

Annex 1: REPORT ON THE DRAFT LAW “ON SOME ADDITIONS AND AMENDMENTS IN THE LAW NO. 8677, DATED 02.11.2000 “ON THE ORGANISATION AND FUNCTIONING OF JUDICIAL POLICE”, AMENDED.....	1
Annex 2: Implementation of the Anticorruption Action Plan 2010	8
Annex 3: Concrete cases containing the decision no, the data of the persons, request of the prosecutor’s office and decision of the Court of First Instance of Serious Crimes.....	36
Annex 4: Trends of the fight against organized crime and corruption with statistical data	44

Annex 1: REPORT ON THE DRAFT LAW “ON SOME ADDITIONS AND AMENDMENTS IN THE LAW NO. 8677, DATED 02.11.2000 “ON THE ORGANISATION AND FUNCTIONING OF JUDICIAL POLICE”, AMENDED

The draft law on some additions and amendments in the law no. 8677, dated 02.11.2000 “on the organization and functioning of judicial police”, amended, proposed pursuant to articles 78 and 83 point 1 of the Constitution, constitutes one of the most important initiatives in the framework of justice reforms following the laws approved in the context of the reforming of the judicial system, in the bodies of the prosecutor’s office and State Police. The reforming of the judicial system is the result of consensus and understanding by all institutions which are under the Ministry of Justice, Ministry of Interior, State Police and General Prosecutor’s Office. The goal of this product is the respect for and the protection of the constitutional role of the Prosecutor’s Office in the exercise of criminal prosecution and in the accomplishment of other tasks assigned to it by the law.

The draft law’s objective is to be an important and harmonized part of the legislation governing the organization and functioning of the criminal justice actors, among the most important being the Criminal Procedure Code, Law No. 9877/2008 “On the organization of the judicial power in the Republic of Albania”, Law No. 8737 dated 12.02.2001 “On the organization and functioning of the Prosecutor’s Office in the Republic of Albania”, amended, and the Law No. 9749 dated 04.06.2007 “On State Police” , in order to enable an effective and responsible criminal prosecution defining clearly the roles and responsibilities. Therefore, the initiative to reform the law 8677/2000 derives from the indispensability to improve cooperation relations among the actors of the judicial justice system which the law assigns with the functions of detection and prevention of criminal offences and of the criminal prosecution. This initiative aims to enhance the performance of judicial police by precisely defining the function, tasks, subordination

relations, ways of professional skill-enhancement and even the disciplinary proceedings. Furthermore, the preparation of this draft law is one of the measures which the Ministry of Justice should realize in the framework of fulfilling the recommendations about capacity strengthening and judicial cooperation among the domestic mechanisms.

The work for the preparation of the draft law “On some additions and amendments in the law no.8677 dated 02.11.2000 “On organization and functioning of the judicial police”, amended, started following the Order of the Minister of Justice no.8472/1 dated 10.11.2009 which demanded the setting up of a broad-based working group to analyze the need for interventions in the actual law and to design the amending draft law. Once the General Directorate of Codification in the Ministry of Justice prepared the draft policy evidencing the interventions deemed necessary in the law no. 8677/2000, the working group comprising experts of the Ministry of Justice, General Prosecutor’s Office, State Police, EURALIUS Mission, OPDAT Mission and ICITAP started its work.

The working group analyzed the possibilities of improvement of the law 8677/2000 focusing especially in the following issues:

1. Organization of judicial police sections;
2. Improvement of judicial police performance
3. Disciplinary proceeding

The above-mentioned issues are the most discussed during the work for the preparation of this draft law. Below there is a summarized outline of the solutions accepted for each of the issues.

1. With regard to the organization of judicial police sections, considering as satisfactory, on one hand, the current activity of the judicial police and the inclusion of lawyers in the sections as a good professional support to the prosecutors’ body and on the other hand, evidencing the need for expertise in various areas it was selected to preserve the actual organization of judicial police sections but adding in them experts of different areas appointed by the General Prosecutor who will conduct expertise tasks. The provisions of the existing law and of the Criminal Procedure Code are oriented toward bestowing to the General Prosecutor the authority to appoint part of the personnel of judicial police sections (up to one fourth) with lawyer background. In this normative frame, it is possible to foresee in the draft law the inclusion in the sections of expert specialist of various areas with judicial police attributes and who may be appointed by the General Prosecutor.

2. With regard to improvement of judicial police performance, the analysis of the current situation points out the concern of non-compliance of professional quality in the exercise of the functions among the appointees from the General Prosecutor (lawyers) and the appointees from the police forces as well as outlines the need to foresee rules about mandatory training. Furthermore, it outlines the issues related to the evaluation of judicial police by the head of Prosecutor's Office and the periodicity of this evaluation as well as related to the sustainability in duty of judicial police officers. The working group agreed that the draft law shall set rules with regard to:
 - a) continuous training of judicial police
 - b) periodic evaluation and promotion; as well as
 - c) sustainability in duty

3. With regard to disciplinary proceeding, there were discussions on two alternatives:
 - a) Setting of common rules for all employees (lawyers and police officers) exercising judicial police functions, such a regulation corresponds to the actual legal provisions which in practice have encountered difficulties because of non-compliance with specific laws.
 - b) Setting of rules only for judicial police officers appointed by the General Prosecutor

With regard to this issue, it was selected to improve the procedure for disciplinary proceeding, by involving the highest ranking heads of judicial police and adding rules related to the initiation of disciplinary proceeding, to the imposition of the disciplinary measure and to the whole disciplinary procedure. The draft law foresees that the disciplinary proceeding rules foreseen in it shall be imposed on judicial police employees, regardless of other normative rules in power, if the employee commits disciplinary infringements according to this law

during the exercise of the judicial police function.

More concretely, the amendments and additions in the law 8677/2000 proposed in this draft law are analyzed in more detail below:

Article 1 of the draft law defines the principles of the organization and functioning of judicial police, its role in criminal prosecution and mutual cooperation between judicial police and prosecutor's office. These principles, although they govern the activity of judicial police, are not included in the existing law.

Article 2 re-dimensions the functional powers of judicial police, defining concretely each function performed in the framework of criminal offence prevention and investigation, and in performing other procedural actions tasked by the procedural law or other laws.

Article 3 determines the subordination of judicial police to the prosecutor who leads and controls its activity having at his disposal the staff of the sections and also utilizing every judicial police service.

Article 4 re-defines the division of the exercise of judicial police functions in officers and agents. This division is in line with the new law on State Police, defining, as per rank and level of State Police officers, the attributes of judicial police officer and agent. The attributes of judicial police officer or agent are also recognized to officers of other police services when such a fact is stipulated in the law governing the establishment, organization and functioning of the given police service. The latter exercise the judicial police functions within the service they are assigned to and in accordance with the attributes given by the law.

Article 5 foresees the addition of two new articles. The new article 5/a sanctions the duty of the judicial police officer to fulfill his legal functions even in cases when he does not serve in a given judicial police service, when he is not during his service time and regardless of the territory or circumstances he is in. The new article 5/b defines the obligation of judicial police to respect the rules of the legislation in power regarding non-disclosure of acts documenting the procedural actions as well as of any other information flowing from them.

Article 6 brings about some changes intending to approximate the law with the new system of ranks and level of state police officers. Furthermore, according to this draft law, the highest ranking judicial police officer is responsible to the head of prosecutor's office that has territorial jurisdiction over the area where the judicial police service operates.

Article 7 re-formulates totally article 7 of the existing law. In comparison with the actual provision, the new development foreseen in this amendment relates to the preservation of the organization and hierarchy of judicial police services in accordance with the structure of the public institution they are part of. Other changes relate to the nomenclature, replacing "the competent body" with "the head of the institution" who is responsible and takes care for the

establishment of the judicial police service at each location where the concerned prosecutor's office is headquartered, as well as for the staffing necessary to fulfill the functions. The proposed article foresees that the head of the institution is responsible and takes care for the establishment and functioning of special judicial police services to investigate special forms of crime.

Article 8 aims to regulate the judicial police sections at the prosecutor's office. There have been discussions for this case in the working group, where the represented institutions had different points of view regarding these sections. The approach is to save the actual organization of the sections providing the possibility of nomination from prosecutor's offices of the experts from different fields.

In this draft law it is removed the solid number of lawyers from the judicial police sections (1/4 of staff according to the actual law) in order to be assessed by the General Prosecutor and the officials of the public institutions.

Another amendment is made in this article, through the addition of one new paragraph in the actual law, which strengthens the position of the participants of the judicial sections when they exercise their functions, as a procedural guarantee to the interventions and pressures. More concretely they can not be removed from the activity of the judicial police approved by the General Prosecutor and can not be substituted or removed by the investigations carried on by it despite the procedural moment this investigations is done, and only by decision of the leader in the prosecutor's office.

Article 9 adds a new article 8/a which in the framework of an effective communication and interaction defines, the roles and duties of the judicial police and of the prosecutor when they perform their procedural activities, depending on the fact of presenting the announcement for the criminal act.

Article 10 makes changes that consist on the accuracy of the nomenclature and connection with the law for state police.

Article 11 substitutes article 10 of the actual law. This article aims to define the conditions to be fulfilled especially the officers and the agents of the judicial police officers in accordance with the new law of state police

Article 12 predicts the addition of a new article 10/a, according to which the appointment in the judicial police sections is done on the basis of one competition procedure according to the rules defined by joint directive by the General Prosecutor, Minister of Interior and the other ministers responsible that have in their competencies police forces.

Article 13 substitutes the article 11 of the actual law. In this article is foreseen the procedure for the transfer and promotion of the agents of the judicial police sections. In this article, in order to secure stability and continuity for the work of judicial police, it is foreseen that the leaders of the judicial police services notify ten days in advance the leader of the prosecutor's office at the first instance court in the cases of promotion or transfer of the judicial police officers. In order that this transfer can not be an obstacle for the progress of the investigations, the General Prosecutor can request the suspension/or to postpone the transfer until the investigations are finished. The transfer even the temporary one, is done according to the motivated request of the competent body of the police force, after it has taken the preliminary opinion and the approval of the General Prosecutor, who in cases of opposition regarding the transfer it should be motivated. For the work done by the employee of the judicial police section the leader of the prosecutor's office where he exercised his duty he presents an assessment of duty, an assessment that is part of the personal file of the officer or of the judicial police agent.

Article 14 it adds two new articles and more concretely the articles 11/a and 11/b. The article 11/a foresees the resignation of the judicial police employee in cases there are reasons of partiality when he performs his duty, for which decides the prosecutor of the case and in cases when the resignation is accepted he decides for his substitution. The prosecutor has the right to continue by himself the substitution of the judicial police employee when there exist serious reasons related with the duty. In other cases the judicial police officer can be substituted with his own approval. The new article 11/b defines the conditions for the release from duty of the judicial police officer and agent.

Article 15 amends the article 12/a of the law, especially regarding the financial treatment of the officers and agents of the judicial police sections, by increasing their payment for work seniority. This article, apart from defining the payment of the judicial police officer, of the sections of prosecutor's offices of judicial districts and appeal prosecutor's offices in the amount 70% of the payment of the prosecutor of the judicial district prosecutor's office, foresees that after 5 years of seniority in duty, for each year of seniority, until 25 years of service it is increased with 2% per year. Over this payment, for specific work conditions, the payment of the judicial police officer of the section of Serious Crimes Prosecutor's Office and Appeal Prosecutor's Office for Serious Crimes, as well as of the General Prosecutor Office, it is increased with 20%. This article foresees that the employees of the sections nominated by the General Prosecutor, can profit rewards for professional skills, in the amount defined with the approval of the leader and approval of the General Prosecutor. The criteria for rewards for specific skills it is foreseen to be defined by the Directive of the General Prosecutor after it had taken the decision of the Prosecutor's Office Council. In this article are foreseen also other benefits as the annual leave or leave for reasons of professional qualification. The judicial police officers nominated by the General Prosecutor profit work difficulty until 20% according to the criteria of defining the difficulties during work performance that are approved by order of the General Prosecutor proposed by the Council of Prosecutor's Office.

Article 16 adds a new Chapter after Chapter III and more concretely Chapter III/1 with the articles 12/b and 12/c. Through this articles it is addressed the case of on going training of the judicial police officers and agents and as well as of the assessment of individual results.

Article 17 adds the new article 13/a, which defines the field for the implementation of duties and disciplinary proceeding. According to this article, the rules of disciplinary proceeding toward the police employees during their duty as judicial police employees have priorities and are implemented despite the normative regulations that are into force. This prediction constitutes a legal guarantee for the judicial police employees, because that violations and disciplinary proceeding are defined by law, despite the other regulations that exist in this field (violations and manner of disciplinary proceeding of the state police employees is defined by decision of the Council of Ministers). On the other hand, the summery of rules in a sole law orientates better these employees of law enforcement.

Article 18 substitutes the article 14, which foresees that the employee of the judicial police during the exercise of the functions of judicial police is subject to the disciplinary responsibility also in the cases with guarantees foreseen in this law.

Article 19 adds article 14/a where are foreseen the different types of disciplinary violations for judicial police employees. The actual law does not define concretely which actions are considered as violations. In the draft law proposed, depending on the importance of the violation committed they are divided in three categories: light, serious and very serious.

Article 20 substitutes article 15, which foresees the disciplinary proceeding for the judicial police employee. In this article are defined the authorities that have the right to start the disciplinary proceeding, the rights of the judicial police employee during the development of judicial proceeding as well as the competent structure that will examine and take the decision for the violation attributed it it.

Article 21 foresees to add two new articles and more concretely the articles 15/a and 15/b. The new article 15/a defines the different types of disciplinary measures for the judicial police employees, that are given according to the importance and in relation with the disciplinary violation committed. While article 15/b foresees the right of the judicial police employee in order to appeal in the court.

Article 22 makes only one linguistic accuracy for the connection of the actual law with the law "For State Police".

In order to implement some provisions of this law it is foreseen in **article 23** the display of sub-laws by General Prosecutor, Minister of Interior and the ministers that have in their competence police forces that exercise judicial police functions, within 3 months from the day when entering

into force of this law. In this article also it is foreseen that the financial effects that derive from the implementation of the article 12/a of this law start from 01 January 2011.

These effects are calculated as follows:

To calculate the financial effects of this new law, are taken into consideration the data from the General Prosecutor's Office based on the number of judicial police officers lawyers nominated by the Prosecutor.

The structure of Judicial Police-lawyers, in the system of Prosecutor's Office

In the prosecutor's office of judicial districts are about 115 officers of Judicial Police-lawyers.

In the serious crimes prosecutor's offices are 13 officers of Judicial Police-lawyers.

In the Appeal Prosecutor's Offices are 5 officers of Judicial Police-lawyers.

In the General Prosecutor's Offices (undercover sector) are 20 officers of Judicial Police-lawyers.

In total are 153 officers of Judicial Police-lawyers.

Annex 2: Implementation of the Anticorruption Action Plan 2010 4 months report

MINISTRY OF JUSTICE

1) In the framework of meeting the objective with respect to *strengthening international judicial cooperation in function of repression of organized crime and corruption the following has been accomplished:*

a) There were approved bylaws of law no. 10293/2009 "On jurisdictional relations with foreign authorities in criminal matters".

Upon order no. 8209/7, date 05.01.2010 of the Minister of Justice a working group was established in the Ministry of Justice which drafted two bylaws in its function, namely: (1) Joint Instruction of the Minister of Justice and the Attorney General Officer to determine regulations on the form of letter of request, procedure and translation of acts; and (2) Instruction of Minister of Justice on the conduct and procedure of registration sentences given to Albanian citizens by foreign judiciary authorities.

Joint Instruction of the Minister of Minister of Justice and Attorney General Officer "On definition of regulations for the form of letter of request, procedure and translation of acts" was

approved by the Minister of Justice with protocol no. 3922, date 28.04.2010 “*On the conduct and procedure of registration sentences given to Albanian citizens by foreign judiciary authorities*”.

b) During the first trimester of year 2010 continuous contacts were maintained with representatives of Euro just, in the framework of setting deadline for the commencement of negotiations for signing the joint agreement. In the last communication (electronically exchanged correspondence on date 18 May 2010) was decided that the meeting between both parties shall take place during the second semester of 2010. The agreement is expected to be signed within 2010.

c) The Ministry of Justice is towards finalization of two agreements with the counterpart institution of the Kingdom of Belgium:

- i) draft agreement between Kingdom of Belgium and Republic of Albania on Transfer of Sentenced Person and
- ii) Draft memorandum of cooperation between both homologue justice institutions of both respective countries.

The draft agreement for transfer of sentenced persons was approved in principle by the Council of Ministers at the meeting of date 2 June 2010. The draft memorandum of administrative cooperation's was forwarded to Ministry of Foreign Affairs which will further attend signing procedures.

ç) In the framework of training development of law enforcement officers, the Ministry of Justice in collaboration with Council of Europe and in function of supporting PROSECO has delivered on 13-14 April 2010 the training on matters of jurisdictional collaboration to judges, prosecutors, administrative staff of Ministry of Justice, lawyers and School of Magistrates. This training addressed the topic of matters related to the provisions of law no. 10193/2009 “On jurisdictional relations with foreign authorities in criminal matters” and its practical implementation from the justice system chain.

2) In the framework of repression of organized crime and money laundering, there are in process bylaws drafted in function of law no. 10192, date 03.12.2009 “On prevention and suppression of organized crime and trafficking by preventive measures against property”. Namely:

a) The meeting of date 5 May 2010 of the Council of Ministers approved the decision “*On defining detailed regulations on organizations, powers and functioning of the Agency for Administration of Sequestered and Confiscated Properties*”, in function of article 13 of law no. 10192/2009.

b) On March 2010 the Ministry of Finances sent for remarks to the Ministry of Justice the draft decision “*On defining detailed regulations and procedures of collaboration between bailiff services with the Agency for Administration of Sequestered and Confiscated Properties, as well*”.

as the pertinent payment for bailiff service.”, issuance of which is provided for in articles 14 and 18 of law no. 10192/2009. The Ministry of Justice (General Directorate of Codification in coordination with General Directorate of Bailiff Service) has forwarded its suggestions on the legitimacy, form and content of this draft act. The Ministry of Finances is expected to send the draft act for scrutiny and approval to the Council of Ministers.

c) By the end of May 2010, the Ministry of Finances forwarded for remarks to Ministry of Justice the draft decision “*On defining appraisal regulations and criteria, practices and procedures of giving in use and alienation of confiscated properties*”, issuance of which is provided for in article 34 of law no. 10192/2009. The Ministry of Justice (General Directorate of Codification) has forwarded its suggestions on the legitimacy, form and content of this draft act. The Ministry of Finances is expected to send the draft act for scrutiny and approval to the Council of Ministers.

3) Regarding the ***reflection of GRECO recommendation***, the Ministry of Justice has drafted the draft law “On some amendments and changes to law no. 7895, date 27.1.1995 “Criminal Code of Republic of Albania”, amended”, that reflects recommendations, mainly on some provisions on some new criminal offences in corruption area (8 criminal offences in total) with regard to entities that are foreign or international officials as well as applying tougher sanctions on criminal offences of active and passive corruption in private sector.

This draft law was forwarded for remarks on February 2010 to the Council of Ministers (Anti Corruption Department), Ministry of Finances, Ministry of Economy Trade and Energy, Minister of State and Relations with the Parliament, Ministry of Interiors, General Directorate for Money Laundry, High Inspectorate of Declaration and Audit of Assets, High Council of Justice, General Attorney as well as to foreign missions as: OSCE, EURALIUS, Council of Europe and OPDAT. During this period suggestions and remarks were forwarded to Ministry of Justice by some of the parties of interest.

4) In the framework of meeting ***the objective of repression against corruptive phenomenon in the judicial system***, the Ministry of Justice exercised controls in 5 courts. In function of Decision no. 254, date 02.11.2009 of the High Council of Justice and Order no.7456/4 date 24.11.2009 of the Ministry of Justice, a joint inspection activity was performed in the courts of judicial districts of Tirana, Dures, Shkoder, Vlore and Serious Crimes Court by inspectors of High Council of Justice and inspectors of the Ministry of Justice.

This joint inspection of Judicial Inspection Directorate in the Ministry of Justice and Inspectorate of the High Council of Justice focused on exercising controls on accomplishing in due time of criminal related trials and their compliance with the Constitutions and procedures legislation. Most of the criminal offences subject to this control are provided for in the chapter of criminal offences against government activity committed by government officers, where are included criminal offences as : passive corruption of persons who exercise public function (article 259 of the Criminal Code),

passive corruption of high state officials or elected local government officials (article 260 of the Criminal Code), abuse of duty (article 248 of the Criminal Code).

The inspection was completed on February 2010 and the compiled report was submitted to the Minister of Justice. Regarding the identified violations, the Minister of Justice in function of implementing legal powers provided by law no. 8678/2001 “On organization and functioning of Ministry of Justice” amended by law no. 8811/2001 “On organization and functioning of the High Council of Justice”, amended, is expected to propose to High Council of Justice to take measures against judges for whom legislation violations would be ascertained.

5) With respect to meeting the objective of ***encouraging dispute resolution between parties outside the court***, either in family, civil related matter or criminal ones, the Ministry of Justice (General Directorate of Codification) is toward completion stage of the draft “On some amendment and changes to law no. 9090, date 26.06.2003 “On disputes resolution through mediation”. The draft law shall soon be forwarded for remarks to the parties of interest.

6) In the framework of meeting the objective of ***strengthening collaboration between legislation implementing instruments***, The Ministry of Justice has completed on March 2010 the draft law “On some amendment and changes to law no. 8677, date 02.11.2000 “On organization and functioning of Judicial Police” amended, that regulates relations between prosecution and judicial police aiming to improve effectiveness of collaboration and legislation implementation. In the process of drafting this draft law participated representatives from the General Attorney’s Office and Ministry of Interior. The working group was assisted by international partners (namely EURALIUS, OPDAT, PAMECA, OSCE, and the Twinning Project in the General Attorney’s Office). The draft law has reflected suggestions and remarks of the participating actors aiming at solving the problems encountered in practice, in the framework of strengthening capacities and judicial collaboration between domestic instruments.

7) In the framework of meeting the objective of ***computerization of judicial system*** through implementation of electronic filing system, we inform that a sum of 8.000.000 ALL was planned in the budget of 2010 of Ministry of Justice to make it function. Actually this sum is frozen from the Ministry of Justice. However, guided by the intention to meet such objective, the Ministry of Justice has planned to organize a tender for the project: “Development and improvement of national online connections of the courts with the Ministry of Justice”, with a tender sum of 13.130.000 ALL. Actually the Ministry of Justice is involved in the process of running the tender.

8) With respect to meeting the objective of ***reducing prison overpopulation and creation of new pre-trial detention and prison facilities*** with the intention of avoiding corruptive actions in the penitentiary system, the following steps have been taken:

- a) The construction of new pre-trial detention center in Elbasan is in process after closure of tender, announcement of award to winning contractor and start of works.

b) The tender procedure to award a contract to the winning company for constructing of the new pre-trial detention center in Berat and construction of new pre-trial detention and prison in Fier is in process.

c) The project to create a new section in Prison of Rrogozhina was completed and construction process is expected to start.

9) In the framework of meeting the objective *of reforming the state bailiff system* to execute with appropriate time and quality effectiveness the decisions with the intention of preventing corruption phenomenon in this system, we inform that drafting of amendments to law no. 8730/2001 “On organization and functioning of bailiff service” is in process. Amendments are focused in defining the status of servants of General Directorate of Bailiff Services; change of composition of Bailiff Council and extension of evaluation period of the judicial bailiffs.

a) With respect to meeting objective of *professional improvement during the process of execution of judicial decision* with the intention of fulfilling an effective execution process, thus avoiding corruptive actions of parties, we inform the following:

Upon the order from the Minister of Justice no. 2106, date 02.03.2010 “On organization of qualifying test of private judicial bailiffs”, was organized the qualifying test for exercising private judicial bailiff activity on 5 April 2005. Only 6 candidates achieved results needed to qualify. Meanwhile there is planned another test for certification of other private bailiff officers on June 2010. Introduction of private bailiff service will enable improvement of situation of judicial decisions execution, especially in cases when the state is debtor.

b) In collaboration with the School of Magistrates, a training was delivered on the topic “*Dissolution and liquidation of trade companies. Regulation of consequences. Tax regime of traders and trade companies in compliance with the legislation in force*”, on date 10 and 11 March 2010. The training was attended by judges and prosecutors as well as by bailiff officers..

11) In the framework of trainings provided by School of Magistrates in the area of corruption repression, on 11 and 12 March 2010 was delivered training with topic “*Criminal offences against state activity committed by state or public service servants. Active and passive corruption in the light of International Conventions and our judicial practice*”. This training was attended by representatives of judicial system staff..

12) With respect to *corruption repression trend* during the first trimester of 2010, statistics processed by the Ministry of Justice indicate the following evidence:

Time period	Criminal matters (treated)	Condemned
January – April 2010	27	27

Please find enclosed the table with detailed evidence on each corruption offence according to provisions of Criminal Code, processed by Statistics Section for the period January – April 2010.

Detailed information on measures foreseen to be undertaken during 2010 can be found in Annex A, enclosed to the memo.

MINISTRY OF FINANCE

REFORM OF THE BUDGETING AND PLANNING SYSTEM OF REVENUES AND EXPENSES

Objective 1. Implementation and consolidation of the integrated planning system

- As per integrated planning system calendar (approved with Decision of Council of Ministers (DCM) on January 2010), the process of preparation of PBA 2011-2013 has initiated and is in the stage of hearing sessions with budget institutions, related to their budget requests presented to the Ministry of Finances.
- All budget institutions which are included in PBA have presented their budget requests on program and product basis.
- There were prepared all components of the new macroeconomic and fiscal model for the anticipations from project. Staff training on the model is programmed during July – August.

Objective 3. Improvement and clarification of legislation framework for the process of local budget implementation.

- New criteria and procedures for allocation of competitive grant for the local government are part of the content of the annex of budget law 2010 as well as DCM no. 135, date 3.2.2010 “On determining criteria for the distribution of regions development fund” and Instruction of Minister of Finances clarifying determining criteria. The Budget Law for 2010 constitutes the Regions Development Fund, with a Committee chaired by the Prime Minister. DCM and Instruction of Minister of Finances determined the criteria for the distribution of Fund. As per the new regulations the competitive grants are distributed per sectors in an integrated mode in compliance with the regions-counties priorities.

CUSTOMS ADMINISTRATION

Objective 1. Employee awareness to enhance integrity level in the customs service in collaboration with the beneficiaries.

- There were delivered training courses on ethics and integrity in customs houses of Shkoder, Lezhe, Qafthane, Elbasan. Kakavije, Sarande attended by 58 customs house officers and General Directorate officers.
- There was organized a seminary on 19-20 January 2010 from which conclusions were drawn and presented to General Director of Customs for Implementation.
- Actually GDC is in negotiations with WCO for the implementation of second stage of Columbus Program..

Objective 3. Human Resources Management and Training

- Measures shall be part of development process of a long term business strategy for the Customs Administration in the framework of twinning project funded by IPA 2008.

The strategy is based on *Customs Blueprints*¹ for Organization and Management. The key indicators of Blueprints have been discussed with Albanian experts of CA and an assessment of actual situation has been made.

Objective 3. Modernization of Customs System with contemporary equipments aiming at improving transparency and efficiency of controls.

- Technical specifications were designed and procurement process from EU is expected.

Objective 4. Simplification and modernization of customs procedures through complete implementation of ASYCUDA World

- Interventions have been carried out as per need requirements. Continuous process.

Objective 5. Improvement of customs infrastructure to facilitate procedures.

- The draft project for the construction of Tirana customs house terminal was completed and is expected the technical review from the Urban Design Institute

Objective 7. Strengthening and improvement of internal control structures and Internal Audit with the purpose of detecting corruption cases and their prevention. Professional and audit performance improvement.

- Draft modules were prepared for audit of Inward Processing Procedure, Customs Warehousing, Customs evaluation and financial audit.

Objective 9. Further approximation of Albanian customs legislation to harmonize with the EU legislation.

¹ *Customs Blueprints* are best standards and practices, regulations of EU regarding customs.

- The first meeting of Steering Committee took place in GDC on 12 May 2010 to discuss on the Project progress..
- A report on the project implementation for the first trimester was delivered on May 2010.
- A part of customs legislation (articles of Customs Code) has been reviewed and new articles drafted. The new legislation shall be delivered to line Ministries for consulting. The reviewed legislation consists of the following::
 1. Inspection of goods and risk management;
 2. Common customs tariff and tariff treatment
 3. Value
 4. Customs regimes and declarations
 5. Transit

PUBLIC FINANCIAL INTERNAL AUDIT

Objective 1. Review of the legal frame work on financial management, internal audit aiming to strengthen public financial internal audit.

- Drafting of law on financial management and control (FMS) is completed; the Decision to propose the draft law was approved by the Government on date 20.05.2010. It is expected to be approved by Parliament.
- Review and amendments of law on internal audit in public sectors is completed. The draf law is delivered to Council of Ministers for approval on date 21.05.2010.
- Drafting of law for financial inspection is completed. The decision to propose the draft law was approved by the Government on date 20.05.2010. It is expected to be approved by Parliament.

Objective 2. Enhancement of Central Harmonization Unit for Financial Management and control (NQH/CHU-FMC)

- In function of project PIFC II there were two piloting related to risk management and financial control in Tirana Municipality and State Police. After the conclusion of this phase there was delivered a three days training to the staff of the Central Harmonization Unit for the Financial Management and Control and other departments in the Ministry of Finances on risk managements and creations of risk record book for the Ministry of Finances..

TAX ADMINISTRATION

Objective 1. Additional self declaration elements for the declaration and electronic payment of tax dues with the purpose of reducing contacts between tax officers and taxpayers.

- The identification of needs for amendments to the tax legislation is in process.

- On line declaration of sales and buy ledgers for the VAT: As per calendar determined by Decision of Council of Ministers (DCM) no. 55, date 03.02.2010 and Instruction no. 2 date 28.01.2010 of the Minister of Finances, the liability to electronically declare the sales and buy ledgers was effective since the tax period January 2010 for the taxpayers classified in the Large Taxpayers Unit and since the tax period of March 2010 for the VAT registered taxpayers. Until now, for the first trimester of 2010 declaration was in total at the amount of 82 % . .

Objective 2. Enhancement of the Internal Investigation Department (Anti corruption) (IIDA) and explicit definition of tasks to prevent and detect corruptive cases.

- There was prepared a draft regulation for collaboration between specific functional entities within Tax Administration and reporting of potential cases with criminal offence elements in the tax sektor.
- IIDA was subject to changes as per Order of Prime Minister no. 48, date 26.02.2010 for the Tax Administration and additional staff was assigned..

Objective 3. Drafting of Code of Ethics for the Albanian Tax Administration employees.

- A working group was established to draft ethics regulations for the Tax Administration.
- Code of Ethics is in drafting process.

MINISTRY OF INTERIOR

INTERNAL CONTROL SERVICE (ICS)

Objective 1. Consolidation of investigation and criminal prosecution efficiency of corruption activity committed by police officers.

- Instruction of Minister of Interior no. 148, date 04.05.2010 “*On utilization of intelligence recourses, acquisition, management, verification, appraisal and protections of evidences*” has been approved.
- Instruction of the Minister of Interiors no. 147, date 04.05.10 “*On use of special fund for expenses in function of intelligence activity and criminal procedures activity of ICS*” has been approved.
- With regard to implementation of specific order: ICS has filed **43** criminal charges to Prosecution Office for the period **January – April 2010** involving **68** police officers, consisting

of **1** medium level senior officer, 21 first senior level officers and **46** officers of executing level. While for corruption offences there were filed **34** criminal charges involving 58 police officers consisting of **1** medium level senior officer, **17** first level senior officers and **40** officers of executing level, **14** police officers were arrested as they were caught in the act. For all aforementioned cases were applied special techniques of investigations by cooperating with joint investigation units attached to prosecution offices.

- Instruction of the Minister of Interiors no. 114, date 12.04.2010 “*On procedures of Evidence Collection and Work Coordination between Internal Control Service and State Police and other structures of the Ministry of Interiors*” has been approved.

Objective 3. Improvement of transparency for the conduct of recruiting process of ICS officers.

- On February 2010 vacancy announcements for **14** posts in the Department of Inspections and Supportive Services were published in two newspapers of high printing capacity (Panorama and Standard) as well as in the internet site of ICS-MI. (Process is completed) Also upon **Order no. 216, date 14.04.2010** of the General Director of ICS were published the vacancy announcements in the aforementioned newspapers as well as in the internet site for **13** positions in the Investigation Department and **1** position in Inspection Department. (the process is ongoing).
- Upon **Order no.157 date 10.03.2010 of General Director of Internal Control Service**, were carried out procedures of selection of candidates to be hired in the structures of Inspections Department and Supportive Services Department and the pertinent commission has been established and functioning. **33** candidates applied out of whom **28** were selected.
- **Competition process:** **28** candidates attended the written test out and only **23** out of them were subject to interview on the basis of their score in the written test. By the end of the competition process were hired **13** new officers from the Inspection Department and **4** new officers from the Department of Supportive Services. All new officers have signed a 2 year term contract (probation period) as provided by law no. 10002, date 06.10.2008 “On the Internal Control Service in the Ministry of Interiors” and Personnel Regulation of ICS.

Objective 4. Identification of sectors and individuals with highest risk for corruption in State Police and setting indicators.

Utilization of hotline 0800 90 90 to denounce corruption among ranks of State Police. After signing contracts with the mobile phone companies “AMC”, “VODAFONE” and “EAGLE MOBILE” and Albtelecom (land line phone company) at the beginning of April 2010 and installation of pertinent equipment for registration of calls, there have been received **5** complaints in a two weeks period from different citizens who have denounced corruption acts from State Police officers.

Besides the toll-free 0800 90 90 ICS manages the Office of Information and Complaint in the Ministry of Interiors. For the period January – April 2010 the specialists of such Office have received **20** complaints for **23** police officers where **13** of them are of first senior level officers and **10** of executing level. The complaints filed by citizens regard: **15** cases of arbitrary actions during the performance of duty, **2** cases of passive corruption and **3** cases of abuse with duty.

Training of inspecting staff of ICS :

- During the period from 01.04.2010 to 15.04.2010 **13** officers from the Inspection Department and **2** from Supportive Services Department were trained by TIPA (Training Institution of Public Administration). All ICS officers were provided certificates.

- During period from 10.05.2010 to 05.06.2010 “basic training” is attended by **14** officers of inspecting and supportive staff of ICS. The training is composed of 3 modules:

First Module includes some topics covering: “Organization and Functioning of the Internal Control Service.

Second Module includes topics covering: “Organization and Functioning of State Police”.

Third Module includes topics covering: “Theory on fire weapons, police operational skills and first aid”.

STATE POLICE

Target I: Enhance capacities to intercept, investigate and repress corruption

Objective 3. Improvement of procedures to enhance efficiency of criminal prosecution

- During this trimester, the Police Training Department as well as international partners OPDAT, PAMECA, TAIEX, etc, have delivered **12** trainings attended by **91** participants from the structures of the Department Against Financial Crime in the GDSP. These trainings were attended also from specialists assigned to 7 task forces against economic crime and corruption, thus being continuously trained on the Repression against Economic Crime and Corruption and namely on obtaining knowledge and enhancement of special techniques to investigate these criminal offences..

Objective 4. Increase striking force level in repression of corruption

- During period January - April 2010 State Police has put in evidence **151** criminal offences for corruption and crimes committed by officers on duty. There was criminal prosecution proceedings for **243** offenders, **25** of them were arrested during the act or detained and 217 are investigated but released while 1 is at large. Only for the criminal offences of corruption in public sector were evidenced 25 cases with 54 offenders where 17 have been arrested/detained, 36 are prosecuted but released and 1 at large.

- There were finalized **11** police operations resulting in 27 arrested/detained offenders. **4** criminal groups with more than three offenders each were detected resulting in a total of **18** offenders, out of which **16** have been arrested, **1** in home arrest and **1** still at large.

Objective 5. Preparation of periodical statistics on the progress of criminal prosecution

- State Police has prepared monthly and quarter year statistics which are based on the number of cases identified and referred to Prosecution.

Target II : Prevention of Corruption in Structures of State Police

Objective 1. Enhancement of integrity and improvement of work standards of state police officers through the rigorous implementation of normative acts which are specifically compiled for the purpose of repression of corruption in state police structures.

I. Professional Standards Department (Complaint and Disciplinary Sector) has treated 86 cases of which 62 have been completed while 24 are still in investigation and verification process.

The completed cases consist of:

-There were disciplinary violations as per article 11, points 5, 8, 10 and 12 with regard to corruption actions from police officers in **12** cases.

-For disciplinary violation as per article 11, point 5, with regard to conducting unethical behavior **2** cases were investigated.

-For disciplinary violations as per article 11, point 10, with regard to performance of duty from police officers with dedication to private interests **2** cases were investigated.

-For disciplinary violations as per article 11, points 5 and 10, with regard to performance of duty from police officers with dedication to private interests and conducting unethical behavior **2** cases were investigated.

-For disciplinary violations as per article 11, point 11, with regard to infringement of requirements and regulations during execution of procedural actions, **2** cases were investigated.

-For disciplinary violations as per article 11, point 12, with regard to infringement for violation of or failure to exercise police powers, **2** cases were investigated.

-For disciplinary violations as per article 11, points 5 and 12, with regard to infringement for violation of or failure to exercise police powers and committing illegal acts, **2** cases were investigated.

-For disciplinary violations as per article 11, points 10 and 12, with regard to disciplinary infringement, violation or failure to exercise police powers and of duty from police officers with dedication to private interests, **2** cases were investigated.

-For disciplinary violations as per article 11, point 6, with regard to failure to execute legitimate orders with consequences, **8** cases were investigated.

-For disciplinary violations as per article 11, points 6 and 12, with regard to failure to execute legitimate orders with consequences which consist of failure to execute police powers as well, **3** cases were investigated.

In function of implementing Disciplinary Regulation of State Police, the following disciplinary measures were proposed for the persons responsible of such disciplinary measures:

-For “Dismissal from Police” were recommended **22** cases. Out of recommendations the Appeal Commission of General Directorate rejected 2 cases and took the disciplinary measure “Suspended for 30 days without payment”

-For “downgrading to one lower level up to 12 months”, were recommended **4** cases. Out of them 1 case was rejected from Appeal Commission and was taken the disciplinary measure “Suspended for 15 days without payment”

-For “postponement of grade promotion deadline” were recommended 11 cases. Out of them, the Appeal Commission has recommended a disciplinary measure for a less serious disciplinary violation..

-For “Suspended for 30 days without payment” were recommended **7** cases.

There is a growing trend of identification of corruption cases committed by police officers and disciplinary measures of dismissal from police for such motives.

In 28 cases the disciplinary proceedings initiated as result of information from ICS.

II. During the first trimester of 2010, the Professional Standards Department carried out **13 inspections** in regional police directories, regional border and migration directories and police commissariats depending from the previous.

Objective 3. Enhancement of capacities of BMP in function of repression of corruption in borders through trainings.

- Since 15 March 2010 has started the 4 months training course in Police Training Department attended by 20 border police officers on the implementation of Police Code of Ethics, Conduct and Anti corruption based on the curricula prepared as per the annual program.

Objective 4. On line monitoring of the BMP officers in BCP’s

- A joint project with Customs Service is prepared on basis of IPA 2008 to install camera surveillance system with a value of 1. 000 .000 euro, bound to be used by both services and integrated in 10 BCP which possess surveillance system.

Objective 5. Control of activity of BMP officers in BCP’s on the registrations of entrance/exit of citizens and vehicles.

- Two specialists from the BMD (Border and Migration Directorate) monitor every day through TIMS the process of registration of citizens entering and exiting BCP’s
- The Data Protection Directory has monitored the process of evidencing of border entrance and exit process through IT program.
- Migration Sector has verified 4700 cases of residence permissions granted to foreign citizens.

Objective 6. Identification of ways and methods to reduce corruption cases from the Border Police officers and elimination of causes which induce it.

- The risk assessment on causes and shortcomings that influence corruption cases in BCP is in progress. (An investigation is ongoing for a corruption case in April in BCP against two police officers).

Objective 7. Prevention of violations and abuses and control of economic and financial activity

- The Sector of Internal Audit presented recommendation during the period January – April to Budget Units of police on the internal control and management risks, with the purpose of compatibility of the activity with the legislation in force.
- Audit Sector audited internal control Function of the budget Units of State Police in subjects of high risk such as public funds Procurement, preparation of draft budget and effective utilization of public funds, Planning, creating and management of revenues, namely revenues from Traffic Police fines.
- Good management of material values and compliance with normative for their use, with the purpose of prevention and detections of abusive phenomenon.
- On April this sector detected a case of misappropriation of material values at the amount of 12 000 000 ALL in a Police Commissariat. The case is passed to ICS for investigation.
- During March-April were identified violations of law no. 9643 “On public procurement”, date 20.11.2006, for two cases, one in Regional Police Directory (RPD) and one in a Police Commissariat which were passed to PPA and 7 administrative measures were recommended out of them.

Objective 8 Enhancing capacities of Audit structures.

- Throughout the year, specialists of Audit Sector had 15 hours training on improving knowledge and application of international audit standards.

Training in Anti corruption area (Public Administration Training Institution)

In function of activity plan implementation for the training of public administration and in framework of Anti Corruption Strategy of Albanian Government, the following training have been delivered during the first trimester of 2010:

During February in collaboration with USAID Project “Rule of Law” and with implementation by DPK Consulting and HIDCP were organized the following training as follows:

- 4 daily training courses with the topic “Prevention of conflict of interest for the Responsible Authorities” in regions of Tirana, Elbasan, Durrës and Fierit. 95 local civil servants were trained in these courses.
- 2 daily training courses with topic “Prevention of conflict of interest for the Responsible Authorities” for Independent Institutions. 37 civil servants of local government were trained.
- 1 daily training course with the topic “Protection of personal data” for the Personal Data Protection Authority and HIDCP where 40 officers of both institutions were trained.
- 2 daily training courses with topic “Awareness of Fraud and Internal Control” for independent institutions. 50 civil servants of these institutions were trained.

- 1 daily training course “IT procurement” for the officers of High State Control where 27 civil servants of this institution were trained.

During April, in function of implementing objective 1, point 1.5 of the work plan, in the framework of Project PACA of European Commission and European Council was collaborated with Project “Rule of Law” from USAID and trainings were implemented by DPK Consulting with the topic “Matters of Ethics, Anti Corruption (acquainted with the anti corruption strategy in local government) and Conflict of Interest” for civil servant in 5 Regions. These training courses were delivered in regions of Elbasan, Durrës, Shkodër, Fier and Korca. In total were provided 5 training courses delivered in two days each where 82 civil servants were trained.

MINISTRY OF EDUCATION AND SCIENCE

OBJECTIVE 1.b Enhance of professional capacities of teachers through qualification and evaluation activities

- Drafting of the new regulation for the organization and implementation of qualification activities..
- Implementation of Regulation DAR/ZA.

To meet this objective the following was accomplished:

1. Instruction no.22, date 18.08.2009 of the Ministry of Education and Science, “On the utilization of training funds for the education employees in the Pre University education.”
2. Order no. 354, date 02.11.2009 of the Minister of Education of Science for the approval of regulation “On procedures to fulfill training with trainers or training agencies for the education employees in the Pre University education.”

Objective 3 Public High School final exam as a transparent process of European standards.

- Approval of a new regulation for the Public High School final exam with new elements which enhance transparency of process.
- Multiple Choice exams are organized in assigned centers in each region of the country.
- Schools organize consultation for exams according to a plan, thus preventing private consulting courses.
- A2 Application Form concludes registration process in the University Education system (it is fulfilled in a later stage, namely on 30 July as per article 23 of the regulation for the High school final exam).

To meet this objective the following was accomplished:

1. Upon Order no. 103, date 17.02.2010 of the Minister of Education and Science was approved the new regulation “On carrying out the final high school exam 2010”.
This regulation defines in details the mode of organizing of high school final exams, institutions and educational system structures responsible for it and procedures of distribution and collection of exam papers.
2. Instruction no. 12, date 05.04.2010 of the Ministry of Education and Science “On measures to organize final high school exams and final public high school exams 2010”
3. ”Order no.121, date 25. 02. 2010 of the Minister of Education and Science “On organization of consultancy service to the high school students subject to final exam”.
4. Instruction no. 8, date 25.02.2010 of the Ministry of Education and Science “On the conclusion of the scholastic year 2009-2010 and for the organization of final exams and final public high school exams in the pre university education system”.

Objective 9. Transparent monitoring and evaluation of the educational teaching process in pre university system with the purpose of preventing corruption.

- Creation of National Education Pre University System Inspectorate

Upon Decision No. 56, date 03.02.2010 of the Council of Ministers was created the National Education Pre University System Inspectorate which inspects, monitors, evaluates, advises and draws conclusions on the developments of the educational teaching process. It verifies compliance of the activity of institutions with the laws and bylaws and instructions of the Ministry of Education and Science. It monitors the implementation of the normative provisions, ethics code of teachers, school board activities, its democratic institutions and inspects the application of public high school final exams and final high school exams.

In the sector of Agriculture and consumer protection

Objective 1 Reduce potentials of corruption related to utilization of agriculture and rural development program fund.

- There was approved DCM no. 1290, date 23.12.2009, “On determining basic criteria on the sectors that will be supported and amount of benefits from the agriculture and rural development program fund”.
- There was drafted and approved Instruction no.1, date 14.01.2010, of the Minister of Agriculture, Food and Consumer Protection and Minister of Finances for the implementation of DCM no. 1290, date 23.12.2009.

- The Instruction was published in the Official Journal no. 14, 2010 and on the internet site of the ministry.
- The Agency for Agriculture and Rural Development and its branches and Regional Directories of Agriculture, Food and Consumer Protection defined by instruction as main actors for the implementation of this program in grass level, have organized in 12 regions of the country and in some specific towns as Saranda and Delvina due to their remote position with the regional center some informing meetings with specialists, members of agriculture associations, farmers and groups of interest.

Objective 2 Enhance transparency for the management of agriculture and rural development program fund.

- A trimester report was prepared for the Ministry of Agriculture, Food and Consumer Protection on the followed procedures in function of instruction and process progress.
- The list of beneficiaries as per program schemes have been published in all Regional Directories of Agriculture, Food and Consumer Protection.

MINISTRY OF ENVIRONMENT, FORESTS AND WATERS MANAGEMENT

Objective 1 Involvement of public transparency for all new legal acts

For the implementation of this objective, measures have been taken and following indicators have been fulfilled:

- There was completed the public advise process for some draft laws and draft decision which are on the stage of approval as follows:
- Draft law “On protection of Environment” was drafted in collaboration with Regional agencies for protection of environment in 12 Regions and Regional Center for Environment REC where the topic is the participation of public in the process of Evaluation of Impact to Environment.
- For the approval of Draft decision “On informing the public” is expected the approval of the law of Environmental Protection.
- For Draft decision “On the national method of evaluation of the impact to environment” is expected approval from Council of Ministers.
- Draft decision “On evaluation of impact to environment” is in the stage of receiving remarks from the line ministries and discussion with groups of interest..

Objective 2 Enhance of transparency and information of public for environmental decision taking process and environmental indicators monitoring.

To meet this objective 10 legal drafts were published in the website of MEFWM in order to receive potential comments. There were organized 10 workshops with actors of interest in the area of environment, forests and waters management.

Objective 3 Enhance of transparency in planning, defining and management of budget funds.

To increase transparency in planning of limit fund of investments in the forests sector, the Directory of Forests and pastures has drafted the draft decision “On approval of work rates for activities in forests and pastures”. Approval is expected from the Council of Ministers.

Objective 5 Enforcement of regulatory reform for granting licenses

Through the established structures was performed the follow up and periodical evidencing of the number of approved licenses, done by storing to database for protection of data for the approved licenses.

Also in cooperation with METE is worked on reforming all inspecting structures depending from MEFWM

Objective 7 Continuous strengthening of sequential controls on environment, forests, fishery and waters related activities.

The total number of performed inspections during the period January – April 2010 is 1222, out of which 1120 were planned inspections and 102 unplanned inspections in response to complaints and letters from the community, government institutions and local government authorities, as well as for cases of industrial incidents.

The Environmental Inspectorate has applied **106 fines** with a total value of **128.650.000 ALL** to the companies which have committed offences out of which 65 were penalized for exercising their activity without environmental license, during the period January - April 2010.

The Forestry Police Sector has exercised during period January - April 2010 a total of 200 controls in 36 directories of forestry service for compliance with the legislation in forests, protected areas and for the management of funds allocated by state budget.

There was carried out the verification of all companies exercising activity in the areas of forestry fund or that deal with forestry products by controlling their activity and coordinating with Tax authorities to make their activities compliant with legislation.

The total number of inspections exercised during the period January – April 2010 from the Forestry Police is about **340**, out of which **200** are planned inspections and **140** unplanned inspections in response to the complaints and problems encountered by the community.

These inspections were targeted to FSD (Forestry Service Directories) and forest areas with problems related to illegal timber harvest, illegal occupation of the forestry fund, control of hunting activity, control of works funded by state budget investments, control of timber harvest activity, controls in the facilities of timber warehousing and processing of timber material and other forestry products etc.

For the period January – April 2010, Forestry Police has completed 30 criminal offence reports with penalization value of about 28.85 million ALL and 306 administrative offence reports with a value of about 336.5 million ALL. There were applied fines of about 15.66 million ALL for offences in forests. The Forestry Police has sequestrated 93 m³ of timber material.

There were completed 11 reports for illegal hunting with a value of 410.000 ALL. Also an offence report was completed for illegal graze and 10.000 ALL penalization for other illegal grazing activities.

Further development, enrichment with new elements and consolidation of environment reform is a continuous process which demonstrates that anti corruption is a permanent priority of the environment policies.

MINISTRY OF HEALTH

The Inter Sector strategy to prevent and repress corruption and for transparent governing 2008 – 2013 has determined that the general reform of the health system will be particularly concentrated in the reduction and prevention of wide spread corruption from which this sector is affected. Legal, institutional and functional reforms shall aim specifically at reduction of corruption in 3 types of relationships occurring in this sector (medical staff-patient, health institution-payer and health institution – supplier). The main priority shall address the standardization of procurement process of medicines, medical facilities and equipments, investments in the health and hospital services and contracting of other services. Also another strategic priority is a significant reduction of the informal business from health system operators.

In this framework, the Ministry of Health has defined for year 2010 the preparation of a number of laws and by laws. Referring to 2010 annual plan there were respectively anticipated the following measures:

In the area of drugs

- There is anticipated the preparation of a draft decision “On the double label for control of drugs”. The double level will be placed only on drugs refunded by Insurance and Health Care Institution (ICHI) and aims to reduce the abuse from the pharmacists when dealing with refundable prescription. This measure has been postponed to another deadline

because there was requested collaboration from the Ministry of Finances which is working on the preparation of tax label.

- There is prepared and forwarded for remarks to the line Ministries the draft law for some additions and amendments to law no. “Nr 9323 date 25.11.2004 “On drugs and pharmaceutical services”. The content of proposed amendments will complete legal framework in relation to pharmaceutical safeguard. The law abrogates second point of article 30 which defined the 100 meters distance between drug stores. Abrogation of this article shall enhance free pharmaceutical trade.

In the area of procurements

With respect to procurement procedures to be applied from the health system during 2010, the Minister has issued two instructions as follows:

- Instruction no.730 date 28.12.2009 “On the type of organization and accomplishment of some focused procedures of public procurement in the Ministry of Health for all institutions funded by state budget through the Ministry of Health”.
- Instruction no. 731 date 28.12.2009 “On the type of organization and accomplishment of some focused procedures of public procurement in the hospital system service”. According to this instruction the procurement procedures for drugs and medical material shall be done by the hospitals in regional level.

Regarding the procurement process there shall be persistently taken measures to enhance transparency of them throughout the entire health system.

Physician – Patient Relation

- For the first semester is anticipated the approval of draft decision “On funding hospital health services from the mandatory health insurance scheme”, decision number is no. 149 date 17.02.2010.
- There was prepared and forwarded for remarks to the line ministries the draft decision “On regulations and type of process for accrediting health care”. This draft law shall make possible accrediting of health institutions which is a very important process related either to improvement of health care standards or accountability of these institutions in offering a better service for patients.
- There is anticipated amendment to Law no. 9106 date 17.07.2003 “On hospital service in RA” that shall dedicate special attention to the increase of autonomy of hospitals in their organization. Preparation of this draft law is postponed to an unknown deadline. The approval from the Council of Ministers was obtained on this matter through letter with ref. no.1173/1, date 08.04.2010.
- The law “On health care in Republic of Albania” no. 10107 date 30.03.2009 has dedicated special attention to health inspection and has determined obligations for the organization of this process. Also in the framework of inspection system reform for all areas, a working group was established for the health system which is collaborating with pertinent experts to reform the inspection system and pertinent inspectorates.

- The Minister of Health has approved through order no. 351 date 7.06.2010 “creation of task force to control private activity”. The task force is led by the Minister of Health and shall control the situation of private health care and to what degree it is compatible with approved standards.
- The Minister of Health, through order No.318 Date 19.05.2010 on “Planning of surgery interventions in hospitals” aims to regulate the process and to avoid different abuses related to surgery interventions in hospitals.

Human resources policy

- In the framework of restructuring health system, the Ministry of Health has approved organizational charters of Public Health Directorates throughout the country.
- The in progress education center has introduced its mission to train the health personnel throughout the country.
- Since 1 January has started the re certification programs of health.
- There is prepared the national register of re certification of health professionals.

MINISTRY OF DEFENSE

Objective 1. Awareness of civil military community with main development matters of Armed Forces (AF).

- Upon order of Prime Minister No.94, date 30.04.2010 “On approval of structure and organizational chart of Ministry of Defense and General Staff of AF” a new structure of AF is introduced.
- By note No.1432, date 01.03.2010, was forwarded the Defense Directive to AF structures for implementation.
- “The White Book” is published and distributed to AF structures

Objective 2. The right to supply information to personnel and citizens from official documents.

- 52 activities of AF were published in the website of MD.
- 55 activities were reflected by audio vision and written media.
- 16 briefings were made to acquaint the personnel with official documents..

Objective 3 Improvement of procedures for prevention of conflict of interest in function of implementation of legal requirements for the MD structures

- There were carried out 8 controls to prevent conflict of interest.
- There is an ongoing procedure to draft regulation of grade promotion and career promotion of military personnel of AF.

Objective 4. Enhancement of internal control capacities to prevent corruption acts

- There were carried out 6 complete audits.
- 15 targeted audits.
- 1 training for certification of Auditors.
- There were carried out 12 investigation in military facilities..
- There was collaborated with the Maritime, Logistic and Regional Defense Brigade and in 4 cases were prevented corruption actions.
- There is ongoing training of personnel on need and risk assessment in AF.

Objective 5. Awareness growth of personnel on matters related to repression of corruption.

- A briefing with criminal police Inspectors and Agents was carried out.
- There were organized 7 awareness briefings for prevention and repression of corruption.
- 28 military officers were trained.

Objective 6. Review of criteria and standard procedures for nomination, appraisal, and filing documents for personnel

- Data-Base with all significant data of AF personnel completed also with 9 other data.
- There is prepared the draft law, for some amendments to Law No.9171, date 22.01.2004 “On grade and career promotions of military officers of AF of RA”.
- There is prepared the order of Minister of Defense for fulfilling obligation of running auctions with the monitoring of audio visual cameras.

Objective 8. Enhance of transparency during auction procedures

- There is prepared the order of Minister of Defense for fulfilling obligation of running auctions with the monitoring of audio visual cameras.

Objective 9. Completion of registration system of real estate properties of AF.

- There were prepared 24 files to receive the ownership certificate.
- 112 applications have been filed to Real Estate Registration Office (RERO).
- There were received 49 certificates for real estate properties which are in use from MD
- Capital transfer was made for 19 properties

Objective 10. Replying to interested parties within the legal deadlines.

- 173 complaints were received.
 - 3 verification were done in structures of AF.
 - There was made aware the phone number to denounce corruption cases.
- 158 replies were provided to interested parties.

Objective 11. Informing on time indications of corruption activity in MD and AF based on law of Military Intelligence Service (MIS) and requirements of priority approved by order of MD no.2870, date 22.12.2009.

- Prosecution was provided with 11 reports for various criminal offences.
- There were forwarded 10 information memos to the Minister of Defense, Chief of General Staff and commanding units on corruption cases in the structures of AF.

MINISTRY OF FOREIGN AFFAIRS

Objective 1. Reduction of corruption potentials in the consular services.

- The Consular Manual to support the Consular Service of Republic of Albania abroad was completed and distributed to all Diplomatic offices of Republic of Albania abroad.

Objective 2. Prevention, identification and penalization of violations of corruption character in the Consular Service of MFA.

- During period 1 January – 30 April this sector dealt with 166 cases. Out of the aforementioned, 22 closed procedures, 144 ongoing. 25 Phone calls from abroad, 141 letter and office meetings.

Objective 3. Enhancement of transparency of the work of the Consular Directory and Consular Service abroad and informing the public.

- The phone number and email address where contacts can be established with the Office of Relations with the Public under item “Consular Services”, as well as on the application of mail service for most of the consular services in diplomatic representative, have been made available on the internet page of MFA.

Objective 4. Prevention of violations of corruption character during the phase of civil servants recruitments.

- For the first trimester 10 competitions were announced from the MFA in collaboration with Civil Administration Department (CAD) out of which 9 competitions have concluded the first phase of test and are in process of interviews.

Objective 5. Putting in evidence of conflict of interest cases during performance of duties from the Foreign Service decisions taking officials.

- Frequent notifications from HRD to comply with deadlines of submitting private interest declarations. Conclusion of submitting of private interests declarations (annual). The process was concluded within legal deadlines.

Objective 6. Prevention of eventual corruption actions from the diplomatic or technical staff of Diplomatic representative offices of RA abroad.

- For this trimester there has been no case that the activity of the Commission of Discipline from the MFA be subject to corruption actions notified from HIDCP.

Objective 7. Enhancement of performance of the activity of diplomatic representative offices of RA abroad.

- The Audit Department has carried out the audits as per annual Plan to the following diplomatic representation offices: Mission of RA to UNESCO, Council of Europe, Albanian Embassy in Tokyo and MFA Apparatus “For the utilization of special fund””
- The pertinent reports provide recommendations for improvement of control systems in representation offices. To the Supporting General Directory was recommended the drafting of a bylaw for the Technical and Administrative Personnel in Representation offices.

MINISTRY OF LABOR, SOCIAL MATTERS AND EQUAL CHANCES.

Objective 1. Creation of databases for the labor market and social protection and insurance aiming at avoiding abuses for profits in financial schemes.

- There are drafted and awaiting approval some draft DCM with regards to inter institutional collaboration.
- There was concluded the information computerization for the families which fall in the economic assistance scheme in all social services of local government units and regional offices of Social Service
- There was completely computerized the labor office in Tirana and Korca.
- The creation of analyses and statistics department and IT sector in the National Employment Service with the purpose of computerizing data in function fulfilling obligations of the activity.

Objective 2. Reduction of corruption potentials in distribution of funds for employment incentives and vocational formation for programs and participating entities.

- There was performed a preliminary evaluation of the employment incentives program from the Internal Audit Department according to which there were improvement compared to the procedural shortcoming identified in application of 2008 - 2009

Objective 3. Reforming the system of granting Work Permits with the intention of reducing corruption and abuses risk.

- There was established and is functioning the register of work permit to foreign citizens.
- There is improved the information system for the interested citizens..

Objective 4. Reform of teaching and functioning system of the Public Vocational Centers aiming to increase effectiveness and reduce abuses.

- There is prepared the draft law “on some additions and amendments to the law no. 8872, date 29.03.2002 “on vocational education in RA” which will be discussed in an

extraordinary meeting of the National Council of professional Education and Formation on June 2010..

Objective 5. Reform of the system of economic assistance distribution and criteria to provide social services in function of enhancement of transparency and reduction of abuses.

- Approval of law no. 10252, date 11.03.2010 “on some amendment to law no. 9355, date 10.03.2005 for the economic assistance scheme for the trafficked victims.”

Objective 6. Reform of the Labor State Inspectorate activity to reduce abuses and informality.

- There was approved the self-declaration form of entities in the Public Health Institute (PHI) and inspection form.
- There was approved the law no. 10237, date 18.02.2010 “on work security and safety”

MINISTRY OF CULTURE, TOURISM, YOUTH AND SPORTS

Objective 1. Monitoring of compliance of transparent procedures

- During the first three months of 2010, the Internal Audit Department as a conclusion to its findings has recommended 25 (twenty-five) organizational and disciplinary measures).

Objective 2.2 Creation of Inter Institutional Committee for the Copy Right

- Upon order of the Prime Minister, the idea of the Committee proposed by the Albanian Office of Copy Right (AOCR) was unified with the creation of the inter institutional working group to compose the National Strategy for the Intellectual Property (NSIP), where each institution overtakes its obligations for the implementation of respective legislation, in framework of intellectual and industrial property rights.

Objective 3. Identification of infringement of copy right or other rights incorporated from the NSIP, to assist the judicial system in deciding the moral/material damage caused to the holder of the right.

- For the period January – April 2010 there were presented for examination to NSIP 4 (four) complaints. As a result of administrative proceedings of these complaints, 2 (two) of them resulted in favor of holder of rights..
- During the period January – April 2010, NSIP has attended 13 (thirteen) judicial processes.

Objective 5. Artistic label provided from NSIP to all copies of intellectual products bound to be circulated.

- There was completed the procurement procedure for the quantity of 301.000 pieces and with a value of 798.252. This resulted in signing a contract on date 02.09.2009. The contract is sufficient for the needs of NSIP for year 2010.

Objective 6. Continuous inspection of identification of entities for the existence of legal title and utilization of work.

- For the period January April 2010 NSIP has applied 24 (twenty four) fines.

Objective 8 Supervision of illegal markets of cultural objects.

- Out of the lost objects, the Center of Inventory of Cultural Property has selected 100 (one hundred) objects with most significant values.

In cooperation with Interpol Tirana there is worked to store these data on the database of International Interpol. Such a thing would insert the Albanian heritage cultural objects in a broader network of tracing and identification.

- For the period June – October 2010 is anticipated the organization of training with the goal of acquainting police officers (*in regions and border points*) with the respective legal and institutional framework, modalities of selection of objects and international collaboration. Actually training modules are being prepared.

MINISTRY OF PUBLIC WORKS AND TRANSPORT

Objective 2. Objective distribution of subsidies for the units operating in water supply and sanitation networks.

- General Directorate of Water Supply and Sanitation (GDWSS) has subsidized water supply, sanitation s.a. companies based on the technical-economic evidence, as a difference between the average price and sale cost of water supply and sanitation. State budget allocated for the first three months of 2010 the sum of 406.958.000 ALL.
- Indicators for year 2009 were stored on the website on March 2010.
- There were compiled monitoring reports for the annual and semester periods of 2009.

Objective 3. Keeping at least the approved level of efficiency and effectiveness of utilization of public funds for sheltering from the program implementing entities.

There are identified indicators for the Project of Renting Social and Project of Relaxed Crediting.

Objective. 5 Reform and strengthening of internal audit through strengthening the Internal Audit Department (IAD) in MPWTT

The staff of audit structures of of institutions depending from MPWTT has been trained

Objective 6 Drafting of bylaws from the National Agency of Territory Planning in function of law for territory planning.

- A MoU was signed with USAID for collaboration in this sector.

Objective 7. Creation of a Territory Planning Register in order to make the planning process transparent in general and storing of data.

Database is ready to be stored in the pertinent software (GIS) and is currently in the website. Storing of data is in progress.

- Work is going on to prepare Trainings. It is planned for the National Agency of Territory Planning to start training on July 2010.
The respective portal of national register of planning is available in website. Storing of data is in progress

Objective 8. Legislation implementation in the area of conflict of interest

- There was concluded the process of completing and submitting of declarations to High Inspectorate for Declaration and Control of Properties for the entities which are entitled to such obligation.
- The authorization of HIDCP was completed by 11 employees who started to work in MPWTT during March 2010.
- In cooperation with HIDCP were distributed certificates to employees of MPWTT on January 2010.

Objective 9. Enhancement, development, management of human resources capacities in accordance with structural changes.

A competition for the position vacancy of Specialist in the Sector of Procurement in Legal Directory was carried out on March 2010

15 position vacancies were sent to PAD to be announced.

There were 4 temporary job transfers for servants inside the institutions who have been promoted until the vacancies are filled through the civil service procedures.

Report was forwarded to PAD on civil service procedures.

The training “Introduction to civil administration” was organized by PATI which was attended by 5 employees who have been confirmed as “civil servants”.

Annex 3: Concrete cases containing the decision no, the data of the persons, request of the prosecutor’s office and decision of the Court of First Instance of Serious Crimes.

No. 2

Decision no. 4

Decision date 25.02.2010

Defendant:

Afrim Hoxha, son of Shefqet and Medije, born on 15 May 1971, born and resident in Lushnje, currently in pre-trial detention center in Rr. “Jordan Misja”.

Prosecutor’s Request	Court decision
<p>1. Apartment, 75m2 surface area, in ownership of the citizen Genci Shefqet Hoxha;</p> <p>2. Property land + building, 200 m2 total surface area;</p> <p>3. Apartment “A”, 132.95 m2 surface area, in ownership of defendant Afrim Shefqet Hoxha;</p> <p>4. Property, 110 m2 surface area of land, and 108 m2 of building- bar “candy shop” on this land;</p> <p>5. Motorcycle YAMAHA, chassis no. JYA4NKN06TA018844YM, year of production 2002, licence plate TR 528 C, in ownership of the defendant Afrim Shefqet Hoxha;</p>	<p>Seizure of the following assets:</p> <p>1. Apartment, 75m2 surface area, in ownership of the citizen Genci Shefqet Hoxha;</p> <p>2. Property land + building, 200 m2 total surface area;</p> <p>3. Apartment “A”, 132.95 m2 surface area, in ownership of defendant Afrim Shefqet Hoxha;</p> <p>4. Property, 110 m2 surface area of land, and 108 m2 of building- bar “candy shop” on this land;</p> <p>5. Motorcycle YAMAHA, chassis no. JYA4NKN06TA018844YM, year of production 2002, licence plate TR 528 C, in ownership of the defendant Afrim Shefqet Hoxha;</p>

6. Vehicle, car, brand MITSUBISHI-PAJERO, licence plate TR 35 25 H in ownership of the defendant Afrim Shefqet Hoxha;	6. Vehicle, car, brand MITSUBISHI-PAJERO, licence plate TR 35 25 H in ownership of the defendant Afrim Shefqet Hoxha;
7. Vehicle TRUCK, brand SAURER, licence plate LU 62 87 B, in ownership of the citizen Genci Shefqet Hoxha;	7. Vehicle TRUCK, brand SAURER, licence plate LU 62 87 B, in ownership of the citizen Genci Shefqet Hoxha;
8. Vehicle, CAR, brand BENZ licence plate LU 81 53 B, in ownership of the citizen Tomorr Shefqet Hoxha,	8. Vehicle, CAR, brand BENZ licence plate LU 81 53 B, in ownership of the citizen Tomorr Shefqet Hoxha;
9. Bank account, amount of EUR 1,148. 81.	9. Bank account, amount of EUR 1,148. 81.

No. 3

Decision no. 5

Decision date 26.02.2010

Defendant:

Klejdi Saliu, son of Abedin and Hasije, born on 06 April 1976, born in Quarter no.15, Durres, (died on 26 February 2005).

Prosecutor's Request	Court decision
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<p>Seizure of the following assets:</p> <ol style="list-style-type: none"> 1. Savings deposit in Raiffeisen Bank, Durrës, bank account no. 3200237335, opened on 01 October 2004, in the name of the citizen Abedin Nexhip Saliu in the amount of 1 090 245 ALL, and with the current amount of 1 226 518 ALL; 2. Savings deposit in Raiffeisen Bank, Durrës, in the name of the citizen Hasije Xhelal Saliu in the amount of 420 000 ALL, and with the current amount of 719 749 ALL; 3. Property, land with 1500 m2 surface area located in the cadastre area no. 3184, Property with no.8/32, volume 9 page 26, located in the address Rinia, Durrës, in the ownership of the citizen Abedin Nexhip Saliu, bought by the citizen Hamid Ibrahim Meta through the contract no. 93 rep., 68 kol, date 18.01.2005, for the amount of 750 000 ALL and registered with this Office on 24.01.2005; 4. Property land, 500 m2 surface area, located in the cadastre area no. 3184, with property no. 8/17, volume 8, page 59, in the address Rinia, Durrës, bought by the citizen Hamid Ibrahim Meta etc., through the contracts no.1370 rep., 456 kol. date 26.06.2000 for the amount of 800 000 ALL, and registered with this Office on 27.06.2000, together with a building Bar-Restaurant, 130 m2 surface area, build on this land, based on the construction permit no.4, date 22.06.2001 of the Territory Regulation Council, Durres Municipality, both in the name of the citizen Abedin Nexhip Saliu; 	<p><u>Acceptance of the request of the Prosecutor's Office for Serious Crimes, Tirana.</u></p> <p>Seizure of the following assets:</p> <ol style="list-style-type: none"> 1. Savings deposit in Raiffeisen Bank, Durrës, bank account no. 3200237335, opened on 01 October 2004, in the name of the citizen Abedin Nexhip Saliu in the amount of 1 090 245 ALL, and with the current amount of 1 226 518 ALL; 2. Savings deposit in Raiffeisen Bank, Durrës, in the name of the citizen Hasije Xhelal Saliu in the amount of 420 000 ALL, and with the current amount of 719 749 ALL; 3. Property, land with 1500 m2 surface area located in the cadastre area no. 3184, Property with no.8/32, volume 9 page 26, located in the address Rinia, Durrës, in the ownership of the citizen Abedin Nexhip Saliu, bought by the citizen Hamid Ibrahim Meta through the contract no. 93 rep., 68 kol, date 18.01.2005, for the amount of 750 000 ALL and registered with this Office on 24.01.2005; 4. Property land, 500 m2 surface area, located in the cadastre area no. 3184, with property no. 8/17, volume 8, page 59, in the address Rinia, Durrës, bought by the citizen Hamid Ibrahim Meta etc., through the contracts no.1370 rep., 456 kol. date 26.06.2000 for the amount of 800 000 ALL, and registered with this Office on 27.06.2000, together with a building Bar-Restaurant, 130 m2 surface area, build on this land, based on the construction permit no.4, date 22.06.2001 of the Territory Regulation Council, Durres Municipality, both in the name of the citizen Abedin Nexhip Saliu;
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<p>5. Vehicle, CAR, brand Benz, licence plate DR 7491 C, with the chassis no. WDB12312312402454 in ownership of the citizen Abedin Nexhip Saliu, bought on 13.09.2002 by the citizen Michael Beckert;</p> <p>6. Vehicle, CAR, type Transit, Brand Ford, licence plate DR 9950 C, year of production 1996, chassis no. WFOHXXGBVHST49355, in ownership of the citizen Abedin Nexhip Saliu bought on 05.07.2003;</p> <p>7. Vehicle, CAR, type Benz 124 (300 TD), licence plate DR 8907 C, year of production 1991, chassis no. WDB1241331B628660, in ownership of the citizen Kleidi Abedin Saliu, bought on 27.02.2003.</p>	<p>5. Vehicle, CAR, brand Benz, licence plate DR 7491 C, with the chassis no. WDB12312312402454 in ownership of the citizen Abedin Nexhip Saliu, bought on 13.09.2002 by the citizen Michael Beckert;</p> <p>6. Vehicle, CAR, type Transit, Brand Ford, licence plate DR 9950 C, year of production 1996, chassis no. WFOHXXGBVHST49355, in ownership of the citizen Abedin Nexhip Saliu bought on 05.07.2003;</p> <p>7. Vehicle, CAR, type Benz 124 (300 TD), licence plate DR 8907 C, year of production 1991, chassis no. WDB1241331B628660, in ownership of the citizen Kleidi Abedin Saliu, bought on 27.02.2003.</p>
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No. 4

Decision no. 7

Decision date 14.06.2010

Defendant:

Oltion Sadikaj, son of Bashkim and Vule, born on 30.04.1976 in Elbasan and resident in Elbasan, Quarter “Kongresi i Përmetit”.

Prosecutor's Request	Court decision
<p>Seizure</p> <p>Of the bank account no. 405291813 in National Commercial Bank, opened on 23.07.2009, in the amount of EUR 30 000, in the name of the citizen Oltion Bashkim Sadikaj.</p>	<ul style="list-style-type: none"> - Acceptance of the request. - Seizure <p>Of the bank account no. 405291813 in National Commercial Bank, opened on 23.07.2009, in the amount of EUR 30 000, in the name of the citizen Oltion Bashkim Sadikaj.</p>

No. 5

Decision no. 8

Decision date 11.06.2010

Defendant:

Mariglen Kuqi, son of Nikolli and Kalie, born on 26.05.1980, born and resident in village Kamçisht, Commune Bubullimë, Lushnjë.

Prosecutor's Request	Court decision
<p>1. One apartment of 106 m2 surface area, located in the seventh floor in the road "Zef Jubani", Tirana, bought by the citizen Blerta Lami Kuqi;</p> <p>2. One apartment of 99 m2 surface area and a common 9.9 m2 surface area in the third floor of an apartment in Golem Kavajë, and a garage, bought by the citizen Nikolla Lami Kuqi;</p> <p>3. A vehicle, type Ford, licence plate TR 3255 T, registered in the name of the citizen Mariglen Nikoll Kuqi on 05.01.2010, with the Directorate of Road Transportation Service Tirana;</p> <p>4. A bank account opened in the Bank "Popullore", in the amount of 301. 064 ALL.</p>	<p>- Acceptance of the request.</p> <p>- Seizure</p> <p>1. One apartment of 106 m2 surface area, located in the seventh floor in the road "Zef Jubani", Tirana, bought by the citizen Blerta Lami Kuqi;</p> <p>2. One apartment of 99 m2 surface area and a common 9.9 m2 surface area in the third floor of an apartment in Golem Kavajë, and a garage, bought by the citizen Nikolla Lami Kuqi;</p> <p>3. A vehicle, type Ford, licence plate TR 3255 T, registered in the name of the citizen Mariglen Nikoll Kuqi on 05.01.2010, with the Directorate of Road Transportation Service Tirana;</p> <p>4. A bank account opened in the Bank "Popullore", in the amount of 301. 064 ALL.</p>

No. 6

Decision no. 9

Decision date 15.06.2010

Defendants:

1. **Aleksander Shehu**, son of Asllan and Resmije, born on 20.02.1975, born in Drenovice-Berat and resident in Rr. “Sami Frasheri”, tenth floor, Tirana;

2. **Sokol Shehu**, son of Asllan and Resmije, born on 08.04.1980, born in Drenovice-Berat and resident in Rr. “Sami Frasheri”, Tirana.

Prosecutor’s Request	Court decision
<p>1.</p> <p>a. <u>Bank account in ALL</u> no. 42 14 21 35 101, <i>opened on 11.08.2005</i>, the current amount (on 21/05/2009) is <u>2,966 ALL</u> (two thousand and nine hundred sixty six). From the data it results that initially in this bank account the amount of ALL 1.078.900 (one million, seventy eight thousand and nine hundred) was deposited;</p> <p>b. <u>Bank account in USD</u> no. 14 01 26 40 30 01, <i>opened on 17.05.2006</i> with the initial deposit of 960 USD (nine hundred sixty) and the <i>current amount</i> (on 21/05/2009) is <u>967 ALL (nine hundred sixty seven)</u>;</p> <p>c. <u>First Bank account in Euro</u> no. 42 14 21 38 001, <i>opened on 14.01.2005</i> with initial deposit of <u>200 EUR (two hundred)</u>. The last transaction in this account is made on 03.01.2008, in the amount of EUR 13.000 (thirteen thousand). This transaction has been used to open another bank account in Euros on 03.01.2008. The situation on 21/05/2009, is 0 (zero) Eur;</p> <p>d. <u>The second account in EUR</u> no. 14 01 26 40 14 01, <i>is opened on 08.11.2005</i> with an initial deposit of <u>2.000 (two thousand) Euro</u>. <i>The current amount</i> of this account in the moment of identification (on 21/05/2009) was EUR <u>507.271 (five hundred seventy thousand two</u></p>	<p>- Acceptance of the request</p> <p>- Seizure</p> <p>1.</p> <p>a. <u>Bank account in ALL</u> no. 42 14 21 35 101, <i>opened on 11.08.2005</i>, the current amount (on 21/05/2009) is <u>2,966 ALL</u> (two thousand and nine hundred sixty six). From the data it results that initially in this bank account the amount of ALL 1.078.900 (one million, seventy eight thousand and nine hundred) was deposited;</p> <p>b. <u>Bank account in USD</u> no. 14 01 26 40 30 01, <i>opened on 17.05.2006</i> with the initial deposit of 960 USD (nine hundred sixty) and the <i>current amount</i> (on 21/05/2009) is <u>967 ALL (nine hundred sixty seven)</u>;</p> <p>c. <u>First Bank account in Euro</u> no. 42 14 21 38 001, <i>opened on 14.01.2005</i> with initial deposit of <u>200 EUR (two hundred)</u>. The last transaction in this account is made on 03.01.2008, in the amount of EUR 13.000 (thirteen thousand). This transaction has been used to open another bank account in Euros on 03.01.2008. The situation on 21/05/2009, is 0 (zero) Eur;</p> <p>d. <u>The second account in EUR</u> no. 14 01 26 40 14 01, <i>is opened on 08.11.2005</i> with an initial deposit of <u>2.000 (two thousand) Euro</u>. <i>The current amount</i> of this account in the moment of identification (on 21/05/2009) was EUR <u>507.271 (five hundred seventy thousand two</u></p>

hundred seventy one);

e. The third account in euro no. 42 14 21 35 102, *is opened on 03.01.2008 with the amount of EUR 13.111 (thirteen thousand and one hundred eleven) euro*, the amount taken from one of the above mentioned bank accounts. Two financial transactions are made in this deposit; one cash deposit of an amount of *1(one) million Euro on 05.02.2009* with a maturity time period of one year. Concerning this transaction, as a source for the amount of EUR 450.000 (four hundred fifty thousand), the citizen declared to have received a loan by the Albanian citizen Can Murataj, the husband of the sister of Aleksander Shehut. For this reason there was submitted a loan contract of 06.02.2009 concluded between the above mentioned citizens. The time limit of settlement of the amount was within one year. On 20.05.2009, based on the request of the citizen Aleksander Shehu, a second financial transaction was performed, the transfer from the account of this citizen to the account of the citizen Can Murataj of the amount EUR 500.000, with the description “restitution of the debt”. *The amount of this account on 21/05/2009 was EUR 525.671 (five hundred twenty five thousand and six hundred seventy one). Currently the account has EUR 519,274;*

f. Bank account opened on 28/01/2003, with Intesa San Paolo Bank, Fier branch, in the name of the citizen Aleksander Shehu, with main client number no.843697 and time deposit no.004DT1Y080210004, in which he deposited the amount of EUR 500,000 (five hundred thousand). Even this amount was seized on 27.05.2009 based on decision of the prosecutor of Tirana. *The amount in the moment of identification on 21/05/2009 was approximately EUR 533,000 (five hundred thirty three thousand). Currently it is EUR 549,965.38.*

2.

hundred seventy one);

e. The third account in euro no. 42 14 21 35 102, *is opened on 03.01.2008 with the amount of EUR 13.111 (thirteen thousand and one hundred eleven) euro*, the amount taken from one of the above mentioned bank accounts. Two financial transactions are made in this deposit; one cash deposit of an amount of *1(one) million Euro on 05.02.2009* with a maturity time period of one year. Concerning this transaction, as a source for the amount of EUR 450.000 (four hundred fifty thousand), the citizen declared to have received a loan by the Albanian citizen Can Murataj, the husband of the sister of Aleksander Shehut. For this reason there was submitted a loan contract of 06.02.2009 concluded between the above mentioned citizens. The time limit of settlement of the amount was within one year. On 20.05.2009, based on the request of the citizen Aleksander Shehu, a second financial transaction was performed, the transfer from the account of this citizen to the account of the citizen Can Murataj of the amount EUR 500.000, with the description “restitution of the debt”. *The amount of this account on 21/05/2009 was EUR 525.671 (five hundred twenty five thousand and six hundred seventy one). Currently the account has EUR 519,274;*

f. Bank account opened on 28/01/2003, with Intesa San Paolo Bank, Fier branch, in the name of the citizen Aleksander Shehu, with main client number no.843697 and time deposit no.004DT1Y080210004, in which he deposited the amount of EUR 500,000 (five hundred thousand). Even this amount was seized on 27.05.2009 based on decision of the prosecutor of Tirana. *The amount in the moment of identification on 21/05/2009 was approximately EUR 533,000 (five hundred thirty three thousand). Currently it is EUR 549,965.38.*

2.

The citizen Sokol Shehu, has a bank account in euro, with the amount of EUR 500.000 (five hundred thousand). This amount was in a one year deposit and after its maturation on 09.01.2009 it was placed again in a one year deposit with maturation date 11.01.2010. The depositor of the bank account is the citizen *Sokol Shehu* who declared as the source of his income to be his commercial activity. The first holder of this bank account is the citizen Sokol Shehu and the second holder is the citizen *Fatos Zeka* son of Shaqir and Hyrije, born on 25.05.1973 born in Drenovice, Commune Kutalli of Berat District. The citizen has a close relationship with the brothers Shehu. The current situation of this bank account in the moment of identification was EUR 522.561.

The citizen Sokol Shehu, has a bank account in euro, with the amount of EUR 500.000 (five hundred thousand). This amount was in a one year deposit and after its maturation on 09.01.2009 it was placed again in a one year deposit with maturation date 11.01.2010. The depositor of the bank account is the citizen *Sokol Shehu* who declared as the source of his income to be his commercial activity. The first holder of this bank account is the citizen Sokol Shehu and the second holder is the citizen *Fatos Zeka* son of Shaqir and Hyrije, born on 25.05.1973 born in Drenovice, Commune Kutalli of Berat District. The citizen has a close relationship with the brothers Shehu. The current situation of this bank account in the moment of identification was EUR 522.561.

Annex 4: Trends of the fight against organized crime and corruption with statistical data

As regards the reporting on the investigation and judicial action for cases of organized crime in Albania, the data presented below in the Table No. 1 refer to criminal cases reviewed for which the court of first instance has taken a judicial decision for the period from 2006 – May 2010.

Table No. 1

Criminal cases (reviewed)	2006	2007	2008	2009	January - May 2010
Trafficking	59	50	63	45	14
Corruption	96	92	118	126	38
Organized crime	334	251	269	352	116
Corruption & Organized Crime	430	343	387	478	154
Article 287 "Laundering of products of criminal offence "	1	3	2	9	1

As for the criminal offence of “**Trafficking**”, it is reported the trend at an approximate level for the period 2006 – 2008 but in comparison to 2009, a descending trend is reported, a reduction of 23,7% from 2006 in 2009, or 28,5% from 2008 compared to 2009.

As regards the criminal offences of “*corruption and organized crime*”, according to the data presented in the table, it is reported an increase of cases reviewed by the courts for the period 2006 – 2009. The difference in percentage of the increase from 2008 to 2009 proves to be 23,5%.

As for the criminal offence of “*Laundering of products of criminal offences*”, according to the data indicated in the table No. 1, it is reported an increase of the number of reviewed cases, and this is primarily for the year 2009.

The table no 2 presented as below refers to the convicts for each reviewed case.

Table No. 2

Convicts	2006	2007	2008	2009	January – May 2010
Trafficking	77	53	74	50	23
Corruption	97	79	116	127	37
Organized Crime	382	299	317	446	149
Corruption & Organized Crime	479	378	433	573	186
Article 287 'Laundering of products of criminal offence'	0	5	1	17	1

According to the tabular data, there are 77 convicts for the criminal offence of “*trafficking*” for the year 2006, 53 convicts for the year 2007, 74 convicts for the year 2008, 50 convicts for the year 2009 and 23 convicts for the period January- May 2010.

As for the criminal offence of “*Corruption and Organized Crime*”, according to the table No. 2 it is reported that the number of convicts for the 2006 was 479, for the year 2007 it was 378, for the year 2008 it was 433, for the year 2009 it was 573 and for the period January- May 2010 it was 186. According to this information, the overall trend of the number of convicts has been ascending from 2007 to 2009.

As for the criminal offence of “*Laundering of products of the criminal offence*”, there are 0 convicts for the year 2006, 5 convicts for the year 2007, 1 convict for the year 2008, 17 convicts for the year 2009 and 1 convict for the period January – May 2010.