17 trainees

9 December 2009 – Researches on Issues of the European Court of Human Rights.

10-11 December 2009 – Alternatives of sentence following the reform of the punishment system (semi-liberty, public-interest work, stay in house premises, provisional sentence, probation service) and their execution. Problems of judicial practice and approximation to the European experience.
16 trainees

10-11 December 2009 – Background information on the SAA (and/or other agreements between EU and Albania). Their implementation in solving concrete priority issues in Albania, when they run counter to the domestic law. Role of the judiciary in the integration process. Relations between the domestic law and the international law. International agreements as self-applicable instruments (Train the Trainers).
4 participating experts

11 December 2009 – Researches on Issues of European Court of Human Rights.

14-15 December 2009 – Cybercrime. Frauds on insurance, subsidies and loans. Cyber-fraud.
21 trainees

15-16 December 2009 – Implementation of the Family Law and of Civil Legislation in relation to Juvenile Matters.

16-17 December 2009 – Meaning of forms of special complicity. Practical problems of distinction between the structured criminal gang and the criminal organization, in line with the international conventions and the foreign standards.
13 trainees

21 December 2009 – Researches on Issues of European Court of Human Rights.
We are waiting for data from USAID

06-07 January 2010 – Evidence and their categories. Process of their evaluation. Indices and criteria of evaluation.
11 trainees

- 11-12 January 2010 – Lawsuits on protection of inheritance right. Lawsuit on seeking inheritance, return of inheritance property, recognition of the heir, cases and conditions for bringing such lawsuits.
19 trainees
- 11-12 January 2010 – Provision of Assistance to the Witnesses, Victims in Criminal Cases.
19 trainees
- 13-14 January 2010 – Legal relations with foreign authorities. Background information on international acts. Jurisdictional relations with foreign authorities in civil matters.
16 trainees
- 14-15 January 2010 – Provision of Assistance to the Witnesses, Victims in Criminal Cases.
Round table of experts
- 18-19 January 2010 – Role of litigants and of the court in the stage of the preparatory actions concerning the fair litigation. Actions to be carried out for the determination of the lawsuit etc.
26 trainees

Annex 2: Training for the Directorate against Organised Crime State Police

Trainings delivered in the area of organised crime, illegal trafficking, terrorism and economic-financial crime for the period 15 November 2009-22 January 2010 are the following:

1. One-day Training on “Extraction of an DNA profile from biological evidence” on 9 December 2009. The training was conducted by the British Police and attended, who then were certified, by 2 police officers. The purpose of the training was :

- Knowledge of the forms, methods and means for the extraction of a DNA profile from biological evidence.
- Procedures and means used for that purpose.
- Case studies and concrete actions

2. One-month training on “Fight against Organised Crime”, from 01 to 29 December 2009. This training was conducted in Egypt as per the relative programme. The training was attended by 13 police officers, who were then all certified. The purpose of the training was :

- Knowledge on organised crime.
- Forms, methods and means used for the detection and investigation of criminal offences of organised crime.
- Case studies, practical actions and exchange of experience.

3. Training on “Digital techniques for the audio-video recording, processing of the digital audio-video materials.” from 14 to 15 December 2009.

The training was delivered by the Crime Investigation Department at the Police Training Centre. It was attended by 27 police officers who were then all certified. The goal of the training was:

- Knowledge on digital techniques for the audio-video recording, processing of the audio-video digital materials.
- Demonstration and practical actions.

4. Training on “Fight against Trafficking of Narcotic Substances as a specific form of organised crime”, from 07 to 11 December 2009.

The training was conducted by BKA –Germany in Tirana. It was attended by 15 police officers who were then all certified. The goal of the training was :

- Knowledge on forms and methods of trafficking of narcotic substances.
- Special techniques used for the investigation of criminal offences related to drugs.
- Case studies, group discussions, exchange of experiences.

5. Training on “Operational analysis of forensic data”, from 14 December 2009 to 18 December 2009. The training took place at the Police Academy in Greece. It was attended by 2 police officers, who were all certified. The goal of the training was :

- Knowledge on Operational Analysis of Forensic Data
- Techniques and special means used in these analyses.
- Practical actions and exchange of experiences.

6. Training on “Search, investigation and observation of the crime scene”, on 02 - 06 November 2009. This training took place at the Police Academy in Greece as per the relative programme. It was attended by 2 police officers, who were then all certified. The goal of this training was :

- Knowledge on the crime scene, its investigation and observation.
- Forms, methods and means used for this purpose.
- Case studies, practical actions and exchange of experience.

7. Two trainings on “ Awareness-raising about the National Model of Information” on 18 - 22 January 2010, and 25 - 29 January 2010, which were delivered by PAMECA III at the Police Training Centre, Tirana. These were attended by 23 police officers, who were then all certified.

The goal of these trainings was :

- Knowledge on the National Model of Information.
- Methods and procedures used in the collection, evidencing and analysis of the criminal intelligence.
- Case studies, practical actions and exchange of experience

8. Two trainings on “Techniques of survival on the roads”, on 11 -25 January 2010, and on 18 - 22 January 2010.

The training was provided by ICITAP Project and took place at the Police Training Centre, Tirana. These were attended by 50 police officers, who were then all certified. The goal of these trainings was :

- Knowledge on the pertinent rules and actions performed in cases of accidents.
- Eventual cases and measures taken and procedures executed.
- Case studies, practical actions and exchange of experience.

9. Training on “Survey of the issue of foreign plated vehicles”, on 17 November 2009. The training took place at the Police Training Center and was delivered by PAMECA III Project. It was attended by 17 police officers, who were then all certified. The goal of this training was :

- Knowledge of rules how car plates are issued, of the move and control of foreign plated vehicles.
- Forms, methods and means used to identify vehicles with forged or stolen plates.
- Case studies, practical actions and exchange of experience.

10. Training on “Methods, ways and forms used for the trafficking of motor vehicles”, on 23 - 24 November 2009 at the Police Training Center. It was attended by 16 police officers, who were then all certified. The goal of this training was :

- Knowledge on the trafficking of motor vehicles
- Methods, ways and forms used to identify the stolen and trafficked vehicles.
- Case studies, practical actions and exchange of experience.

11. Training on “Trafficking of stolen vehicles”, on 20 - 22 January 2010. The training was provided by EUROPOL and conducted through TAIEX assistance in Tirana. It was attended by 18 police officers, who were then all certified. The goal of this training was:

- Knowledge on the situation of trafficking in the region and in Europe.

- Methods, ways and forms used to identify the stolen and trafficked vehicles.
- Case studies, practical actions and exchange of experience.

12. Training on “ Institutional cooperation and coordination among the structures of police, army and local government; legal and organisational powers in critical situations and in terrorist acts” on 17 - 18 November 2009. The training was provided by “Hanns Seidel” Foundation and took place in Tirana, with the participation of 25 police officers, who were then all certified. The goal of this training was:

- Knowledge on cooperation and coordination forms in critical situations and terrorist acts.
- Case studies, practical actions and exchange of experience

13. 5-days training on “Methodology of Investigation of Terrorist Acts using Explosives”, on 09 - 10 November 2009. The training took place at the Police Training Center with the participation of 25 police officers, who were then all certified. The goal of this training was:

- Knowledge on Methodology of Investigation of Terrorist Acts using Explosives.
- Case studies, practical actions, and
- Exchange of experience.

Annex 3: Police Trainings Statistics on Trafficking in Persons - Year 2009

Nr.	Title	Starting Date	No. of Participants	Beneficiaries	Organizers
1.	One - week training course on human trafficking and smuggling of goods.	21.01.2009	4	Dep. of Criminal Investigation (CID)	Immigration and Customs Enforcement (ICE)
2.	Victims' compensation	21-22.05.2009	13	CID	School of Magistrates
3.	Interviewing Techniques and interviewing of human trafficking victims.	November - December 2009	12	CID	IOM
4.	Competencies of Judicial Police and Legal amendments	28-29 September	4	CID	CID
5.	On the use of the criminal information management system. (MEMEX)	19 -23 January 2009	32	CID	CID
6.	Fight against Organized Crime - Cairo Egypt	1-30 July 2009	5	CID	Embassy of Egypt
7.	Criminal Intelligence Analysis	27 -30 April 2009	4	CID	CID
8.	Special operations management	27 th April and 1 st May 2009	7	CID	SOCA UK
9.	Police Information, sources of information, information gathering and administration, its verification and assessment in compliance with the Guidelines No. 1479 date 27.07.2007 of the Minister of Interior.	21-22 December	5	CID	CID
10.	Smuggling in persons. Smuggling of persons from the Middle East, investigation methods.	16-17 December	24	CID; Dep. of Border and Migration (DBM)	CID DBM

	Cases				
11.	National Referral Mechanism and identification of victims of trafficking according to the NRM.	December 2009 in the 12 Regions of Albania	In total 150	CID; DBM; Dep. of Public Order (DPO)	IOM

Annex 4: Trainings Delivered by the School of Magistrates on fight against trafficking of human beings September 2008 – June 2009

No	Topics	Period	Judges (who attended)	Prosecutors (who attended)	Judicial police officers
1	Compensation of the victims of trafficking. (Rights of the victims of trafficking. Comparative overview: the right for compensation, international law and the comparative one. Albanian law and experience of the justice agencies – criminal, civil and labor law).	3 October 2008	10	2	0
2	Identification, treatment and protection of victims of trafficking, before and after the trial.	2 December 2008	8	3	0
3	Identification, treatment and protection of victims of trafficking, before and after the trial.	3 December 2008	8 magistrates	13 magistrates	0
4	Identification, treatment and protection of victims of trafficking, before and after the trial.	15 December 2008	9	7	0
5	Identification, treatment and protection of victims of trafficking, before and after the trial.	16 December 2008	10	6	0
6	Training on the Family Right and that of minors including CHR and European Community Right. Trafficking in persons. Conventions of the Council of Europe (Article 8 of the CHR and Fundamental Freedoms). Compensation of the victims of trafficking. (Rights of the victims of trafficking. Comparative overview: the right to compensation, international right and the comparative one. Albanian law and experience of the justice agencies – criminal, civil and labor law)	4-5 December 2008	34	7	0
7	Training on the Family Right and that of minors including CHR and European Community Right. Trafficking in persons.	5-6 March 2009	30	2	0
8	Compensation of the victims of trafficking. (Rights of the victims of trafficking. Comparative overview: the right to compensation, international right and the comparative one. Albanian law and experience of the justice agencies – criminal,	14-15 April 2009	4	1	2

	civil and labor law).				
9	Compensation of the victims of trafficking. (Rights of the victims of trafficking. Comparative overview: the right to compensation, international right and the comparative one. Albanian law and experience of the justice agencies – criminal, civil and labor law).	16-17 April 2009	9	9	1
10	Compensation of the victims of trafficking. (Rights of the victims of trafficking. Comparative overview: the right to compensation, international right and the comparative one. Albanian law and experience of the justice agencies – criminal, civil and labor law).	21-22 May 2009	5	9	5
11	Illicit borders crossing and assistance to illicit borders crossing. Differences between them and trafficking in persons. Elements of this criminal offence. Distinguishing between tenting to commit a criminal offence and its commission. Compensation of the victims of trafficking. (Rights of the victims of trafficking. Comparative overview: the right to compensation, international right and the comparative one. Albanian law and experience of the justice agencies – criminal, civil and labor law)	20 May 2009	4	5	0
	Total		131	64	8

ANNEX 5: Trainings delivered at the State Police for the period 15 November-25 January 2010

With the aim of improving and further developing the professional capacities of the State Police officers in order to enhance their skills of prevention and investigation of crime, the Department of Police Training identified and delivered 52 training courses for the period 15 November-25 January 2009. 2085 police officers of various structures and ranks attended these courses. Out of whom 1106 are police officers who completed or are still attending the Police Base Training of General Patrol, 11 and 22 weeks long, and 979 participated, and then certified, in the specialised and advanced trainings. (The table below):

Table. Specialised and advanced trainings (15 November-25 January 2010)

No.	Code	Theme	Beginning	Ending	Participants	Beneficiary	Organizer
1	ADSSK T8	Operational direction and management. Gr. 6 (DIBER)	24 Nov 2009	25 Nov 2009	20	RPD Diber	PAMECA 3
2	ADSB	Institutional cooperation and interaction between police structures, army and local government, legal and organisational competencies in serious situations and terrorist acts	17 Nov 2009	19 Nov 2009	25	Public Order & Security Dept.	Hanns seidel
3	ADKML 2	Knowledge on the legal acts and bylaws, knowledge on the use of the equipments in use by the Albanian border police for the detection of different legal offences in BCP	12 Nov 2009	12 Nov 2009	8	Border and Migratio n Dept.	Border and Migration Dept.
4	ADKLS1	Knowledge on the use of I Live Scanner in BCP	16 Nov 2009	16 Nov 2009	30	Border and Migratio n Dept.	Sagem Security

5		False travel documents	16 Nov 2009	19 Nov 2009	24	Crime Investigation Dept.	USA
6	ADHDH F8	Violence in Gjirokaster	20 Nov 2009	20 Nov 2009	24		IPAGJ
7	ADKOP 1	Operations of search-rescue at sea (Vlore)	09 Nov 2009	13 Nov 2009	8	Border and Migration Dept.	EXBS
8	ADKOP 2	Operations of search-rescue at sea (Durrës)	16 Nov 2009	20 Nov 2009	8	Border and Migration Dept.	EXBS
9	ADHLS 3	Knowledge on the use of new Live Scanner devices	18 Nov 2009	18 Nov 2009	12	Border and Migration Dept.	Sagem Security
10	ADHLS 4	Knowledge on the use of new Live Scanner devices	19 Nov 2009	19 Nov 2009	13	Border and Migration Dept.	Sagem Security
11	KDTOT T4	The role and duties of the Field-Training officer in the Regional Police Directorate in Durrës	19 Nov 2009	20 Nov 2009	41	RPD Durrës	Training Police Dept.
12	ADHATH	Review of the case of foreign-plated vehicles	17 Nov 2009	17 Nov 2009	17	Crime Investigation Dept.	PAMECA 3
13	ADHSK	The search of the crime scene, investigation and observation	2 Nov 2009	06 Nov 2009	2	Crime Investigation Dept.	Police Academy Greece

14	ADHHA T	The methodology of Investigation of Terrorist Acts with Explosive	09 Nov 2009	10 Nov 2009	25	Crime Investigation Dept.	Crime Investigation Dept
15	ADHDI	The security elements of the travel documents	16 Nov 2009	17 Nov 2009	25	Crime Investigation Dept.	Crime Investigation Dept
16	ADHIPP	Training of a practical investigation case of Money laundering from the moment of receiving the first information and up to taking the case to court	2 Nov 2009	3 Nov 2009	15	Crime Investigation Dept	Crime Investigation Dept.
17	ADKTM M	Methods, manners and forms used for the trafficking of motor vehicles	23 Nov 2009	24 Nov 2009	16	Border and Migration Dept.	Border and Migration Dept.
18	ADKPA	Use of anti-smuggling devices	23 Nov 2009	26 Nov 2009	7	Border and Migration Dept.	UNODC
19	ADKSS	"Star-link" knowledge on the security system	16 Nov 2009	20 Nov 2009	2	Border and Migration Dept.	CESS (Centre of European Studies for Security RACVIAC – Croatia
		December 2009					
20	ADHAO	Operational analysis of the forensic data in Greece	14 Dec 2009	18 Dec 2009	2	Crime Investigation Dept.	Police Academy Greece
21	ADMEX 1	Knowledge on the EXEL program	02 Dec 2009	02 Dec 2009	15	Support Service	PAMECA 3

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22	ADMEX 2	Knowledge on the EXEL program	15 Dec 2009	15 Dec 2009	15	SupportS erviceDe pt.	PAMECA 3
23	ADHHDH F9	Domestic Violence in the Regional Police Directorate in Durrës	03 Dec 2009	03 Dec 2009	23	Crime Investiga tion Dept	IPAGJ
24	ADHTL N	Fight against Trafficking of Narcotic Substances as a special form of organised crime	7 Dec 2009	11 Dec 2009	15	Crime Investiga tion Dept.	BKA – Germany
25	ADSPK M	Communication with the media and public	10 Dec 2009	11 Dec 2009	25	Directora te of Professio nal Standard s	Directorate of Professional Standards
26	ADHTR	Digital techniques of the audio, video recording, the processing of the digital audio-visual materials	14 Dec 2009	15 Dec 2009	27	Crime Investiga tion Dept.	Crime Investigation Dept.
27	ADTHK 2	Design the curricula and the assessment of trainings	7 Dec 2009	11 Dec 2009	10	Police Training Dept.	PAMECA 3
28	ADHKO	Fight against organised crime	01 Dec 2009	29 Dec 2009	13	Crime Investiga tion Dept	Egyptian Embassy
29	ADKSP	Knowledge on the use of the Passport Scanners	10 Dec 2009	10 Dec 2009	17	Border and Migratio n Dept	Border and Migration Dept.
30	SDKML D	Knowledge on the anti-drug training	14 Dec 2009	18 Dec 2009	10	Border and Migratio	Guardia di Finanza

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31	ADHAD N	Extraction out the DNA profile from the Biological evidence	9 Dec 2009	9 Dec 2009	20	Crime Investigation Dept	British police
32	SDSQR R	Life security in the streets, traffic regulations in crossings (g1-g4)	7 Dec 2009	11 Dec 2009	134	Police Training Dept.	PAMECA 3
Department of Police Training							
33	SDTIQP	Training of new Instructors for the Police Dogs	01 Oct 2008	31 Jan 2009	11	Police Training Dept.	Police Training Dept.
34	SOTT2 4	Officers of Field Training. Course 22.	2 Dec 2009	9 Dec 2009	26	Police Training Dept.	Police Training Dept.
35	SOTT2 5	Officers of Field Training. Course 23.	14 Dec 2009	21 Dec 2009	25	Police Training Dept.	Police Training Dept.
36	SFI14	Instructor's Training. Course 14	09 Nov 2009	04 Dec 2009	25	Police Training Dept.	Police Training Dept.

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37	SDHKR TM	Road Survival techniques	11 Jan 2010	15 Jan 2010	25	Crime Investigation Dept	ICITAP
38	SDHKR TM	Road Survival techniques	18 Jan 2010	22 Jan 2010	25	Crime Investigation Dept	ICITAP
39	SDKMI K	Inspection of containers in Ports	18 Jan 2010	22 Jan 2010	5	Border and Migratio	USA Embassy

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40	SDHKF	Fight against Economic-Financial Crime	25 Jan 2010	28 Jan 2010	24	Crime Investigation Dept	Belgian Police
41	SDHKT MV	Trafficking of stolen vehicles	20 Jan 2010	22 Jan 2010	18	Crime Investigation Dept	EUROPOL (TAIEX)
42	SDHAI P1	Awareness-raising about the National Information Model	18 Jan 2010	22 Jan 2010	11	Crime Investigation Dept	PAMECA III
43	SDHAI P2	Awareness-raising about the National Information Model	25 Jan 2010	29 Jan 2010	22	Crime Investigation Dept	PAMECA III
44	SDSHRI MS1	RIMS program – Armament module	18 Jan. 2010	22 Jan 2010	8	Support Services Dept	Support Services Directorate (DTI)
45	SDSHRI MS2	RIMS program – Fine module	18 Jan. 2010	20 Jan. 2010	8	Support Services Dept	Support Services Directorate (DTI)
46	SFI15	Course for Instructor Training	18 Jan. 2010	12 Febr. 2010	16	General Directorate of State Police	Police Training Dept.
47	SDTVPI 1	Assessment of the Instructors performance	26 Jan. 2010	28 Jan. 2010	16	Police Training Dept.	PAMECA III
48	SDTVPI 2	Assessment of the Instructors performance	29 Jan. 2010	03 Febr. 2010	16	Police Training Dept.	PAMECA III

49	SDTOT T	The role and duties of the Field- Training Officer in the Regional Police Directorates	21 Jan. 2010	22 Jan. 2010	40	RPD	Police Training Dept.
	Total				979		