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MISIONI I PËRHERSHËM
I REPUBLIKËS SË SHQIPËRISË
PRANË ORGANIZATAVE
NDËRKOMBËTARE
VJENË

PERMANENT MISSION OF THE
REPUBLIC OF ALBANIA TO
THE INTERNATIONAL
ORGANIZATIONS
VIENNA

Ref. 172

NOTE VERBALE

The Permanent Mission of the Republic of Albania to the International Organizations in Vienna presents its compliments to all Permanent Delegations and Missions of the participating States of the Organization for Security and Cooperation in Europe and to the OSCE Conflict Prevention Centre, and in accordance with the Decision 02/09 of the Forum for Security Co-operation, has the honor to transmit herewith the reply of Albanian to the Questionnaire on the Code of Conduct on Politico-Military Aspects of Security.

The Permanent Mission of the Republic of Albania avails itself of this opportunity to renew to all Permanent Delegations and Missions of the participating States of the Organization for Security and Cooperation in Europe and to the OSCE Conflict Prevention Centre, the assurances of its highest consideration.



**To: All Permanent Delegations and Missions to the OSCE
OSCE Conflict Prevention Centre
VIENNA**

Information Exchange on the OSCE

Code of Conduct on Politico-Military Aspects of Security

Republic of Albania

2021

Part 1: Interstate elements

1. Measures for prevention and fighting against terrorism

1.1 In what agreements (international, regional, bilateral) related to preventing and fighting against terrorism is a Party your country.

1. Protocol between the Ministry of the Interior of Albania and the Ministry of the Interior of the Republic of Italy “On strengthening of bilateral cooperation in the fight against terrorism and trafficking in human beings”, signed on 03 November 2017 in Tirana, entered into force on the date of signature.
2. In the framework of regional cooperation against terrorism, the Protocol between the Ministry of the Interior of the Republic of Albania and the Ministry of the Interior of the Republic of Macedonia, “On cooperation to fight against terrorism”, on 03.02.2018, in Ohrid, Macedonia.

Other bilateral agreements between the Republic of Albania and:

1. Slovenia – “On cooperation to fight against terrorism, illegal drug trafficking and organised crime”, signed on 24.11.1993, in Tirana.
2. Croatia – “On police cooperation” 14.12.1993.
3. Egypt - “Protocol on cooperation to fight against terrorism”, signed in Cairo, on 24.10.1995”.
4. Hungary – “On cooperation to fight against terrorism, drug trafficking and organised crime”, signed in February 1999 and ratified by law no. 8623, dated 15.06.2000;
5. Romania – “On cooperation to fight against terrorism, organised crime, illegal trafficking of narcotic and psychotropic substances, as well as other illegal activities”, signed on 07.06.2002, in Bucharest.
6. Montenegro – “On cooperation to fight against organised crime, terrorism, illegal trafficking and other illegal activities”, signed in Podgorica, Montenegro, on 31.12. 2003.
7. Macedonia – “On cooperation to fight against terrorism, organised crime, illegal trafficking of narcotic drugs, psychotropic substances and precursors, illegal migration and other illegal activities”, signed in February, in the Republic of Macedonia 17.06.2004.
8. Bulgaria – “On cooperation to fight against terrorism, organised crime, illegal trafficking and other illegal activities”, signed in Tirana, signed on 29.12.07.
9. France – “On cooperation in the area of domestic security, signed in Paris, on 15.05.2008 “, signed in Paris, on 15.05.2008.

10. Germany – “On cooperation in the area of security”, signed on 31 May 2013 and ratified by law on 23 January 2014.
11. Bosnia-Herzegovina – “On cooperation to fight against crime, especially terrorism, illegal drug trafficking and organised crime”, signed on 24.03.2009, and entered into force on 4.3.2010.
12. Kosovo – “On mutual cooperation in the area of security”, approved by DCM no. 429, dated 20.05.2015.
13. Slovakia – “On cooperation to fight against terrorism, organised crime, illegal trafficking of narcotic, psychotropic substances and drug precursors, and other crimes”, approved by DCM no. 485, dated 10.06.2015.
14. USA - “Cooperation agreement between the Council of Ministers of the Republic of Albania and the USA Government “On exchange of terrorism screening information”, as well as the Operational Protocol ratified by law no. 72 dated 7.7.2016 “Memorandum of Cooperation between the Government of the United States of America and the Council of Ministers of the Republic of Albania “On strengthening of cooperation to interdict terrorist travel and fight illegal migration and related serious crimes” approved in principle by DCM no.153 dated 1.3.2017.
15. Serbia – “On cooperation to fight against organised crime, international illegal drug trafficking and international terrorism”, signed on 11.03.2010, and entered into force on 01.03.2012.
16. Latvia – “On cooperation to fight against terrorism, organised crime, illegal trafficking of narcotics, psychotropic substances and precursors”, signed on 16.12.2009

1.2 What national legislation is approved in your country for the implementation of mentioned agreements?

During 2020 there have been the following developments:

- On 17.12.2020 the Parliament of Albania adopted the Law no. 152 on some amendments and additions to the law no. 74/2014 "On Weapons".
By order of the GDPS, the Work Program of the State Police was approved "On the implementation of the Objectives of the Strategy for the Control of Small Arms, Small Arms, Ammunition and Explosives 2019-2024 and the Action Plan 2019-2021".
- The law No. 112/2020, “On beneficial owners register” entered in force by September 2020. It is drafted by the National Business Centre (NBC) with the support of Ministry of Finance and Economy (MFE). The law stipulates that the NBC will handle the registration process of the beneficial owners of the reporting entities in the beneficial owner register.
- The Parliament of Albania approved law no. 154/2020 dated 17.12.2020 "On the central register of bank accounts". This legal initiative is in line with Article 32 / a of the EU Anti-Money Laundering Directive (Directive 2015/849 as amended by the directive 2018/843).
- The central register of bank accounts will be established as a state database, where information will be collected and stored electronically. The register keeps records of individual bank account holders and security deposit boxes; data on the natural

person, legal person or legal agreement for the bank account holder or the lessee of a security deposit, including the information of the beneficial owner. The information stored in the Register is not available to the public.

GDPML in the framework of the ToC findings, in regard to Law no 9917 /2008 “*On the prevention of money laundering and financing of terrorism*” prepared the legal amendments for the full alignment of this law with EU AML Directives (2015/849 as amended by 2018/843). Currently the draft law is in phase of public consultation.

Albania has a significant legal framework for preventing and combating terrorism, but legislation in this area is still considered partially aligned, with 52% of the acquis in this area being fully aligned, 38% partially aligned, 5% of acts are unapproved and 5% are not relevant for harmonization. Some of the main shortcomings identified during the screening process in this area are: the lack of a provision in Albanian legislation regarding assistance and support especially for victims of terrorism. Regarding the rules for compensation of victims, there is no definition in Albanian legislation of how victims of terrorist acts will be compensated and there is still no provision on measures against the content of online public provocation. Regarding critical infrastructure, Albanian legislation has a law on civil protection, which in fact has not yet provided a Security Plan for each facility, as recommended in the relevant Directive on Critical Infrastructure.

Regarding this question, Albania approved in December 2020 the new Cross-Cutting Counter-Terrorism Strategy 2021-2025 and its Action Plan 2021-2023. The Cross-Cutting Counter-Terrorism Strategy 2021-2025 represents the basic national strategic document on the fight against terrorism that combines the European Union integration agenda in relation to the fulfilment of the obligations of Chapter 24 as regards counter-terrorism, with the sustainable economic and social development of the country, including the interconnection with the Sustainable Development Goals. This document is drafted for the purpose of policy orientation and enhancing the comprehensive approach of prevention, protection, prosecution and response to terrorism. The drafting of this strategy, which is based on the EU counter-terrorism strategy¹, aims at harmonizing the activity of structures, agencies and institutions that are responsible for the fight against terrorism. Prevention of and fight against terrorism continue to be the main strategic priorities of the Albanian Government.

1.3 Which are the roles and missions of military, paramilitary, security forces and police forces in preventing and fighting against terrorism in your country?

By order of the MoI, No. 548/7 dated 17.10.2014 it was created the Antiterrorism Directorate in the General Directorate of the State Police, with a force of 72 police officers.

The mission of the Antiterrorism Directorate is to detect, prevent and fight possible terrorist actions, and every other activity connected to it within the country.

¹ EC Counter-Terrorism Strategy 2005 and CoE Counter-Terrorism Strategy 2018-2022

Police intelligence is the main component of the antiterrorism structures in preventing terrorism. This includes the gathering, assessing, analyzing and usage of information on extremist tendencies.

To prevent and tackle the phenomena of the involvement of Albanian citizens in armed conflicts outside the country:

1. Amendments to the Criminal Code of the Republic of Albania; by law 98/2014, qualifying criminal offenses as follows:
 - a. Participation on combat actions in a foreign country; Article 265/a.
 - b. Organization to participate in combat actions in a foreign country; Article 265/b.
 - c. Call to participate in violent combat actions in a foreign country; Article 265/c.
2. Antiterrorism Directorate cooperates with:
 - a. State Informative Service.
 - b. Prosecutors Office on Serious Crimes.
 - c. Office against terrorism on the Defence Intelligence and Security Agency; under the Ministry of Defence;
 - d. Inter-institutional Operational Maritime Center; responsible for blue border in Albania.
 - e. General Directorate of Prevention of Money Laundering;
 - f. Partner services, FBI, CIA, Europol, Interpol.

Institutions that are tasked with monitoring and combating terrorist acts are:

- **Counter-Terrorism Directorate at the General Directorate of State Police;**

The CT Directorate was established by Order no. 548/7 of the Minister of Internal Affairs, date 17.10.2014 and its responsibility is defined by Order no. 677 of the General Director of the State Police, date 09.07.2018. The CT Directorate has a separate budget line. Head of the Directorate is appointed based on the State Police regulation and is directly dependent to the General Director of the State Police.

The Counter-Terrorism Directorate has in its structure 79 employees, out of which 74 police officers and 5 are civil employees. Also, the structure is organized at central level as follows:

- Sector of Investigation and Coordination; (1 head of unit + 4 specialists at central level)
- Sector of Analysis and Archive; (1 head of unit + 5 specialists at central level)
- Sector of Logistic Services; (1 head of unit + 4 specialists at central level)
- Counter-terrorism Operational Unit; (1 head of unit + 14 specialists at central level)
- Verification of Terrorism and Security Unit; (1 head of unit + 9 specialists at central level)
- 1 Specialist for Coordination with State Intelligence Service.
- Financing of Terrorism Investigation Unit (1 head of unit + 2 specialists at central level) was established on February 7th, 2019 by Order of the General Director No. 159, of the State Police.

At local level, 4 Investigation Units operate with 36 specialists and 3 assistant specialists as follows:

- Unit of Tirana, Kavaja and Durrës; (1 head of unit + 12 police employees at local level)

- Unit of Elbasan, Korçë, Dibër; (1 head of unit + 7 specialists at local level)
- Unit of Fier, Vlorë, Lushnje, Gjirokastër, Berat; (1 head of unit + 5 specialists at local level)
- Unit of Shkodër, Kukës, Lezhë. (1 head of unit + 4 specialists at local level)

1.4 Providing any additional relevant information on national efforts to prevent and countering terrorism.

Also, in the framework of the fight against terrorism and terrorist financing, we are taking all the measures for the implementation of five objectives set up in the Joint Plan for the Fight against Terrorism for the Western Balkans (2018), which includes the prevention and fight against radicalism; effective exchange of information; managing the risks posed by Foreign Terrorist Fighters (FTFs) and their families; as well as the fight against terrorist financing.

The Counter -Terrorism Directorate, through the Terrorism and Security Verification Unit, conducts the monitoring of social networks for the purpose of investigating and providing evidence related to the FTF and individuals involved in activities in the field of terrorism.

In 2020, the following were made:

- Procedural actions were carried out after the surveillance of **460** profiles on social networks linked to entities subject to the work of CTD, out of which **40** have resulted to be related to acts with terrorist purposes.

Statistics on risk assessments performed for FTF:

- During 2020, **30 risk** analyses were performed for individuals;

During 2020, CTD structures referred **18 criminal offences** in the Special Prosecution Office Against Corruption and Organized Crime (SPAK) and the Judicial District Prosecutions, of which **6 offences** for terrorist purposes, provided by Articles 230; 230/a; 232; 232/a, of the Criminal Code.

During 2020, there was 3 joint police operation:

- The CT Directorate on 29.04.2020, has conducted the operation "Vizitori/Takim", in cooperation with Interpol and partners law enforcement agencies, where the identification, capture and arrest for the purpose of extradition, of a Tajik national, , based on the international arrest warrant issued by the Federal Court in Karlsruhe, for the criminal offense: "Participation in a foreign terrorist organization", suspected of being a member of the terrorist cell in Germany, to commit jihad in the name of ISIS, provided by Articles 129 / a, 129 / b of the German Criminal Code.
- In September 2020, a joint operation with Interpol and the Italian INTERFORCA, 1 Albanian citizen was identified and arrested for the purpose of extradition to Italy, declared internationally wanted by Interpol Rome, for the criminal offense "Participation in a terrorist organization".

- CTD finalised the operation “**Extraction 2020**”, on the returning from the conflict zones (Al Hawl camp) of five Albanian citizens (four children and a woman).

Convictions

Currently, **10 citizens** convicted by a Decision Court continue to serve their sentences for acts with terrorist intent, radicalization and violent extremism, 2 of which have been sentenced on 2020-2021:

- **1 citizen** was convicted with 3 year imprisonment by Appeal Court Decision no. 466, dated 02.12.2020, for the criminal offenses: "Incitement, public calls and propaganda for committing acts with terrorist intentions" and “Manufacture and illegal possession of firearms and ammunition”; provided by Articles 232/a 278/2 of the Criminal Code.
- **1 citizen** sentenced in absentia to 8 years and 6 months imprisonment on 11.02.2021, for criminal offenses related to violent extremism and radicalism "Incitement to hatred or disputes", "Distribution of unconstitutional writings" and "Organizing and participating in illegal manifestations ”, provided by articles 265, 225 and 262/1 of the Criminal Code.

The Albanian government has completed the repatriation of the first five Albanian citizens from the conflict zones in Syria and Iraq, consisting of 4 minors and one adult, based on the the Decision of the Council of Ministers no. 826, dated 26.11.2020.

An annual plan of measures No. 74, dated 15.01.2021 “On monitoring citizens returned from countries in conflict such as Syria / Iraq and other countries, identifying and controlling the activity of all individuals or groups with radical extremist tendencies, Albanian or foreign citizens” has been approved. Based on this framework, the Counter-Terrorism staff has assisted in handling **65 cases** for the interview of **177** foreign citizens from Middle East attempting to cross through Albania to the EU countries.

Activities within the Operation “Force of Law” OFL.

Pursuant to Normative Act no. 1, dated 31.01.2020, "On Preventive Measures in the Framework of Strengthening the Fight against Terrorism, Organized and Serious Crimes and Consolidating Security and Public Order", the Counter-Terrorism Directorate conducted financial verifications for 44 entities:

- 4 entities have resulted in unjustifiable assets and have been referred for sequestration to the Special Prosecution Against Corruption and Organized Crime (SPAK).
- 2 were sent to the OFL structures for further actions as they were previously identified as subjects for terrorist offenses but later turned out to be subjects of the OFL
- for 38 subjects no unjustified assets were found.

The CT Directorate staff, with the support of international partners, has participated in a number of specific trainings on the forms and methods of terrorism investigation, organized by the OSCE, PAMECA V, UNODC and ICITAP. During 2020, due to the Covid-19 pandemic, 13 trainings were conducted mainly online (8 webinars)

FTF - Cooperation with Europol

There are 21 international cooperation protocols on exchange of information with Interpol, Europol, the European Anti-Terrorism Center, the partner services of the region and the EU, the Terrorism Screening Center (TSC-USA).

Some of the most important activities with regard to the use of Europol products are as follows:

- On 16 December 2019 Europol provided to ASP and Prosecution office specific IRU training that is in related with strengthening CT operational capacity.
- in 2020, ASP (Albanian State Police) participated on the two Europol IRU Referral Action Days (02/07/2020 and 06/10/2020 with Albanian CT list of keywords for targeting Terrorist Content Online in Albanian language.
- On 20/10/2020, ASP CT joined to Europol Analysis project “Check the Web”.
- One operational meeting of Europol organised in The Hague.
- On 04.02.2020 a meeting was held with the representative of Europol regarding the effective use of tools and assistance provided by Europol in the fight against terrorism.
- The Europol Liaison Officer presence and the willingness of Albanian State Police to strengthen cooperation have resulted in an increase of SIENA messages exchanged.
- In total the number of exchanged messages via SIENA during 2020 is 694 and the no. of responses by Albanian is 216.
- Verifications for various entities with an interest in counter terrorism 332 cases (TSC).
- Within the VENNLING Project, 138 cases have been verified and answered.

Currently, the number of Albanian citizens in Syria / Iraq is 120 individuals (50 men, 21 women, 49 children).

Divided by their status and location, there are:

- There are 10 men in the territory of Syria.
- There are 55 individuals (15 women and 40 children) in Kurdish-administered camps.
- 10 males are in prison, 1 male is suspected to have died, currently, 9 individuals.
- 15 individuals lost their lives, out of which 7 women and 8 children.
- 30 men suspected of being killed during the fighting.

In the context of measures for the reception and treatment of Albanian citizens expected to return from the conflict zones in Syria/Iraq, have been approved the Inter-Institutional Action Plan and the Additional Inter-Institutional Action Plan “For the reception and treatment of Albanian citizens after returning from countries in conflict in Syria / Iraq” by Order of the Prime Minister no. 169, dated 01.11.2018, and no. 148, dated 05.11.2019 are being implemented.

Financing of terrorism

During 2020, CTD referred 2 cases for "Terrorism Financing", provided by Article 230/a of the Criminal Code.

The Terrorist Financing Investigation Unit during 2020, has participated in 7 trainings (webinars) with specific topics on terrorism financing investigation organized by the OSCE and UNDOC. There is a decrease compared to 2019 as a result of the pandemic. Regarding the OSCE project "Train trainers in the fight against FT", during 2020, 2 rounds of training / meeting were conducted with the participation of GDPML and the State Police.

In point I.O.9, Objective; Investigating Financing of Terrorism (MONEYVAL's Recommendation)

By order of the General Director of the State Police No.677, dated 09.07.2018, "For the definition of criminal offenses, target of the work of the State Police", the criminal offense of "financing of terrorism" (Article 230/a), "hiding of funds and other assets that finance terrorism (Article 230/b), are a target of the Antiterrorism Directorate.

- Every person that is being investigated for offenses connected to terrorism is subject of verifications of financial transactions, in cooperation with the General Directorate for Prevention of Money Laundering.
- By order No.159, dated 07.02.2019, of the General Director of the State Police, within the Antiterrorism Directorate, it was established the Unit for the Investigation of the Financing of Terrorism.
- Trainings of Antiterrorism Directorate;
 - a. Workshop, "Different aspects of financial crime" organized by the British Embassy; 2 employees.
 - b. International Conference on terrorism financing, in Paris, where participated an employee of the Antiterrorism Directorate.
 - c. Training, "Usage of methods, instruments for the analysis of Money laundering" in Ankara-Turkey, 1 employee participated.
 - d. Training, "Identification and handling of the challenges of terrorism financing" in Budapest-Hungary, 3 employees participated.
 - e. Once the Unit for Investigation of the Financing of Terrorism is completed with personnel, there will be specific trainings for this unit during 2019.
- The State Police, from 2016, implementing the law 157/2013, "For the measures against the financing of terrorism" has proposed and approved by Government Decision the placement of 18 **individuals**, in the "Internal list" suspected for activities connected to terrorism and terrorism financing, as follows
 - Decision of the Council of Ministers, **No. 769, dated 2.11.2016**, included **13** Albanian citizens, 9 citizens already convicted and 4 wanted, all for activities connected to terrorism.
 - Decision of the Council of Ministers, **No. 228, dated 21.03.2017**, added **5** citizens on the list because the court in Milano, Italy, set the security measure of "Prison" for the criminal offence of "participation in terrorist groups" article 270 of the Italian Criminal Code.

In July 2018, the Committee of Experts on the Evaluation of Measures against Money Laundering (ML), Terrorist Financing (TF) and Weapons of Mass Destruction (known as the

MONEYVAL Committee), in the Council of Europe published the Round 5 report, Albania's assessment of anti-money laundering and terrorist financing measures, based on the Methodology and Recommendations of the International Action Group Against Money Laundering and Terrorist Financing (known as FATF-GAFI), 2012.

On the implementation of MONEYVAL recommendations, in the 5th Round of evaluation of measures against money laundering (PP), terrorist financing (FT) and weapons of mass destruction (ADM), for Albania, the Ministry of Interior and the State Police were part of the actions for the drafting and implementation of the action plan for the fulfillment of the Recommendations of the Moneyval Committee of the Council of Europe, materialized in Decision no. 01, dated 04.09.2018, approved by the National Committee for the Coordination of the Fight against Money Laundering, in the meeting of September 2018.

Pursuant to this action plan with decision no. 1, dated 19.02.2020, an inter-institutional working group was set up to follow and fulfill the recommendations of the FATF, a group chaired by the Deputy Prime Minister and composed of the Deputy Minister of Finance, the Deputy Minister for Europe and Foreign Affairs, the Deputy Minister of Defense, Deputy Minister of Interior, Deputy Minister of Justice, General Prosecutor's Office, Special Prosecutor's Office, Bank of Albania, Financial Supervision Authority, State Intelligence Service, HIDAACI, National Bureau of Investigation and General Directorate of State Police. The meetings of this group are conducted every month for the reporting on the implementation of the tasks of the action plan. In the framework of this plan, a weekly report is submitted to the Prime Minister office set up for this reporting (email address: moneyval.kryeministria.al), to the Deputy Minister of Interior and the Director of the General Directorate for the Prevention of Money Laundering.

In June 2020, it was drafted Calendar Plan 650, dated 04.06.2020, signed by the Head of the Criminal Police Department and the Director of the General Directorate for the Prevention of Money Laundering, based on which Joint Inspection Groups (GDPL, GDPML and the General Prosecutor's Office), during the period June-September 2020 organized joint analysis of criminal proceedings with high expectations for sequestration in the Prosecutions of Tirana, Durrës, Lezha, Shkodra, Elbasan, Korça, Berat, Fier, Vlora, which led to the advancement of investigations, trial, seizure and confiscation of a set of assets of the subjects in criminal proceedings.

In July 2020, it was drafted the **Memorandum of Cooperation** no. 14124/1 dated 27.07.2020 "*On increasing the effectiveness of investigations related to ML / FT, economic and financial crimes, sequestration and confiscation of criminal assets*".

The General Prosecutor issued Instruction no. 10, dated 17.07.2020 "*Administrative and procedural measures*" to increase the effectiveness of investigations related to ML/ TF, economic and financial crimes, sequestration and confiscation of criminal assets".

The Special Prosecutor, the Special Money Laundering Investigation Sections in the Judicial District Prosecution Offices were appointed, the prosecutors who will lead these investigations, and in response, Economic and Financial Crime Investigation Specialists were appointed to the Local Police Directorates and Commissariats of Police in Judicial Districts

that will deal specifically with the investigation of criminal offenses related to money laundering.

The Contact Points of the General Prosecution with the GDML, the Judicial District Prosecution with the Local Police Directorates and the Police Commissariat of Judicial District and the and Police Commissariat of Judicial District with the Special Section of the Judicial District Prosecution were appointed. The contact points will meet with each other every weekend and exchange the necessary information relating to referrals, investigations, convictions, seizure and confiscation of criminal or money laundering assets.

In October 2020, the Inspection Plan no. 1907, dated 15.10.2020 "On the evaluation of the work and realization of the objectives of the structures of investigation of Economic and Financial Crime in Local " On the prevention and crackdown on criminal offenses of Money Laundering, etc."

In October 2020, the Order of the Minister of Interior no. 346, dated 22.10.2020 "On the implementation of the Memorandum of Cooperation no. 5270, dated 16.07.2020 to increase the effectiveness of investigations related to ML / FT, economic and financial crimes, sequestration and confiscation of criminal assets.

In November 2020, the Measures Program of the GDPR no. 2074, dated 11.11.2020 "On the implementation of the Memorandum of Cooperation no. 5270, dated 16.07.2020 to increase the effectiveness of investigations related to ML / FT, economic and financial crimes, sequestration and confiscation of criminal assets, in order to meet the Recommendations of the SAC and the ICRG / FATF Action Plan ".

In cooperation with the General Prosecutor's Office, a statement/register of Track Records was drafted that will be kept and completed by the Special Sections in the Judicial District Prosecutions, the Money Laundering Investigation Sections/Specialists in the LPD and the KP Judicial Districts, for criminal offenses of money laundering.

In February 2020 Albania completed the post-ICGR / FAFT monitoring period and the Joint Monitoring Group concluded that Albania has made significant progress on the four IO9 (Immediate Outcome) recommendations. The key recommendations in the fight against terrorist financing had to do with understanding the risks posed by FT, parallel investigations, the systematic approach to investigating FT-related offenses and terrorism. Given this assessment, the FT investigation was not included in the recommendations and measures that Albania should implement with the ICGR / FAFT Action Plan by October 2021.

Prevention (Anti-Radicalization Measures): Updates on the Center for the Fight against Violent Extremism, including its activities

Based on the planned activities, ASP has been enhancing the professional capacities, mainly of the structure of Community Policing on the identification of the factors and indicators that lead to Violent Extremism and Radicalization. This was done with the support of ICITAP, OSCE, USAID/PLGP, IDM etc. Based on the fact that community policing services are on the front line of the problematic on communities, on February 2020, has been approved the

document with the description of duties and responsibilities of the Zone Police Specialist, where is included the identification of persons with extremist and radical and tendencies and the exchange of information with the Counter-Terrorism Directorate for this category of persons.

On April 2020, by order of general director of ASP no. 396, date 21.04.2020 has been approved the Instruction “On the prevention of violent extremism and radicalization, in the frame of community policing”. The document has been send to the Regional Police Directorates in order to effectively understand, prevent violent extremism or radicalization.

Albanian State Police has attended three meetings during 2020 “On the practices followed by Kosovo upon the returning of the FTF-s and their families from the conflict zones Syria/Iraq” with the participation of Albanian State Police ASP (CTD), Special Prosecution Office on Corruption and Organised Crime (SPAK), the CVE and Kosovo representatives.

Main activities of ASP (Public Security Department) in the field:

- Meetings with Regional Councils of Public Security in the Municipalities, with focus the prevention of Violent extremism and radicalization, in cooperation with LEDH Centre. Activities with the Institute for Democracy and Mediation(IDM), within the project “Community perspective for the prevention of violent extremism in Albania ”, supported by the German Ministry of Foreign Affairs.
- Activities with the PAMECA V Mission, within the project "Support for Community Policing, consolidation of the partnership" Schools - Social Services - Police (SSP) ".
- Meetings in high schools, the project "Building sustainable communities against violent extremism through the model" Community Center School ", with the financial support of the Public Relations Office at the US Embassy in Tirana.
- Activities with the Local Government Planning and Planning Project (PLGP), funded by USAID, “On setting up the function and training of local security councils”.
- Development of awareness and sensitization program "No to alcohol, drugs, marijuana, bullying, road safety, etc.", with 9-year school students.
- ASP (Public Security Department) have participated in 11 activities/trainings/meetings during 2020.
- Online meeting based on the development of the joint initiative with CSGD, on the development of the Strategic Communication. with the participation of representatives of the Ministry of interior, ministry of Justice, Ministry of Education, Sports and Youth and the Ministry of health and Social protection.
- Online meeting with focus “A strategic approach to disseminating messages and narratives for the prevention of Violent Extremism in Albania ” organised by CVE with experts from the Global Strategic network, Hedayah.
- Technical level meeting, organized by the CVE, with the participation of representatives of the National Agency for Child Protection, Directorate of Public Order in the GDPS and the Directorate of Counter-Terrorism in the GDPS, for returning citizens from Syria, who will be relocated from the Reception and Treatment Center.

Border control

In terms of implementing the National Integrated Border Management Strategy 2014-2020, laws and acts on border have been adopted:

Law no. 71/2016 “On border control”.

For the purpose of implementing this law, following acts have been adopted:

Decision No.745, dated 26.10.2016, "On the performance of joint actions".

Decision No. 729, dated 20.10.2016, "On the designation of tables and symbols at border crossing points and border checkpoints".

Decision no. 824, dated 23.11.2016, "On defining format and technical samples of border check stamps and the rules for their placement on travel documents at entry and exit at the state border".

Decision no. 806, dated 16.11.2016, "On Defining Border Verification Rules Applied for Certain Categories of Persons and Assets".

Joint Instruction Nr. 515, dated 27.09.2016, "On the processing of personal data by border guards".

Guideline No.579, dated 20.10.2016, "On the information to be provided to persons who are subject to second line checkpoints of border crossing points".

Instruction no. 469, dated 22.08.2016, "On the list of border crossing points and transit areas in the Republic of Albania".

During 2020, the following legal acts have been adopted:

1. Law no. 22/2020 For some additions to Law no. 71/2016 “On border control”. This law is partially aligned with:

- *Directive 2004/82 EC of the Council of Europe of 29 April 2004 on the obligation to transmit passenger data. CELEX number 32004L0082, Official Journal of the European Union, series L, no. 261, dated 6.8.2004, pages 24–27;*

- *EU Directive 2016/681 of the Parliament and of the Council, dated 27.4.2016, on the use of passenger name record (PNR) data in order to prevent, detect, investigate and prosecute acts with terrorist intent and serious crimes. CELEX number 32016L0681, Official Journal of the European Union, series L, no. 119, dated 4.5.2016, pages 132–149.*

2. Decision no. 954, dated 2.12.2020 "On the approval of the Regulation on the processing of passenger data". The regulation for the processing of passenger booking register data is in line with Council Directive 2004/82 / EC of 29 April 2004 (API) and Council Directive 2016/681 / EC (PNR).

3. Joint Instruction of the Minister of Interior with the Commissioner for the Right to Information and Personal Data Protection no. 464 dated 10.12.2020. "For the transmission of passenger data to the passenger information unit."

4. Agreement between the Council of Ministers of the Republic of Albania and the Government of the Hellenic Republic on the establishment and operation of a police and customs cooperation center, which will be established in Kakavija, at the premises of the Greek Border Crossing Point, signed on 18.01.2021 by Deputy Minister of Interior and Greek counterpart.

5. On December 2020, the Integrated Border Management Strategy was approved with DCM no. 1117, dated 16.12.2020, "On the approval of the cross-sectoral strategy of integrated border management 2021-2027 and the action plan 2021-2023".

Implementing international standards in this area;

It is the policy of the State Police to facilitate the entry/exit into/out of the Republic of Albania through the BCP, based on the Albanian legislation and the two or more multilateral conventions and agreements recognized and signed by our country, as part of the Law 71/2016, "On Border Control", "Work Procedures for Facilitating Border Verifications", to manage massive and / or uncontrolled movement of people.

Increasing its control and efficiency in BCP on entry/exit controls to achieve "Open borders but controlled and safe".

Changes in institutional agreements;

Department for Border and Migration, pursuant to the Law on Foreigners No. 108/2013 (amended), No.74 / 2016 and Law 71/2016 "On Border Control" and for its implementation, Decision of the Council of Ministers No. 745, dated 26.10.2016, "On the performance of joint border operations", which sets out the rules of joint border activity with other law enforcement agencies, is part of the obligations to combat the respective threats.

Joint Instruction No. 515, dated 27.09.2016, "On the processing of personal data by border guards".

A Draft Agreement has been drafted between the General Directorate of Customs and the General Directorate of State Police.

Technology usage (x-rays, body scanning) for not problematic travelers and baggage checks;

- a. The Department for Border and Migration has at his disposal devices for protection against radioactive materials. This type of device is a pager and is carried by the frontier police officers in the belt when performing the service. The distribution was carried out according to the workload of the Local Border and Migration Departments as well as the Border and Police Stations for Migration.
- b. Regarding chemical and bacteriological materials we are cooperating with the Unit of the Ministry of Defence.
- c. With regard to radioactive and nuclear materials, the Department for Border and Migration cooperates with the Institute of Nuclear Physics, which has capacities in this field. The Border Police has at his disposal equipments that can only detect these kind of materials.

Awareness raising with trade companies (international airlines);

The Department for Border and Migration is monitoring the process of citizens' movement as part of visa liberalization, cooperating with "FRONTEX" in data analysis.

Regarding the travel of Albanian citizens to all Schengen / EU countries during this period, Albanian border police and migration authorities at Border Crossing Points:

- a. Specific interviews are being applied to citizens travelling for the first time or rely on profiling the person to travel.

- b. At Border Crossing Points, border police officers apply guidelines for the use of interviewing techniques to identify potential asylum seekers at the moment of departure from Albania.

The Department for Border and Migration has established a clear mechanism to monitor the situation of Albanian citizens by addressing cases of their refusal by police authorities of Schengen countries for:

- a. Registration in the SIS or in the national system;
- b. Lack of financial means;
- c. Other reasons;

The Border and Migration Police implements the State Police Action Plan no. 1011, dated 10.06.2015, "On the prevention of the asylum-seeking phenomenon of Albanian citizens in the EU countries.

- a) For the implementation of this plan, massive interviews of passengers at BMP stations have been and are being conducted in order to identify the itineraries used by them, to detect persons who may have promoted, assisted, provided false documents, trafficked etc.
- b) During interviews, we have asked these citizens to give on their own free will interviews in order to raise awareness for other potential asylum seekers. These kind of interviews have been conducted not only by direct lines to countries of European Union, but also during free movement of citizens to neighboring countries
- c) All Albanian citizens whose entry has been denied or who are deported to Albania from EU / Schengen countries but also from other countries are interviewed at the border by the Border and Migration Police. Their data is registered in the TIMS system specifying the reasons why their entry or return was denied.
- d) These data is entered in the system and if this citizen wishes to travel from Albania again, the border police and migration officers create a clear profile of the person, pursuant to the State Police Action Plan, the approved Order of the General Director of State Police No. 805, dated 01.08.2017, "On strengthening the control of Albanian citizens crossing the border".

Organizing of an informative campaign of high level on the rights and obligations of visa-free traveling, with a target on the areas affected by illegal migration.

- a) Raising awareness through media campaigns regarding the rules of free movement.
- b) In the official site of State Police and Ministry of Interior are reflected the additional rules regarding movement in the Schengen area, for adults and minors.
- c) Advertising spots with information on rights and obligations during movement in the Schengen area, as well as penalties in cases of violations of obligations.
- d) In cooperation with the IOM Tirana Office, started in October 2017 the implementation of the project "Preventing the Uncertain Migration from Albania to EU Countries". As part of this project were organized meetings on awareness raising and workshops in Durrës, Dibër, Kukës, Elbasan, Shkodër, Korçë, Vlorë, Fier and Gjirokastër. Various agencies and institutions such as the council of the district, the municipality, the Child Protection units, Border Police and Migration as well as anti-trafficking officials, the State Social Service, the National Employment Service, Regional Education Directorates, Regional Health

Directorates, civil society representatives, teachers, schoolchildren participated in them. There were also organized door-to-door meetings and visits.

- e) There are produced and distributed 60.000 leaflets and 100 posters with information on the rights, obligations of Albanian citizens during the movement in the Schengen area, as well as penalties in cases of violations of obligations (cooperation with Vatra Society and IOM Tirana).

International co-operation/technical assistance activities;

- a. An Agreement with FRONTEX was signed, a Work Agreement on Establishing Operational Cooperation between the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the Union European (Frontex) and the Ministry of Interior of the Republic of Albania.
- b. In the process, the adoption of the Regulation of the Tripartite Center for the exchange of police information between Albania, Kosovo and Montenegro.
- c. In the process, the signing of the Agreement for the establishment of the Police and Customs Co-operation Center Albania-Greece.
- d. In the process, the approval of the draft "On the drafting of the regulatory framework for the improvement and facilitation of navigation / yacht cruising procedures throughout the tourist season in Albania's territorial waters, as well as the locating of tourist moles along the Albanian coastline and facilitating procedures for tourist yachts in our ports".
- e. The draft strategy document on "Monitoring and Controlling the Maritime Space of the Republic of Albania" and for the revision of the document on "Policies and Procedures for the Operation of the Inter-Institutional Operational Maritime Center (QNOD) is being drafted".
- f. Approval of the Agreement with the Republic of Kosovo for the establishment of the MCPM Morina, signed in December by the Minister of Interior.
- g. Regarding the activity and technical assistance, the Department for Border and Migration has been assisted by various Agencies:
 - OSBE, FRONTEX, EXBS, PAMECA-5, ICITAP, The German Embassy, IOM, UNHCR, CARITAS – Albania, DCAF, Switzerland Training Center, The Foundation Hanns Seidel, etc.
 - With Law enforcement agencies such as FRONTEX, DCAF, have been organized joint border control operations.

On March 17, 2021, it was signed the Working Agreement between the Ministry of Interior and FRONTEX.

Pursuant to the Statute Agreement between the Republic of Albania and the European Union "On the actions taken by the Coast Guard Agency and the European Border in the Republic of Albania", ratified by law no. 6/2019 and the Operational Plan "Multipurpose Operational Activities in Albania", on 24.03.2021 the implementation of the Joint Operation with the European Border and Coast Guard Agency FRONTEX, '70 Albania Sea 2021 "at the sea border began. The operation aims to manage the situation of irregular immigration and prevention and fight against transnational crime.

➤ **Border security, residence permits (including immigration and refugees);**

Regarding residence permits it's established the central data base, Module E-Permit, at the Electronic register for foreigners.

Regarding the permit of stay it is ongoing the production of biometric document (permit of stay), in cooperation with ALEAT Ltd.

➤ **Air security, maritime security;**

Cooperation with all agencies operating in ports and airports that have legal obligations in the exchange of various information, pursuant to the Albanian and international legislation, due to which these agencies have respective obligations, expressed in Decision No. 745, date 26.10.2016, "On Performing Joint Actions".

➤ **Real time access at the Interpol database on border controls;**

- With regard to the real-time access to the Interpol database on border control, each border police officer in the post of assistant, Task Force Officer, Head of Station, during the Border Verification has a legal obligation to consult and exchange data with The Central Office of Interpol Tirana.
- Use of the advantages offered by electronic travel documents in border control (by electronic / chip validation through the ICAO (Central Civil Aviation Organization), biometric verification, approach to one counter, list controls, etc.).

TRAVEL DOCUMENT SAFETY:

Albanian travel documents are according to standards:

- Implementing the international standards (ICAO/EU) in this area;
- Travel documents of Albanian citizens - Biometric passports and Biometric ID, in compliance with the standards ICAP and the EU
- Participation in the Public Main Platform (PQP) of ICAO;
- Usage of new Biometric technology: (face, fingerprints, iris);
- Reporting of lost and stolen documents at the Interpol database (DHVU);
- In our TIMS system, an automatic search is conducted at this Interpol database.
- Border police has various trainings for detecting forged documents.

CONTAINER'S SECURITY

Risk analysis for goods and containers is handled by General Directorate of Customs.

Border Police conducts joint controls with customs' authorities, implementing Decision No. 745, dated 26.10.2016 "For conducting joint activities".

The joint control unit of the containers works based on the Joint Order of the General Directorate of the State Police and General Directorate of Customs "on the establishment, activities and SOP's of the joint unit for container control.

Technologies/scanners on goods checks are on property of the General Directorate of Customs.

USING THE INTERNET AND OTHER INFORMATION NETWORKS FOR TERRORIST GOALS:

In 2017, at the Antiterrorism Directorate was established and functions the Unit for Verifying Terrorism and Security. Among other duties this Unit monitors 24/7 the media and the social networks for the persons or groups that propagandize terrorist actions.

- **LEGAL COOPERATION AND EXTRADATION:**

- 1. Europol**

- a. Legal cooperation

- It was amended the law 28/2014 “Agreement on Operational Cooperation between the Republic of Albania and Europol”. This amendment follows the new Regulation of Europol, dated 1 May 2016, where new criminal offenses were added.
- On 31 July 2018 was signed “The agreement between the Republic of Albania and Europol, on placing a liaison officer in Albania”. Ratified by Law 77/2018.

- b. Information exchange.

The Antiterrorism Directorate has users of the Siena system, and has its own file in the system where exchanges information with all the offices of antiterrorism of the countries which have operational agreements with Europol.

- 2. Interpol**

Regarding extradition, Albania actually has bilateral agreements for extradition with Italy, USA, Kosovo and Great Britain.

In compliance with the constitution its forbidden the extradition of an Albanian citizen without a bilateral treaty. However, the Albanian legislation doesn't require a bilateral treaty when the person is not Albanian.

On the basis of the dispositions of the Criminal Procedural Code, the extradition is allowed on the basis of a request towards the Ministry of Justice.

- 2. Stationing of Armed Forces on foreign territory.**

- 2.1 Provide information on stationing of your States Armed Forces on the territory of other participating States in accordance with freely negotiated agreements as well as in accordance with international law.**

Albania does not have armed forces permanently stationed on the territory of other OSCE participating states. As part of international operations Albania deploys on temporary bases military units in the framework of multinational military formations which carry out activities operations as part of the NATO, EU and UN. The temporary deployment of Albanian military personnel on the territory of other OSCE participating States in the context of training and exercises is governed by bilateral agreements with the respective countries or organizations.

With reference to the area of application of the Code of Conduct on Politico-Military Aspects of Security, the Albanian Armed Forces have participated as follows:

- EU Operation “EUFOR Althea” in Bosnia – Herzegovina, with 1 (one) military personnel in the position “Training Staff Advisor and Albanian Senior Military Representative”;

- EU “EUTM Mali” training mission in Republic of Mali, in Africa, with 4 (four) military personnel, as part of the EOD Team “Explosive Ordnance Disposal”, in support of the Protection Company of Koulikoro Base. This participation stopped in May 2020, pursuant to the guidance and recommendation given by the Military Planning and Conduct capability MPCC and in total accordance with the on COVID -19 Adaptation Plans activated by MPCC “For the reduction of the mission personnel at risk and nonessential mission personnel”.
- NATO “KFOR Mission in Kosovo with 25 military personnel (10 officers, 11 NCO-s and 4 civilian). AAF military personnel are engaged in KFOR headquarters in Pristina and in KFOR ISR battalion in Peja.
- NATO enhanced Forward Presence (eFP) in Latvia with 21 military EOD personnel (4 officers and 17 NCO-s).

Outside the OSCE area the Albanian Armed Forces have participated as follows:

- NATO; resolution Support Mission (RSM) in Afghanistan with 81 military personnel in “Train, Advice, Assist Commands West, Capital”.
- United Nations Peace Keeping Missions (UNMISS) mission in South Sudan with with 2 (two) female officers as Staff Officers.

Also, the AAF are in process of participating with 1 personnel in operation “SENTINEL” in the Strait of Hormuz so-called the International Maritime Security Construct (IMSC).

The legal framework for the participation of the civilian and military personnel of the Albanian Armed Forces in international operations is regulated by law no. 9363, dated 24.05.2005, “On the means and procedures of deployment and transferring of foreign armed forces in the territory of the republic of Albania and sending Albanian armed Forces outside of the country”, as amended.

Council of Ministers with the proposal of the Minister of Defense decides on the participation of the Armed Forces of the Republic of Albania in international military operations organized, authorized or directed by the UN, NATO, or the European Union, case by case, by defining the mission, level of participation, duration of the mission, as well as any other necessary element to conduct of military operations.

Participation of the Albanian military Unites under this circumstances applies only to cases where there is a preliminarily international or bilateral agreement on the status of forces for the Albanian personnel with the country where the military operation is carry out.

For the participation of the AAF in the international operations, the Albanian government has approved certain decisions as follows:

Decision of the Council Ministers (DCM) no. 821, dated 18.12.2019 "For certain amendment in the CDM no. 911, dated 22.12.2014", On the participation of the Armed Forces of the Republic of Albania in Operation "Resolute Support Mission (RSM)" in various NATO headquarters in Afghanistan".

CDM no. 822, dated 18.12.2019 “For certain amendment in the CDM no. 912, dated 22.12.2014, “On the participation of the personnel of the Armed Forces of the Republic of Albania in the “RSM” operation of NATO, near the command of the multinational battalion

in Afghanistan". CDM no. 822, dated 18.12.2019, "One amendment to the CDM no. 145, dated 20.2.2013, "On the participation of the Armed Forces of the Republic of Albania, with representatives, in the headquarters "EUFOR", within the framework of the European Union's "ALTHEA" military operation in Bosnia and Herzegovina, as amended.

CDM no. 820, dated 18.12.2019 "For certain amendment in the MCD no. 910, dated 22.12.2014" On the participation of the Armed Forces of the Republic of Albania in the International Military Operation KFOR, Kosovo". CDM no. 475, dated 08.06.2017 "On the participation of the Armed Forces of the Republic of Albania in the NATO-s, International Military Operation (eFP), Letoni". Law no.23/2019, approval of Normative Act no.1, dated 20.03.2019 of Ministers Council, "For participation of the personnel of Armed Forces of the Republic of Albania in the Mission of United Nations in South Sudan (UNMISS)". CDM no. 270, dated 02.05.2019, "On the participation of the personnel of the Armed Forces of the Republic of Albania in the United Nations Mission in South Sudan (UNMISS)".

3. Implementation of other international commitments related to the Code of Conduct.

3.1 Provide information on how your State ensures that commitments in the field of arms control, disarmament and confidence and security-building as an element of indivisible security are implemented in good faith.

The OSCE documents on arms control, disarmament and confidence- and security-building measures constitute an essential pillar of Europe's current security architecture. The faithful observation of the provisions contained therein and the implementation of existing commitments in the spirit of transparency and cooperation - as a tangible contribution to Europe's indivisible and cooperative security system – is ensured in close cooperation by appropriate state structures, in particular by the Ministry for Europe & Foreign Affairs and Ministry of Defense.

The Albanian Arms Control and Disarmament policy is based on the principle of undiminished security at the lowest possible level of armament. The Republic of Albania is continuously working toward the effective implementation of all international obligations, including the implementation of international treaties and conventions.

The Republic of Albania fully complies with the commitments and the spirit of the Code of Conduct on Politico-Military Aspects of Security and the Vienna Document 2011 (VD-11).

During 2020, Albania did not organize neither held any Arms Control activities, because of the unprecedented challenges imposed by COVID-19.

The situation brought cancellation of inspections and evaluations and others arms control activities. The only Arms Control activity was the participation of Albanian inspector as a Guest inspector in Croatian Inspection team, conducted inspection visit in Armed Forces of Bosnia& Herzegovina, on February 2020.

Furthermore, the Republic of Albania has already fulfilled all legal obligations stemming from Conventions on Chemical Weapons, Cluster Ammunitions and Prohibition of Anti-Personnel Mines. With respect to the Convention on the Prohibition of the Use, Stockpiling, and on their Destruction Albania has fulfill all necessary obligations.

Albania exchanges military information, defense planning information and all dates concerning to all arms control agreements, presenting a good will for cooperation, transparency and openness among all OSCE participated states.

3.2 Provide information on how your State pursues arms control, disarmament and confidence and security-building measures with a view to enhancing security and stability in the OSCE area.

Disarmament, arms control, non-proliferation and confidence and security-building measures, are key elements in enhancing security and stability in the OSCE area and beyond. Therefore, Albania has continuously supported initiatives and fulfilled obligation on these fields.

Albania is part of the Chemical Weapons Convention (CWC) and the Biological Weapons Convention (BWC), supports and fully implements the two treaties.

The Republic of Albania does not possess any WMD, **nor** will **it** develop **or** support any activity that leads to their dissemination, but it will contribute with all the capacities to the establishment and improvement of national interoperable mechanisms with international ones, as well as an efficient and undivided system for preventing, stopping and controlling actions related to the proliferation of WMD

The Council of Ministers of the Republic of Albania on 22 January 2020, approved, The National Strategy against the Proliferation of Mass Destruction Weapons and the Action Plan for its implementation (no. 33/2020).

This National Strategy outlines the overall framework of the measures, mechanisms and actions that the Republic of Albania will undertake for **Countering** WMD. The strategy defines the role of different institutions and structures in order to improve cooperation, coordination and exchange of information between state and public authorities and other legal entities in the Republic of Albania as well as with other states and security organizations. The Strategy is an integral part of the national strategy framework and complements the crisis management and emergency management response mechanisms.

This national strategy will enable fulfilment of our country's obligations as a NATO member and the obligations within the international organizations (UN and OSCE). Aspiring to EU membership, the Republic of Albania, also agrees with the obligations deriving from it, which according to the European Security Strategy, considers proliferation of WMD is one of the top five security threats.

The Ministry of Defense (MoD) supports fulfilling the objectives of this strategy through the National Civilian Protection Agency (NCPA), as well as expertise when requested through State Export Control Authority (SECA), which ensures that the licensing of individuals and business entities is conducted in accordance with the laws that are related with the export and import in the Republic of Albania of dual-use goods, military goods and dual-use technology goods. SECA, in cooperation with Customs and the MI, which are the main actors for C-WMD, will fully implement the legal framework and activities for the control of military and dual-use goods. MoD will be responsible for managing the knowledge, information and expertise of the AAF (Albanian Armed Forces), as well as the development of operational capacities that will address the incidents in case of proliferation or use of WMD.

Section II: Intra-State elements.

1. National planning and decision-making process.

1.1 What is the national planning and decision-making process in determining/approving military posture and defence expenditures in your State?

The basis for the defense planning system is laid down in national legislation. The key institutions of defense planning include the Parliament, the Government's Working and Coordination Body. The Ministry of Defense (MoD) plays a crucial role in overall management of Defense Planning and in coordination of measures ensuring the state's readiness for defense. Defense Planning Process includes political objectives, and National Security Policy. Ministry of Defense has assumed overall responsibility for conducting both the medium-term and yearly planning.

At the strategic level, the defense planning consists of long-term development plans and programs, which projects the future of target force, as well as anticipate the main requirements and priorities of the AAF development.

The Planning, Programming, Budgeting and Execution System is synchronized and in line with the national Integrated Planning System (IPS) of the government. This system will better serve the purpose of coordination program with the resources, and provides a sound decision-making of the government regarding the defense budget.

The budgeting process starts with the Council of Ministers decision on budget limits. The Strategic Management Group in the Ministry of Defense sets the budget limits for the expenditure structures according to the Government's Annual Budget Law and their requests for extra funding. After the opposite discussions, the final draft is sent to the Ministry of Finance for approval. The Parliament, at the end of the parliamentary session, approves the Government's Annual Budget Law. This law includes all the governments' institutions expenditures for the next year.

1.2 How does your State ensure that its military capabilities take into account the legitimate security concerns of other States as well as the need to contribute to international security and stability?

Albania is a law abiding member of the international community of nations and acts in accordance with international law.

Drawing and adoption of policy and planning documents that defines military capabilities of the Albanian Armed Forces, is being conducted in a transparent and open manner and all adopted documents are available to domestic and international public. In that way, all interested states have insight in the current situation and reasons for development of military capabilities.

Albania contributes to international security and stability by engaging in dialogue and cooperation with countries throughout the world, as well as by providing contributions in peacekeeping and humanitarian aid.

In the framework of regional security environment and beyond are approved a number of bilateral and/or multilateral agreements in order to contribute and increase the national and international security. Inter alia, emphasis bilateral Memorandum of Understanding (MOU)

in defense fields with countries on the region and beyond. In addition, there are approved different agreements as follows:

- Note of accession to participate in host nation support and other responsibilities set up within the Republic of Latvia (HN). TA between the MoD of the Republic of Latvia and the Department of National Defence of Canada and Canadian Armed Forces concerning the NATO Enhanced Forward Presence in Latvia and the Provision of Host Nation Support and other Responsibilities.
- Agreement between the Republic of Albania and the Government of the Republic of France concerning the cooperation in the field of defence.
- Note of accession to participate in the MoU between the Government of the Republic of Croatia and Headquarters, Supreme Allied Commander Transformation as well as Supreme Headquarters Allied Powers Europe regarding the provision of Host Nation Support for the execution of NATO military activities.
- Note of accession to participate in agreement between the Government of Hungary and the Supreme Allied Commander Transformation HQ as well as the Supreme HQ Allied Powers Europe regarding the provision of Host nation Support for the execution of NATO operations, exercises and similar Military activities.
- Memorandum of Understanding (MoU) among the MoD of the Republic of Italy, the MoD of the Republic of Albania and the MoD of the Republic of Slovenia as well as the Supreme Allied Commander Transformation HQ concerning the functional relationship regarding the NATO Security Force assistance Centre of Excellence (NATO-SFA-CoE) and MoU among the MoD of the Republic of Italy, the MoD of the Republic of Albania and the MoD of the Republic of Slovenia concerning establishment, administration and operation of the NATO Security Forces Assistance Centre of Excellence (NATO-SFA-CoE).
- Note of Joining to participate in the MoU between the General Staff (GS) of the Republic of Turkey, the MoD of the Republic of Bulgaria, the Federal MoD of the Federal Republic of Germany, the Mo of the Kingdom of the Netherlands, the Ministry of National Defence of the Republic of Romania, the MoD of the United Kingdom of Great Britain and Northern Ireland, the MoD of Hungary, the Department of Defense of the United States of America, and Headquarters, Supreme Allied Commander Transformation concerning the Functional Relationship regarding the Centre of Excellence-Defence Against Terrorism, which entered into effect on 20 July 2005) and (Note of Joining to participate in the MoU between the GS of the Republic of Turkey, the MoD of the Republic of Bulgaria, the Federal Ministry of Defence of the Federal Republic of Germany, the MoD of the Kingdom of the Netherlands, the Ministry of National Defence of Republic of Romania, the MoD of the United Kingdom of Great Britain and Northern Ireland, the MoD of Hungary and the Department of Defense of the United States of America concerning the Operation of the Centre of Excellence-Defence Against Terrorism, which entered into effect on 28/07/05).
- Note of Joining Agreement between the Council of Ministers of the Republic of Albania and Supreme Headquarters Allied Power Europe (SHAPE) for Air Policing over the Republic of Albania's Airspace.

- Note of Accession of the Council of Ministers of the Republic of Albania to participate in the MoU between the Government of the Republic of Poland and Supreme Headquarters Allied Power Europe (SHAPE) and Headquarters, Supreme Allied Commander Transformation (HQ SACT) regarding the provisions of Host Nation Support for the Execution of NATO Operations and Exercises.
- Note of Accession of the Council of Ministers of the Republic of Albania to participate in the Memorandum of Understand between the Government of the Republic of Lithuania and Supreme Headquarters Allied Power Europe (SHAPE) and Headquarters, Supreme Allied Commander Transformation (HO SACT) regarding the provisions of Host Nation Support for the Execution of NATO Operations and Exercises.
- Note of Accession of the Council of Ministers of the Republic of Albania to participate in the MoU between the Government of the Republic of Latvia and Supreme Headquarters Allied Power Europe (SHAPE) and Headquarters, Supreme Allied Commander Transformation (HQ SACT) regarding the provisions of Host Nation Support for the Execution of NATO Operations and Exercises.
- Note of Accession of the Council of Ministers of the Republic of Albania to participate in the Memorandum of Understand between the Government of the Republic of Estonia and Supreme Headquarters Allied Power Europe (SHAPE) and Headquarters, Supreme Allied Commander Transformation (HQ SACT) regarding the provisions of Host Nation Support for the Execution of NATO Operations and Exercises.
- Note of Accession of the Council of Ministers of the Republic of Albania to participate in the Memorandum of Understand between the Government of the Republic of Bulgaria and Supreme Headquarters Allied Power Europe (SHAPE) and Headquarters, Supreme Allied Commander Transformation (HQ SACT) regarding the provisions of Host Nation Support for the Execution of NATO Operations and Exercises.
- Note of Accession of the Council of Ministers of the Republic of Albania to participate in the MoU between the Government of Romania and Supreme Headquarters Allied Power Europe (SHAPE) and Headquarters, Supreme Allied Commander Transformation (HQ SACT) regarding the provisions of Host Nation Support for the Execution of NATO Operations and Exercises.
- Note of Accession of the Council of Ministers of the Republic of Albania to participate in the Memorandum of Understand between the Government of the Republic of Turkey and Supreme Headquarters Allied Power Europe (SHAPE) and Headquarters, Supreme Allied Commander Transformation regarding the provisions of Host Nation Support for the Execution of NATO Operations/Exercises.
- Note of Accession of the Council of Ministers of the Republic of Albania to participate in the MoU between the Government of the Hellenic Republic and Supreme Headquarters Allied Powers Europe regarding the provision of host nation support for the execution of NATO operations /exercises.
- Note of Accession in the MoU between the Federal Ministry of Defense of the Federal of the Federal Republic of Germany and Supreme Headquarters Allied Power Europe

(SHAPE) regarding the provisions of Host Nation Support for the Execution of NATO Operations/Exercises.

- Note of Accession in the Memorandum of Understanding between the Ministry of Defense of the Slovak Republic and Supreme Headquarters Allied Power Europe (SHAPE) and Headquarters, Supreme Allied Commander Transformation regarding the provisions of Host Nation Support for the Execution of North Atlantic Treaty Operations/Exercises.
- Note of Accession in the MoU to the Government of the Kingdom of the Kingdom of Sweden and the Headquarters of the Supreme Allied Command for Transformation, as well as the Supreme Headquarters of the Allied Powers in Europe, offered me the provision of senior service military operations / exercises and military activities for the deployment of NATO ” (MCD no. 672, dated 07.11.2018)
- Note of Accession in the MoU between the Government of the Republic of Finland and the Headquarters of the Supreme Allied Command for Transformation, as well as the Supreme Headquarters of the Allied Powers in Europe, regarding the provision of state support for the host country. NATO's similar operations / exercises and military activities” (MCD no.271, dated 02.05.2019)
- MoU between MoD of Republic of Albania, Bosnia & Herzegovina, Croatia, Montenegro and Former Yugoslav Republic of Macedonia related to principals of contribution in Warning Center for Situations and Operations of Rehabilitation in “Camp Marmal”, Mazar-e Sharif, in the “Resolute Support Mission” conducted by NATO, in Afghanistan.
- MoU among MoD of Republic of Albania, Bulgaria, Croatia, Estonia, Ministry of Foreign Affairs of Republic of Islands, Latvia, Lithuania, Romania, Slovakia, Slovenia and Communication and Information Agency of NATO (NCIA) regarding to the cooperation on implementation of extending of the projects of Air Control and Commanding Systems (ACCS).

Through a steady and serious commitment, Albania has been very active in fostering constructive regional cooperation and enhancing connectivity by working closely with our neighbors, either in bilateral and as well in regional platforms. In this context, highlights the key initiatives for cooperation in the region such as:

- US-Adriatic Charter (A-5), In this initiative Albania supports the policy of ‘open doors’, as well as the promotion of political dialogue and good neighborliness, the increase of cooperation for joint representations, as well as the efforts against terrorism and radical extremism.
- South-East Europe Defense Ministerial (SEDM). In the second half of 2019, Albania assumed the Chairmanship of the SEEDM process as a successful confidence building mechanism in SEE, a platform that has strengthened the relations among our countries and has contributed to their proper efforts towards a common Euro-Atlantic future. Albania leads the chairmanship of SEDM - CC & PMSC for two years (2019-2021).

Some of the efforts of the Albanian priorities are: Consolidating the confidence building mechanism; strengthening the military cooperation in South Eastern Europe; Enhancement of the level of interaction with other international organizations, namely

NATO, EU, UN and by contributing in certain Operations and missions with its MPFSEE (Multinational peace Force of South East Europe); Enhancement of the SEEBRIG interoperability and capability to be deployed in peace Support Operations; promoting “Open Door policy” in order to reaffirm our commitment to the openness of our initiative, which contributes to Peace and Security in the Euro –Atlantic area.

- Balkan Medical Task Force (MTF); the aim of BMTF is to enhancing utilization of existing military medical capabilities in the West Balkan region into the framework of a multinational medical Unit (MMU), facilitating deploy ability and sustainability for longer than one year period.
- Regional Arms Control Verification and Implementation Assistance Center (RACVIAC). Albania as a member country of this center has been active and plays a very important role and contribution increasing the security and cooperation in region. With the new agreement, ratified in December 2011 by the member’s countries this center is called Centre for Security Cooperation. RACVIAC remains an important initiative in the South East Europe contributing in enhancing trust, stability and security cooperation in the region. It’s the leading regional security platform that supports its members in the EU and Euro-Atlantic accession processes and in overcoming the current and emerging security challenges through enhanced cooperation.

On October 2020, RACVIAC’s Steering Group, Multinational Adviser Group (MAG) which includes all RACVIAC members and it’s the Political Decision Making Body, approved "The RACVIAC Strategy 2021-2026". This Strategy (2021-2026), it’s a key document that frames the future development of RACVIAC and defines the main priority areas on which the Organization will focus thus supporting the countries of the SEE region in their efforts to fulfill national, regional and global objectives.

2. Existing structures and processes

2.1 What are the constitutionally established procedures for ensuring democratic political control of military, paramilitary and internal security forces, intelligence services and the police?

Military Forces

The constitution of Albania and other legal acts on civil-military relations provide a clear delineation of authority and a system of subordination and command and the control echelon of defense structures in times of peace, crises and war. They provide for the civilian democratic control of the Armed Forces at the strategic level, whereas at the operational level the command and control is held by military authorities. Democratic political control of the Albanian Armed Forces is constitutionally guaranteed through article 12, paragraph 2, which stipulates that the armed forces are subject to civilian control.

Article 167 of the constitution stipulates that military personnel in active duty cannot be elected or appointed in other state offices and cannot participate in political parties or other political activities. These constitutional principles are implemented through the provisions of the Law no. 64/2014 "On the authorities and powers of commanding and guidance of the Armed Forces of the Republic of Albania", Article 7 of the Law no. 64/2014, stipulates that

authorities and powers of command authorities of the Armed Forces have the following hierarchical order: the Parliament, the President of the Republic, the Council of Ministers, the Prime Minister, the Minister of Defense, the Chief of General Staff of the Armed Forces, the General Staff of the Armed Forces, the Commanders of the Land, Navy and Air Forces, the Commanders of the supporting structures.

As this order defines, the Parliament is clearly vested with the oversight authority. It approves the National Security Strategy, the Defence Policy and Military Strategy, the Defence Laws and Budget and exerts parliamentary control over activities related with the armed forces. The oversight authority is exercised through the standing Security Committee. The competences of the Committee are foreseen in the internal regulations of the Parliament.

In line with the stipulations of the Constitution and above-mentioned law, the President of the Republic of Albania exercises the leadership of the Armed Forces through the Prime Minister and Minister of Defence in peacetime. In wartime the President of the Republic appoints and dismisses the Armed Forces Commander.

The Prime Minister is responsible for the leadership, development, and the state of the Armed Forces in peacetime. The Council of Ministers is the highest executive body. It proposes laws on defense, executes the laws approved by the Parliament, defines the main approaches of national policy, and issues normative acts with temporary legislative power. The Council of Ministers manages the activity for the accomplishment of the tasks in the defense field, in accordance with the constitution, laws and decisions of the National Security Council.

The Minister of Defence is accountable before the Parliament, President and Prime Minister for the development and execution of defense policies. The Minister of Defence is a member of the Council of Ministers and the National Security Council. The Minister of Defence is responsible for the headship and control of the Armed Forces, the accomplishment of their mission, the management of the defense budget and the fulfillment of defense policy objectives.

National Intelligence Service

Law no. 8391, dated 28.10.1998 “On national intelligence service” and other bylaws constitute the legal framework for the activities of Albania’s Intelligence Service. Article 4 of this law stipulates that the National Intelligence Service operates under the authority of the Prime Minister. In order to control the activities of the Intelligence Service, the Council of Ministers appoints a General Inspector who reports to the Prime Minister (article 12 of the, law).

Articles 7 and 8 of the law provide for the parliamentary control of the activities of National Intelligence Service. The control is exercised by the relevant standing parliamentary committee, which can also oversee the use of funds allocated to the National Intelligence Service. The director of the National Intelligence Service reports to the Committee at least once a year. The Director of the National Intelligence Service also reports to the Council of Ministers, as determined by the Prime Minister.

The Director of the National Intelligence Service is appointed by the President of the Republic upon proposal of the Prime Minister.

The Albanian State Police

Civil and democratic control on the State Police is achieved through the Parliament of Albania, Ministry of Interior and the Ombudsman.

The activity of Albania's State Police is governed by Law no. 9749, dated 04.06.2007 "On State Police". The State Police is part of the Ministry of Interior and reports to the Minister of Interior (article 7 of the law). The budget of the State Police is approved by the Parliament.

The Minister of Interior reports to the Parliament and to the Standing Security Committee in regular bases.

The Parliament of Albania has established the Internal Control Service and Complaints (SIAC) in the Ministry of Interior (Law no. 10002, dated 6.10.2008). SIAC mission is to guarantee to the community a responsible, democratic and transparent police service, in keeping with the relevant legislation in place. The activities performed by the SIAC aim at preventing, unveiling and investigating criminal offences committed by police officers. The SIAC also inspects the activities of the State Police against the implementation of the legislation in place.

The law places the ICS under the direct authority of the Minister of Interior, who is responsible for its activity.

In 2020 the Ministry of Interior has taken the initiative to improve some aspects of the organization and functioning of the Internal Control Service (the Police Oversight Agency in the new draft law). The draft law aims to create a professional, transparent and impartial for the supervision of the activity of the subjects foreseen by this law.

The draft law defines the mission, organization, functioning, duties, rights and the status of the Police Oversight Agency, in the Ministry of Interior, as well as regulates its activity, employment, career guarantee, welfare and the continuity in the duty of its employee.

The draft law aims the:

- reforming the Service (Agency), as an intelligent agency to fight corruption as well as to prevent illegal activity in the ranks of agency subjects, aligning it with other counterpart agencies of EU.
- transformation of the Service (Agency) towards a more democratic model according to EPAC standards, both in terms of mission and in terms of defining functional tasks, responsibilities, structural construction and staff handling;
- strengthening the role of the Service (Agency), in compliance with the principles of human rights and freedoms;
- increase the inspection and investigative capacities of the service (Agency) for one proactive approach to the evidenced corruptive phenomena of the subjects of service;
- prevention, detection, complete legal documentation through methods supervising the illegal and corrupt activity of the subjects of the Agency;

- improving infrastructure and strengthening technology (IT) software service to respond to growing dynamics and requirements.

Also, with the proposals of this draft law is aimed to significantly expand the scope of activity of the Agency, including:

- Vetting process;
- the activity for obtaining a clearance certificate of the employees of public administration as well as private economic operators;
- the process of disciplinary investigation of the law subjects;
- performing a polygraph examination.

The Republican Guard of Albania

In 2020, Ministry of Interior has taken the initiative to reform some aspects of the organization and functioning of the Republican Guard of Albania. The changes aimed to improve the activity of this institution as a whole and to align it with counterpart institutions. As an objective of the reforming process, the law envisages, the reorganization as a whole of the Republican Guard of Albania, aligning the status of the employee of this service with that of the State Police employee, but at the same time preserving the same mission.

The objectives that are achieved with the approval of this law are:

- determination by a special law for the organization and functioning of the Republic Guard of Albania and the system of ranks and career of the employee of this institution;
- more clear and detailed definition of the activity of the Republican Guard of Albania;
- clear definition of authorities and their competencies;
- determination by law of the criteria for the appointment and dismissal of the Commander;
- determination by law of general criteria and special criteria of hiring employees;
- approximate approach to the State Police regarding the rank system, education, employment.

Replacement of the current military rank system with police ones brings an update of the terms.

The Republican Guard of Albania is a subordinate to the minister responsible for public order and security issues.

The mission, role and functions of the Republican Guard of Albania with the new law adopted are as follows:

The Republican Guard of Albania mission is to provide physical security and protection to state personalities and high importance buildings and facilities. This mission does not change in cases of natural disaster, emergency or war.

The employee of the Republican Guard, due to the peculiarities of his duty, as well as the risk to his life and health, has a special status.

The Republican Guard of Albania provide physical security to:

- a) The President of the Republic of Albania, the Speaker of the Parliament, the Prime Minister, as well as members of their families, when the categorization and reasons for taking

into custody and protection of family members are determined by a decision of the Council of Ministers;

- b) The President elected from the moment of voting in the Parliament;
- c) the Deputy Speaker of the Parliament, the Deputy Prime Minister, the Minister responsible for public order and security issues, the Minister responsible for foreign affairs;
- ç) the President of the Constitutional Court and the President of the High Court;
- d) other personalities determined by a decision of the Council of Ministers;
- dh) foreign personalities of the same level with the Albanian personalities mentioned in letters "a" and "c" of point 1 of this article, who come for an official visit to the Republic of Albania;
- e) foreign personalities under evaluation and at the request of the State Protocol during their stay in the territory of the Republic of Albania.

The Republican Guard of Albania preserves and protects:

- a) the facilities where the President of the Republic, the President of the Parliament, the Prime Minister, as well as the apartments where they reside or are accommodated, exercise their activity and are accommodated;
- b) the facilities where the plenary sessions of the Parliament and the parliamentary committees take place;
- c) the building of the ministry responsible for foreign affairs;
- ç) facilities where foreign personalities of the same level as the personalities of the country defined in letter "a" of point 1 of this article are accommodated and carry out their activity, when they come to our country;
- d) other objects determined by a decision of the Council of Ministers.

The Republican Guard of Albania is organized in hierarchical structures at the level of general directorate, deputy general director, directorate, sector, section.

The structure and staff are approved by order of the Minister responsible for public order and security issues, based on the proposal of the Director General of the Republican Guard.

The total number of employees of the Republican Guard is approved by a decision of the Council of Ministers.

The General Director of the Republican Guard is the highest executive, organizational, administrative and operational authority, which reports directly to the Minister for the fulfillment of the mission of the Guard.

The General Director of the Republic Guard is appointed by the Prime Minister on the proposal of the Minister and is given the rank of "Senior Commander".

2.2 How is the fulfilment of these procedures ensured, and which constitutionally established authorities/institutions are responsible for exercising these procedures?

The principle of democratic control over the security forces is enshrined and stems from the Constitution of Albania and other Constitutional principles. It is implemented by specific laws for the Governments and Authorities of Commanding and Strategic Guidance of the Albanian Armed Forces, State Police, and Nationals Intelligence Service.

One of the main purposes of Law no. 64/2014 "On the authorities and powers of commanding and guidance of the Armed Forces of the Republic of Albania" is the application of the democratic principle of civilian control over the Armed Forces.

The democratic control over the security forces is exercised by the Parliament of Albania, through its mechanisms for approving the state budget and performing oversight functions, in particular by the standing Security Committee.

According to article 80, paragraph 1 of the Albanian Constitution, the democratic control is exercised over the Ministers through hearing sessions or questions times. In its activities the committee is entitled to draw upon independent and professional expertise. In order to investigate of particular national and public interest the Parliament can also set up ad-hoc inquiry committees.

The constitution defines the main rules concerning functioning and organization of the Parliament. The parliament regulation derives from this provision and is approved by the majority of the members. The Parliament, as the high legislative institution, exercises control over the executive and the constitutional institutions, to verify implementation of the legal framework adopted.

There is established the Parliamentary Committee on National Security as a permanent committee. It has an important role in the parliamentary process with regard to the approval of legislation in the fields of defence and security, their budget, defence policies and national strategy on security, international treaties, agreements and other commitments to be ratified by the parliament, on the use of force and deployment of Albanian troops outside the country

The areas of responsibilities of the Parliament according to its Rules of Procedure are inter alia; to oversee the organization of the national defence and armed forces, military cooperation, the activity of Defence Intelligence and Security Agency (DISA), civil emergencies, public order, intelligence services as well as issues related to sustainable development goals (SDG) adopted by UN and the commitments deriving from them. The heads of national institutions responsible for security and defence, upon the request of the parliamentary committees, have the obligation to inform the Parliament and give explanations on certain issues related to their state activity. In this regard, the relevant parliamentary committees and sub-committees have the right to oversee the activity of these institutions and ask them to provide documentation with further details.

The Constitutional Provisions and the Regulation foresee the instruments to exercise this control. These instruments are as follow:

- Parliamentary motions. Art. 80, point 1 of the Constitution, Art. 96-97 of the regulation.
- Answering to questions in a written/oral/urgent way or in front to a commission. Art. 80, point 1 of the Constitution, Art. 91, 93-95 of the regulation.

The Parliament of Albania is the highest authority of the strategic command and control of the Armed forces (Art. 8, Law no. 64/2014)

- a) The President of the Republic, according to the Constitutions and actual law, is the Commander in Chief of the Albanian Armed Forces. In peacetime it exercises the

command of the Armed forces through the Prime Minister and the Minister of Defence (art. 9/2, Law no. 64/2014).

- b) The Council of Ministers on cases provided by the constitution and the Law no. 64/2014.
- c) The Prime Minister on cases provided by the constitution and the Law no. 64/2014.
- d) The Ministers of Defense and Minister of Interior, who, in their respective areas of activity, are accountable for and control of the armed forces and the police forces. According to article 80 of the Constitution and article 19 of the Parliament's internal regulations, the Ministers report to the Security Committee and to the plenary session of the Parliament.
- e) The Minister of Defence is the authority who leads the Armed Forces activity in fulfilling the constitutional mission within the main direction to the state policy.
- f) Chief of the General Staff, as the leader of the Armed Forces activity, responds (is accountable before), to the President of the Republic, Prime Minister and Minister of Defence. It is the highest military authority in rank and at the strategic command hierarchy of the Armed Forces of the Republic of Albania.

Legal Control of the Defence Intelligence and Security Agency.

This control is exercised through parliamentary oversight, administrative/financial/legal control in accordance with the Constitution of the Republic of Albania and Law no. 65/2014 "For the Defence Intelligence and Security Agency". The authorities that exercise this control are as follow:

- The Parliament, which exercises parliamentary oversight of the activities of the Defence Intelligence and Security Agency.
- Prime Minister, who exercises control of the Defense Intelligence and Security Agency activities, as well as financial control of specific operational budget.
- Minister of Defense, who exercises directly administrative, financial, and operational control in the Defense Intelligence and Security Agency activities.
- General Director of the Defense Intelligence and Security Agency (DISA), controls the activity of the Agency in personally or by other authorized persons.
- Minister of Defense or the General Director of the Defense Intelligence and Security Agency (DISA) report for the activity of Defense Intelligence and Security Agency to the parliament commission or sub-commission for security cases and intelligence information at least ones a year or whenever the parliament asks.
- Defense Intelligence and Security Agency, General Director submits to the Minister of Defense a yearly report for the agency activity, and the execution of the tasks.
- Supervision, control and reports from the above mentioned authorities are carried out based on procedures for saving sources and classified information respecting the actual laws.

2.3 What are the roles and missions of the military, paramilitary and security forces, and how does your State controls that such forces act solely within the constitutional framework?

Military forces

According to the Constitution of Republic of Albania, the mission of Armed Forces is:

- Protect the territorial integrity of the country.
- Protect the constitutional order as it is determined by law.
- Always be present in areas incurring menace.
- Assist the population in case of natural and industrial disasters and warn the risks of military and nonmilitary nature.
- Participate in international operations as part of multinational forces.
- Prevention and management of environmental damage from military activities.

According to the Constitution the Parliament, the President and the Council of the Ministers have responsibilities and rights, in regards to the national security and defense issues.

The Parliament of the Republic of Albania is the only organism that approves laws in the security and defense field of the country. The Parliament has constitutional competencies to declare the war, emergency state, partial and general mobilization, ratification of the agreements and the scrutiny, management and approval of defense budget.

Parliamentary democratic control is exercised through legal means, directly from the Parliament and respective commissions. In this context, its activity is focused in laws, defense budget and policies execution in order to ensure that the Armed Forces act only within the constitutional framework. Members of the parliament can draw attention to acts of the Armed Forces, which in their view may be contrary to the Constitution.

The President of Republic has the constitutional authority as the Head of the State, who represents the unity of the nation. He is the Head of the National Security Council and the highest authority of the Albanian Armed Forces. All senior officers of the Albanian Armed Forces are appointed by the President who, at any time and as defined by Law, can also dismiss them. The President of the Republic is Commander-in-Chief of the Armed Forces and he appoints and dismisses the Commander of the Armed Forces.

The National Security Council is an advisory organ to the President and exercises its activity based on the Constitution, laws and obligations derived by international agreements ratified by the Parliament. This Council advises the President of the Republic for the issues concerning security and defense of the country.

The Council of Ministers is the highest organ of the executive power. It is responsible for the implementation of the National Security Strategy and the state and developments of security instruments and national resources in accordance with the Constitution and laws.

3. Procedures related to different forces personnel.

3.1 What kind of procedures for recruitment and call-up of personnel for service in your military, paramilitary and internal security forces does your State have?

Military forces

The AAF consists of military and civilian personnel employed in its structures. As of 1 January 2010 Albania has a volunteer military service system. Policies and practices for further career development of military personnel are based on their experiences, training and years in services.

The system of management and development of the human resources has at the centre of gravity the training and education of the officers, NCOs, soldiers, and civilian personnel with the necessary experience and skills to serve in and out of the country. This system includes the management of the entire life cycle of the personnel, from the identification of the needs, recruitment, education and training of the personnel in service, the economic and financial support, promotion and career development, until their final retirement and support and integration into the civilian society.

The policies and recruiting strategies based on modern marketing which promotes the Albanian Armed Forces (AAF) values, benefits and social guaranties of the personnel and their families, aim at the qualitative growth of the AAF.

The recruitment to become a soldier in the AAF offer equal chances, with no racial, ethnicity, color, gender, religion belief discrimination, as well as payment, profits, and other compensations according to specific military services.

According to the Law nr. 59/2014, Art. 14, the acceptance criteria are:

- *Nationality:* Albanian; *Age:* 18-27 years old (Except officers, soldiers, sailors who are planned to serve as medical personnel, must be under 32 years old);
- *Education:* High School /University degree;
- *Height:* Males over 170 cm, Females over 165 cm;
- *Health certificate:* By the Military Medical Center in Tirana (in good health);
- *Free of law penalties:* not being under investigation;
- To have the right to exercise his/her profession/public administration activity by law;
- To pass successfully the physical and intelligence tests.

AAF requires the recruited personnel to have the highest qualities for serving in the Armed Forces, as being a complete professional volunteer Force. AF will recruit soldiers with necessary knowledge in accordance with work requirements, specific specialties, by improving the procedures and policies of admission, giving priority to individuals with high education, unique abilities, and qualities for specific branches.

Soldiers' recruitment will be carried out in a concentrated way to complete the AF structures. The selection of the most suitable participants will be performed based on medical, physical and intelligence abilities, according to defined standards and procedures. The General Staff review the tests on November, every year, and adapt them in accordance with the Forces' needs for personnel. Since 2012, the categories of the intelligence test have been prepared in order to test the supplementary individual abilities according to the requirements of each branch.

The candidates submit the necessary documentation at the Recruitment Center of district, fills in the application Form no. 1 and the Questionnaire for a professional soldier in the Armed Forces of the Republic of Albania. After a pre-check verification, the Recruitment Centre of districts sends all documentations of the candidates to the National Personnel Recruitment

Centre. If there are no problems in the application, the Recruitment Centre calls the candidates for the presentation date to continue with the intelligent and physical tests.

Physical and intelligent tests are organized in the National Personnel Recruitment Centre. The applicants are recruited as soldiers after passing the verification and testing process. In the Personnel Recruitment Centre, the candidate will take the intelligent and physical test and will also be interviewed.

Selection of the candidates

Interview is part of the selection procedures, where the Commission evaluates the motivation, experience and inner communication abilities of the candidates. The National Personnel Recruitment Centre is led by the motto "Recruiting the best individuals for a professional Force", and candidates are qualified according to the record. After the winners are announced and appointed in a unit of the AF, they start the Basic Training.

The training for the new recruits starts with the individual basic training. During this period the recruits get necessary knowledge on military regulation, national laws, military equipments and weapons, physical training, military tactics and practicing shooting infantry weapons.

At the end of this 9 weeks training, all the recruits have to pass the tests and get promoted to professional soldier, following the NCO military carrier.

Law No.152/2013, dated 20.05.2013, "On the status of civil servant". This law creates a stable, professional civil service, based on merit, moral integrity and political impartiality. It regulates the legal relationship between the state and the civil servant (hereinafter "civil service relationship") and determines the rules for the administration of the civil service. The civil service relationship is a legal relationship of an administrative nature.

Procedures of employment of civil servants in the Ministry of Defense are define according to the above law and sub-laws and executed based on the principles of competition, transparency, impartiality and criteria's of laws under observation of Public Administration Department.

Paramilitary forces

Albania has no paramilitary forces.

3.2 What kind of exemptions or alternatives to military service does your State have?

In the Republic of Albania there is no compulsory military service. Thus, as a consequence, there is no alternative military service.

Unfulfilling the criteria's mentioned in (point 3.1) comports exemption/exclusion from military services.

3.3 What are the legal and administrative procedures to protect the rights of all forces personnel as well as conscripts?

Principles on the legal status of military personnel

The rights and limitations of the freedom of military personnel in Albania are set by law. According to the Law on "Military Status", the military personnel serving in Albanian Armed

Forces enjoy special status and privileges stemming from the nature of their service to the country.

Military personnel enjoys the right to be informed, protection of personality, free medical care, health insurance in case of illness or injury while performing their duty, the right to vote, the right to exercise religion. Military Forces are neutral related to the political parties. Having a particular duty in service of homeland and society; the military personnel cannot be a member of any political party cannot participate in political meetings and is forbidden to make political propaganda in interest of any political party.

Active military personnel enjoys the following rights:

- a) His/her job in the Armed Forces is guaranteed in accordance with applicable law;
- b) To get promotion in his/her rank (career), according to legal acts;
- c) To be protected by the state laws when performs the military duties;
- d) To be train, qualified and to follow studies in military or civilian educational institutions within the country or abroad, only when receives permission according to the legislation and in accordance with the profession;
- e) Practice his/her right of belief and religious event, outside of the unit or military institution without military uniform;
- f) To serve inside and outside the territory of the Republic of Albania in various international operations, with the permission of the appropriate authority;
- g) To wear civilian clothes out working hours of service, or when it's required by type of duties;
- h) to be organized in associations, which are not political or syndicate.

Military Personnel of the Armed Forces has the following duties and responsibilities:

- a) to recognize, respect, implement and act in comply with the Constitution and legislation in force;
- b) to keep up the honor and dignity of the military;
- c) to be ready to serve where the interests of the Republic of Albania demand;
- d) to be prepared as military, disciplined, for each sacrifice for the defense of the homeland;
- e) to provide for the general public, stakeholders and public institutions required information, except when the information is classified, in accordance with law;
- f) to respect exactly working time schedule and use it efficiently;
- g) to enhance his/her professional skills and participate in training activities.
- h) do not accept any material benefit on the duties, except the salary and benefits defined by law and other legal acts;
- i) to hold his/her responsibility for the legal actions during the duty;
- j) to follow the rules of ethics.

Article 19 – “Detention because of duty or service” Military personnel is prohibited to:

- a) be a member of political parties, organizations or associations of a political nature, as well as participate in political activities organized by them;
- b) to organize or participate in strikes; protests and demonstrations;
- c) use state's property for personal benefits;
- d) going abroad without order by authorities defined by law.

Summary list of decrees relating to legal assistance of military personnel

Law no. 173/2014, "For discipline on Armed Forces of Republic of Albania", defines norms and rules for military personnel, violations, penalties and responsible law enforcement authorities. Art 17. The rights of the military personnel during disciplinary proceeding process: In cases of preceding for serious discipline violations the military personnel have the right to be listened, to submit proves and facts by himself, or by another person authorized by him. If he is not able to get a representative, he can make a written request and addresses it to responsible authority or to respective disciplinary commission which assigns a military jurist to advocate him.

The Ombudsman role

The People's Advocate Institution (The Ombudsman) is an independent constitutional institution, which plays an important role in ensuring respect for human rights and freedoms.

The Office of the People's Advocate is divided into five specialized sections, one of which is the Section for Police, Secret Service, Prisons, Armed Forces and Judiciary.

By handling individual complaints, as well as through the review of thematic issues, The People's Advocate institution helps to prevent human rights abuses, eliminate bad practices and contribute to better governance in the security sector, including the police, secret service, prisons and the Armed Forces.

Complaints can be submitted by email, by mail or they can be presented at the Citizen's Reception Office. Complainants can contact the expert following the case at any time to be informed about the progress of the investigation.

Complaints can be made by members of the police, secret service, prisons and the Armed Forces, as well as by veterans, family members, friends and members of associations that protect the rights of the above groups.

The grievance process contains a number of steps, including: determining the admissibility of the grievance, providing advice, prompt handling of the grievance, keeping the parties informed, and recommending that the infringing right be settled. The proceedings are confidential and the complainants' names are not made public without their consent. The People's Advocate institution does not replace the court but undoubtedly, in many situations, it may be more likable. The costs of pursuing a complaint in court can be high, while the services of the Ombudsman Institution are provided free of charge and are faster compared to court proceedings.

According to the Law no. 8454 dated 04.02.1999 "On the People's Advocate", amended, The People's Advocate or any persons authorized by him have the right any time, without restriction or preliminary authorization, however having informed in advance the head of the institution, to enter any public administration institutions like prisons, places where the police and prosecution office keep the escorted, detained or arrested people (the detainees), in state units or institutions, and other places he is informed or deems that it is possible for human rights and freedoms to be violated. The access to all above-mentioned ambiances intends either the investigation of a complaint, request or a certain notification or an initiative taken by the People's Advocate to conduct an inspection or study. In such a case, the People's Advocate can meet or talk in confidentiality, without the presence of any official people, with

any persons being present or kept in these facilities. Any correspondence between these persons and the People's Advocate shall not be obstructed or checked.

Due to the special nature of the duty and service, members of the Armed Forces or even their families may have disadvantages compared to other citizens. Therefore, the respective legal framework has provided some guarantees to reduce these disadvantages.

Respective laws:

- Actually in the Albanian Legislation it applies the Law no. 9210, dated 23.3.2004, concerning the "Status of the military in the Albanian Armed Forces", (amended).
- Law no. 59/2014 "On military career in the Armed Forces of the Republic of Albania", (amended);
- Instead, in the disciplinary field it applies the Law no. 173/2014, concerning the "Discipline in the Armed Forces of the Republic of Albania", (amended).

The People's Advocate Institution, as an independent and impartial institution, plays an important role in ensuring that these guarantees are respected.

4. Implementation of other political norms, principles, decisions and international humanitarian law.

4.1 How does your State ensure that International Humanitarian Law and Law of War are made widely available, e.g., through military training programmes and regulations?

Albanian Armed Forces are commanded, manned, trained and equipped in ways that are consistent with the provisions of International Humanitarian Law, obligations and commitments related to the use of Armed Forces in armed conflict, including The Hague Conventions of 1907 and 1954, the Geneva Conventions of 1949, the Additional Protocols of 1977, as well as the 1980 Convention on the Use of Certain Conventional Weapons. Such provisions are included in different field manuals and regulations, published and distributed to all officers and NCOs.

The military education system in all levels of Armed Forces use the manual "Law of the Armed Conflict", approved by order of General Chief of Staff, no. 747, dated 22.09.2009.

Ministry of Defense in cooperation with International Red Cross and Red Crescent Committees have prepared published and delivered a training folder for the instructors. The military personnel before deployment on the mission get knowledge and train how the law on Armed Conflict is implemented. For this purpose, a brochure is prepared and published/printed; it is used as training and learning material titled "Essential Bases of Armed Conflict Law", approved by order of General Chief of Staff, no. 226, dated 30.08.2001.

The Military Education System includes the curricula in all levels which contain topics regarding International Humanitarian Law (IHL) and Law of War (LoW). The number of hours of training devoted to this subject for military personnel is up to 400 training hours, spread out in official training courses.

Law no. 7864, dated 09.29.1994 "Albanian Red Cross"

Law no. 7865, dated 29.09.1994, "For protection of the emblem and name of the Red Cross"

Albanian Armed Forces personnel who are sent abroad for mission, besides usual tests they have a special examination for IHL and LoW. After that, military personnel for the mission is examined and certified for the acknowledgement of the above mentioned laws.

- Actually, the Republic of Albania has ratified different agreements related to this field. Specifically, the Republic of Albania adopted the Law no. 7531, date 11.12.1991 “For the ratification of the Convention for the rights of the children” signed in New York, on 26.01.1990;
- Moreover, the Republic of Albania has adopted the Law no. 9833, date 22.11.2007 “For the accession of the Republic of Albania in the Optional Protocol to the UN Convention “For the children rights”, concerning the involvement of the children in the Armed Conflicts” done on 25.05.2000;
- After the implementation of the aforementioned agreements, the Albanian Armed Forces have adopted different texts in the Albanian Armed Forces Academy in order to prepare and train the troops for peacekeeping in the framework of the international operations led by UN, EU and NATO.
- These texts have been adopted in accordance with “NATO Standardization Agreement, STANAG 2449 Lo (Edition 1) (Ratification Draft 1) - Training in The Law of Armed Conflict, 14 February 2003, NSA (ARMY) 0143-LO/2449” and have been updated with “STANAG 2449 Ed. 2 (2013)/ 20 March 2013”.

4.2 What has been done to ensure that Armed Forces personnel are aware of being individually accountable under national and international law for their actions?

Albanian armed forces personnel who are vested with command authority are trained to exercise it in accordance with relevant national as well as international law and Rules of Engagement are made aware that they can be held individually accountable under those laws for the unlawful exercise of such authority and that orders contrary to national and international law must not be given.

All armed forces personnel is trained and instructed in international humanitarian law, rules of engagements, conventions and commitments governing armed conflict and they are aware for their accountability under national and international law for their actions.

Military training system in the Republic of Albania consists of institutional and functional courses for individual and collective training for units or pre-deployment training of particular units and personnel. Provisions of International Humanitarian Law are included in the current general training programs.

In the Republic of Albania, military academic education is centralized within the Armed Forces Academy (AFA). This institution provides appropriate education, including mandatory lectures of International Humanitarian Law to all commanders and members of their staffs. There is a significant amount of these lectures both in Bachelor’s curriculum and Master’s curriculum.

The International Humanitarian Law is applied through National Law, no. 8003, dated 30.10.1995 “Military Penal Code” - Chapter VIII “Felony in Military Operations”

4.3 How does your State ensure that Armed Forces are not used to limit the peaceful and lawful exercise of human and civil rights by persons as individuals or as

representatives of groups nor to deprive them of national, religious, cultural, linguistic or ethnic identity?

Missions and tasks of the Albania Armed Forces are driven based on main documents according to the tasks in and outside of Albania.

According to strict limitation set forth in these documents armed forces cannot perform other tasks. The activities of armed forces are under control of constitutional authorities or authorities to whom such control is entrusted to, by a special article of the National Constitution, thus in case of transgression of competences it is upon civilian authorities to act accordingly.

The constitution of Republic of Albania is the main document ensuring that Armed Forces are not used to limit the peaceful and lawful exercise of human and civil rights by persons as individuals or representatives of groups to deprive them of national, religious, cultural, linguistic or ethnic identity. In this document are stated all procedures for usage of AAF and punishment for those who violate them.

Law no. 173/2014, "For discipline on Armed Forces of Republic of Albania", in Article 13, Serious discipline violations are:

- The support of the campaign of a party, political origination, member, of the political party or independent candidate, contributing personally or financially.
- Supporting or participation in political, religious or non-profitable organizations activities, during working hours, in working place, military assets, or when he/she is wearing uniform and military symbols.
- Permissions of persons from political, religions and non-profitable organizations to make propaganda in Albanian Armed Forces's areas.
- Usage, delivery, or displaying in military areas and assets of symbols or advertisement of political and social organizations except when they have humanitarian character.
- Exercising of function authority affected by his political beliefs, personal or social interests.

Commissioner for protection from discrimination is an institute which exercises of human and civil right by persons. The parliament has approved: - Law no. 10221, dated 04.02.2010 "On protection from discrimination"; - Law no. 9970, dated 24.07.2008 "On gender equality on society".

Likewise, the free media contribute as an additional element to prevent armed forces actions which might serve to limit the exercise of human and political rights. Human Rights are also part of training programs and curricula's in different courses. In case of this action is on support of the police forces, armed forces units are used for guarding and protection duties of critical infrastructure and constitutional order.

4.4 What has been done to provide for the individual service member's exercise of his or her civil rights and how does your State ensure that the country's Armed Forces are politically neutral?

Human rights of soldiers are embodied in Human Rights Charter no. 2/1993 Coll., (which is applicable for every person under the jurisdiction of the Republic of Albania and is part of its constitutional law). Limits of basic rights and freedoms may be imposed only by enacted law

and based on conditions set forth in the Human Rights Charter. As military personnel represents a special group whose rights may be limited to fulfilling their tasks.

The Republic of Albania has institutionalized civilian democratic control over armed forces in its Constitution, and has built by law a command and control system by high civilian authorities at the strategic level, whereas at the operational and tactical levels, command and control is by high military authorities. According to Article 12 of the Constitution of the Republic of Albania, Armed Forces are politically neutral.

Members of the armed forces are prohibited by Law from being members of any political party and make propaganda in the interests of any political party.

Law no.9210, dated 23.3.2004, "Military Status" (article 15 of this law defines the rights for proposal and grievances of military personnel in Armed Forces). (Referred in point 3.3 subtitles "The ombudsman role")

4.5 How does your State ensure that its defense policy and doctrine are consistent with international law?

Albanian Defense Policy and Doctrine are consistent with international law related to the use of armed forces, including in armed conflict and the relevant commitments of the Code of Conduct on Politico-Military Aspects of Security. According to the Albanian Constitution any international obligation must be embodied into Albanian legislation. The Albanian Armed Forces respect the Additional Protocol to the Geneva Conventions of August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) of June 1977 and the obligations under Article 82. Provisions of the international law which are included in the doctrines and different field manuals derive from these doctrines.

4.6 What has been done to integrate women into conflict prevention, crisis management and post conflict rehabilitation through its activities?

I: Prevention

1. Measures to increase armed forces personnel understanding of the special needs and contributions of women in conflict.

Albanian Military personnel participating in international peace support operations before their deployment conduct a specific training. Part of this specific training are well acquainted with the costumes, traditions and culture of the country where they will serve and the issues related to the protection of the rights of girls and women in the conflict areas.

Gender issues, protection of women's rights and gender discrimination, sexual violence issues are included in the programs of education for the military personnel of Armed Forces.

Availability plans to address and gather information about culture and costumes from local women populations in areas at risk of conflicts. The inclusion of systematic analysis for gender in conflict areas includes gender-desegregation, social-economic indicators and power over resources and decision making process. Information collected in areas where Albanian troops are deployed, which include gender issues as well, is analyzed and processed through the chain of command of international HQ.

During 2020, military personnel that are contingent to participate in a peacekeeper mission have attended different courses which are dealing with these training issues such as

“Diversity and Inclusion in the Security Sector – Key Leadership Conference and Gender Training of the Trainers Course organized in and outside our country. The military academies have revised curricula which comprised topics on gender equality and all of them are involved in training programmes of Military personnel.

2. Measures to address the violation of the rights of women and girls, in line with international standards.

The basic document that protects fundamental individual rights and freedom in the Republic of Albania is the Constitution. It affirms the principle of equality as a fundamental principle and pre-condition for the functioning of state organs and does not allow any form of discrimination against the individual (Constitution, Article 18, paragraph 1 and 2).

Another important document is the "Law on Gender Equality Society", no. 9970, dated 24.07.2008, based on the principle of equality and non-discrimination and other principles enshrined in the Constitution, the Convention on the Elimination of All Forms of Discrimination against Women, as well as all other international acts ratified by the Albanian Parliament (Article 3, paragraph 1).

National Strategy and Action Plan on Gender Equality 2016-2020 which address the full spectrum of gender issues, policies and strategies is approved by Decision of the Council of Ministers No. 733, date 20.10.2016.

The Council of Ministers, in Albania has adopted the Inter Institutional Action Plan for Resolution 1325, approved by DCM 524, dated 11.09.2018, published in Official Journal 134/2018, an important step in guaranteeing the expansion of women’s inclusion policies in the security field. It’s prepared by the Ministry of Social Welfare and Youth and line ministries, in consultation with representatives of civil society organizations, and national and international organizations which are working to achieve gender equality and to reduce gender-based and domestic violence in Albania.

Currently, process of the National Strategy and Action Plan for Gender Equality 2021-2030 is ongoing. The main policy of AAF is increase women’s participation in Peace Keeping operations. Implementation of positive discrimination in this field requires up growth number of women in PKO Mission.

The program of the government for 2017-2021 has expressed the commitments for all public institutions in the fight against women violence, reinforcement of justice system for prevention and support of victims of violence. In terms of the AAF, the main policy is to increase women's participation in peacekeeping operations, conflict prevention and resolution. Application of positive discrimination in this area seeks to increase the number of women and girls in the peacekeeping missions. These measures are accompanied with training of staff of peacekeeping missions on gender equality and awareness rising for reduction of gender stereotyping in the peacekeeping mission.

In the framework of National Strategy for Development and Integration 2016-2020, is working closely with the representative of UN Women to mainstream gender perspective in monitoring indicators of this strategy.

The National Council on Gender Equality was established by the Prime Minister, Regulation No. 3, dated 8.1.2009, which is an advisory body for gender issues. This Council is chaired by the Health and Social Care Minister, and it is composed of 9 (nine) Deputy Ministers and

three members who represent civil society. Regarding the armed forces, there are no serious gaps that will require immediate action in respect of the legal rights of women who serve in the Armed Forces.

Law no. 173/2014, “For discipline on Armed Forces of Republic of Albania”, in article 12, “Serious disciplinary violation”, which classifies sexual harassment committed by military personnel during and after working hours or leisure time in the category of serious disciplinary violation is under implementation. The purpose of this law is to prohibit sexual harassment in order to defend human dignity, freedom and privacy and in order to promote equality. During 2020, there are not reported cases on sexual harassment committed by military personnel. This issue is monitored closely in order to avoid the gender abuses during the military service.

On March 2020, with Minister of Defence order is approved the document "Policies and procedures for the elimination of violence, harassment and sexual harassment in the services of the structure of the Ministry of Defense and the Armed Forces".

In framework of promotion of this document is organized a big event with participation of the military personnel in all level of chain of command from Ministry of Defense and General Staff.

On 3-5 March 2020, about 100 female personnel from MoD and AAF (officers, NCO-s, private and civilian) participated in a training seminar regarding “Gender Equality”, organized by a team from the National Guard of New Jersey of USA.

II: Participation

1. Measures to increase the number of women in general and in decision-making positions in the armed forces and the Ministry of Defense.

Based on the Strategy on "Human Resource Management Strategy in the Armed Forces, 2020-2024" and the Action Plan for its implementation, approved by Minister of Defense order, no. 246, dated 24.02.2020, the prior strategy (2016-2020) stated that 15% of personnel serving in AAF had to be female, but this condition has been omit.

The total number of women (military +civilian) serving in the Albanian Armed Forces by the end of 2020 was 1423 or 18.9 %. Meanwhile, the percentage of military women serving in the Albanian Armed Forces by the end of 2020 was 826 military personnel or 14.1 % of the total number of military personnel.

Current activities targeting potential female applicants range from local initiatives like spread of leaflets in universities and recruiting open days’ seminars in MOD, and visits on local colleges of women in senior leadership position like Minister of Defense and other senior military position. They share their experience and provide the young female with important career information about AAF and highlight the significant contribution made by women in AAF and abroad and increase awareness of career opportunities for women and men in AAF.

Also, in order to attract greater number of qualified applicants from Albanian workforce the Personnel Recruitment Centre has undertaken the initiative for promotion of women and men participation in military throughout National Employment Office. The recruitment campaign also was spread on national/local media and official website of Albanian Armed Forces.

The percentage of female personnel who are promoted and advanced in their ranks and career in 2020 is as followed: - Officer 24.1 %; - NCOs 13.3 %; The participation of female military personnel in the institution courses in and abroad for 2020 is as follows: Officers 8 % of and NCO-s 27.5%.

During 2020, a total of 43 female officers in Ministry of Defence, General Staff and in Armed Forces are or continuing to perform duties in command positions and with high responsibility, such as: - Deputy Chief of General Staff, - Deputy Military Attaché, - Deputy Chief of Staff of Logistic in KFOR, - Director, - Deputy Director, - Commander and Deputy Commander at different levels.

The Albanian Armed Forces are working to obtain expertise in the field of gender equality and to strengthen our capacity in implementing the UNSCR 1325.

2. Measures to increase the number of women in peacekeeping forces.

There are no regulations in Albanian Army Forces limiting the deployment of women. Deployment is tasked through the chain of command to subordinate organization. For additional positions, or capabilities not provided by an already- formed unit, personnel are selected for deployment positions based on their rank, occupation, and any required special skills sets, with no consideration being a man or a woman.

Albania continuing to contribute in UN Peacekeeping Operations in South Sudan's with two female military officers, (RPF U2SO Collection) position.

During 2020, from total number of 274 military personnel from AAF that have been participated in mission abroad 18 (eighteen) of them are female military personnel or 6.56% of: - 6 (six) in NATO/Resolution Support Mission in Afghanistan, - 8 (eight) in NATO Mission in Kosovo (KFOR), - 2 (two) in the NATO activity enhanced Forward Presence (eFP) in Latvia; - 2 (two) in United Nation Peacekeeping Operation in South Sudan (UNMISS).

III: Protection

1. Increased access to justice for women whose rights are violated.

Number and percentage of reported cases of exploitation and abuse allegedly perpetrated by uniformed peacekeepers that are referred, investigated and acted upon. For 2020, there was no case for Albanian peacekeepers women whose rights are violated.

IV: Other information.

Section III: Public access and contact information

1. Public access

1.1 How is the public informed about the provisions of the Code of Conduct?

Experts from various state institutions (MOD, MEFA, MOI, Parliament, etc.) in charge of implementation of the different sections of the Code of Conduct participate on a regular basis in international and regional events dedicated to the implementation and exchange of information on this document. However, further efforts are needed to improve public awareness on the aims of the Code and its provisions.

Public have the possibility to be informed about the parliamentary debates regarding military issues. National Recruitment Personnel Center organizes meetings and briefings at high schools and universities based on a detailed plan. The public can participate in military events, open-door days, organized by military structures. Public access to information is available on the official web sites of the Ministry of Defense and General Staff.

1.2 What additional information related to the Code of Conduct, e.g., replies to the Questionnaire on the Code of Conduct, is made publicly available in your State?

As to now, Albania's official replies to the questionnaire of the Code of Conduct have never been made public. However, the Ministry for Europe and Foreign Affairs is considering the possibility to post the current questionnaire on the official website of the Ministry for Europe and Foreign Affairs or Ministry of Defense, in a special link, dedicated to Albania's relations with the OSCE.

1.3 How does your State ensure public access to information related to your State's armed forces?

Public access to the information related to the Armed Forces is becoming easier. The Law on the Transparency and Access to Public Information that ensures the rules of public access to the information regarding the state administration in general includes, as well as, the Albanian Armed Forces.

The Ministry of Defense provides transparency and public access to information related to the Armed Forces. The information centre is operational in the Ministry of Defense. Albanian Parliament approves the defense expenditures and exercises constraints and limitations in military expenditures. All documents of strategic level such as: The National Security Strategy, the Defense Policy, the National Military Strategy, the Long Term Development Plan, etc. are open to the public opinion. Ministry of Defense offers a wide spectrum of information from military magazine which is published monthly and military newspaper which is weekly publication (electronically webpage).

Based on Law no. 119/2014 "On the right for information" Anyone requires information on the activity of the public body without being obliged to explain reasons. Even when the decision is negative the subject has to be informed. The MoD has specific structure "Inspection and Anticorruption Directorate" (IAD), which is responsible for the enforcement of upper mentioned law (for the fulfillment of the right to information for citizens).

2. Contact information

2.1 Provide information on the national point of contact for the implementation of the Code of Conduct.

The national point of contact for the implementation of the code is:

MINISTRY FOR EUROPE AND FOREIGN AFFAIRS

International Organizations Directorate

International Organizations Department

Contacts: **Mr. Kujtim MORINA**

Specialist

Phone: + 355 42 36 40 90 Ext. 181

Mobile: + 355 (0) 69 7636977

e-mail: kujtim.morina@mfa.gov.al

Address: Bulevardi Gjergj Fishta, no. 6, Tiranë.

ANNEX 1

I. UNITED NATIONS

- Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (New York 14 December 1973); Ratified. Entered into force on 21.02.2002.
- International Convention against the Taking of Hostages, (New York, 17 December 1979); Ratified. Entered into force on 21.02.2002.
- International Convention for the Suppression of the Financing of Terrorism, (New York, 9 December 1999); Ratified. Entered into force on 10.05.2002.
- International Convention for the Suppression of Terrorist Bombings, (New York, 15 December 1997). Entered into force on 21.02.2002.
- International Convention for the Suppression of Acts of Nuclear Terrorism (New York, 13 April 2005); Signed on 25 November 2005. Not ratified yet.

II. INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO)

- Convention on Offences and Certain Other Acts Committed on Board Aircraft (Tokyo, 14 September 1963); Ratified on 06.03.1997, Entered into force on 01.03.1998.
- Convention for the Suppression of Unlawful Seizure of Aircraft (The Hague, 16.12.1970); Ratified on 06.03.1997, Entered into force 20.11.1997.
- Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Montreal, 23.09.1971); Ratified on 06.03.1997 Entered into force 20.11.1997
- Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation supplementary to the Convention for the Suppression of Unlawful Acts against the safety of Civil Aviation (Montreal, 24.02.1988). Ratified. Entered into force on 22.05.2002
- Convention on the Marking of Plastic Explosives for the Purpose of Detection (Montreal on 01.03.1991), Ratified. Entered into force on 06.03. 2000.

III. INTERNATIONAL ATOMIC ENERGY AGENCY (IAEA)

- **Convention on the Physical Protection of Nuclear Materials**, (Vienna, 3 March 1980); Ratified on 5 March 2002; Entered into force on 4 April 2002
- **II.1. Agreements between Albania and the IAEA** - Agreement between the Republic of Albania and the Agency on the application of protective measures on all nuclear activities of Albania, signed on: 1 July 1986, Ratified on 28 January 1988, Entered into force on 25 March 1988.

IV. INTERNATIONAL MARITIME ORGANIZATION (IMO)

- Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (Rome, 10.03.1988); Ratified. Entered into force on 17.09. 2002.
- Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, (Rome on 10.03.1988); Ratified. Entered into force on 17.09.2002.
- In 2009 it was established the Inter-institutional Maritime Operational Centre (IMOC), aiming to create a new inter-institutional cooperation platform in order to ensure the surveillance of the Albanian in planning, organizing and guiding all the maritime operations, in guaranteeing the law and sovereignty of the Albanian State in the sea.

COUNCIL OF EUROPE

- European Convention on the Suppression of Terrorism (Strasbourg, 27.01.1977); Signed on 04.04.2000. Ratified on 21.09.2000. Entered into force on 22.12.2000.
- Protocol amending the European Convention on the Suppression of Terrorism (Strasbourg, 15 May 2003); Signed on 9.10.2003. Ratified on 15.11.2004.
- European Convention on Extradition (Paris, 13.12.1957) and first and second Additional Protocols. Signed on 19.05.1998. Ratified on 19.5.1998. Entered into force on 17.08.1998
- European Convention on Mutual Assistance in Criminal Matters (Strasbourg, 20.04.1959) and first and second Additional Protocols. Signed on 19.05.1998. Ratified on 04.04.2000. Entered into force on 03.07.2000.
- European Convention on the Transfer of Proceedings in Criminal Matters (Strasbourg, 15.05.1972); Signed on 19.05.1998. Ratified on 04.04.2000. Entered into force on 03.07.2000.
- Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (Strasbourg, 8.10.1990). Signed on 4.4.2000. Ratified on 31.10.2001. Entered into force on 1.2.2002
- Convention on Cyber crime (Budapest, 23.10.2001) Signed on 23.11.2001. Ratified on 20.06.2002. Entered into force on 01.07.2004.
- Additional Protocol to the Convention on Cyber crime concerning the criminalization of acts of a racist and xenophobic nature committed through computer systems. Signed on 26.05.2003. Ratified on 26.11.2004. Entered into force 1.3.2006.
- Council of Europe Convention on the Prevention of Terrorism (Warsaw, 15.05.2005). Signed on 22.12.2005. Ratified on 06.02.2007. Entered into force on 01.06.2007.
- Council of Europe Convention on laundering, search, seizure and confiscation of the proceeds from crime and on the financing of terrorism (Strasbourg, 15.05.2005). Signed on 22.12.2005. Ratified 6.2.2007. Entered into force on 01.05.2008.

V - OTHER AGREEMENTS

Albania is party to several bilateral and multilateral agreements and Memorandums of Understanding (MoU) aimed at countering organized crime, international trafficking and terrorism.

- MoU between the Ministry of Interior (MoI) of Albania and the MoI of the Federal Republic of Austria to strengthen cooperation in the area of internal security. Signed on 27.01.2010.

- Agreement between the Government of Albania (GoA) and the Government of the Kingdom of the Belgium on police cooperation. Signed on 22.05.2005. Entered into force on 01.05.2008.
- Agreement between the Council of Ministers of the Republic of Albania and the Council of Ministers of the Republic of Bosnia-Herzegovina on cooperation in the fight against trafficking, in particular terrorism, illegal drugs trafficking and organized crime. Signed on 24.03.2009. Entered into force on 04.03.2010.
- Agreement between the Council of Ministers of the Republic of Albania and the Government of the Republic of Bulgaria in the fight trafficking and organized crime. Signed on 29.01.2007. Entered into force on 04.10. 2007.
- Agreement between the Council of Ministers of the Republic of Albania and the Government of the Czech Republic on the fight against crime. Signed on 27.04.2009. Entered into force 01.01.2010.
- Agreement between the Council of Ministers of the Republic of Albania and the Government of the French Republic on internal security cooperation. Signed on 15.05.2008. Ratified by law no. 9955, dated 17.07.2008.
- Agreement between the Government of the Republic of Albania and the Government of the Republic of Hungary on cooperation in the fight against terrorism, drug trafficking and organized crime. Signed on 12.02.1999. Entered into force on 24.08.1999.
- Agreement of cooperation between the Council of Ministers of the Republic of Albania and the Government of the Republic of Italy in the fight against crime. Signed in Tirana on 19.06.2007. Ratified by law no. 9799, dated 10.09.2007.
- Agreement of cooperation between the Council of Ministers of the Republic of Albania and the Government of the Republic of Latvia in the fight against terrorism, organized crime and illegal trafficking of narcotics, psychotropic substances and precursors. Signed on 16.12.2009. Entered into force on 22.07.2010 and ratified by law no. 10265, dated 26. 04. 2010
- Agreement of cooperation between the Council of Ministers of the Republic of Albania and the Government of the Republic of Malta in the fight against illegal trafficking of narcotics, psychotropic substances and organized crime. Signed on 19.02.2002. Entered into force.
- Agreement of cooperation between the Council of Ministers of the Republic of Albania and the Government of the Former Yugoslav Republic of Macedonia in the fight against terrorism, organized crime, illegal trafficking of narcotics, psychotropic substances and precursors, illegal migration and other illegal activities. Signed on 17.06.2004. Entered into force on 20.05.2005.
- Agreement of cooperation between the GoA and the Government of the Republic of Rumania in the fight against terrorism, organized crime, illegal trafficking of narcotics and psychotropic substances and other illegal activities. Signed on 07.06.2002. Entered into force on 19.12.2002.

- Agreement of cooperation between the GoA and the Government of the Republic of Slovenia in the fight against terrorism, illegal trafficking of narcotics and organized crime. Signed on 24.11.1993. Entered into force.
- Agreement of cooperation between the Council of Ministers of the Republic of Albania and the Government of the Republic of Montenegro in the fight against organized crime, illegal trafficking and other criminal activities. Signed on 31.10.2003. Entered into force.
- Agreement of cooperation between the Council of Ministers of the Republic of Albania and the Government of the Republic of Serbia in the fight against organized crime, illegal international trafficking of narcotics and terrorism. Signed on 11.03.2010 and ratified by the Parliament.
- MoU between the Ministry of Treasury of the Republic of Albania and the Investigative Board against Financial Crime of the Republic of Turkey to exchange financial intelligence information regarding money laundering and the financing of terrorism. Signed in Ankara and Tirana respectively on 14.07.2008 and 21.07.2008. Entered into force upon signature.
- Agreement between the Council of Ministers of the Republic of Albania and the Cabinet of Ministers of Ukraine on cooperation in the fight against crime. Signed on 27.05.2003. Entered into force.
- Agreement between the Council of Ministers of the Republic of Albania and the Federal Council of Switzerland on police cooperation in the fight against crime. Signed on 21.9.2005. Entered into force on 18.07.2007.
- "Convention on police cooperation in South East Europe. Signed in Vienna on 05.05.2006. Ratified by Albania in October 2007.
- Additional protocol on Combating Terrorism to the Agreement among the Governments of the Black Sea Economic Cooperation Participating States in Combating Crime, in particular its Organized Forms. Signed on 03.12.2004. Ratified by law no. 9500, dated 03.04.2006. Entered into force.
- Since September 2009 Albania is part of the EU initiative, undertaken in cooperation with the Czech Republic and the Republic of Slovenia, to exchange with the Western Balkans EU's counter-terrorism Best Practices.
- Decision of the Council of Ministers of the Republic of Albania, Nr. 452, dated on 16.06.2010 "On approval in principle of the" Memorandum of Understanding for cooperation and support for the Secretariat of the Police Cooperation Convention for South East Europe, 21.05.2010"
- On 28 January 2011 in Ljubljana/Slovenia Albania signed the "Declaration on Police Cooperation in Combating International Terrorism", which is a continuation of International Police Cooperation Initiative in the fight against terrorism. By signing this declaration Albania becomes a member of this initiative, together with Slovenia, Serbia, Montenegro, Austria and Bosnia-Herzegovina.
- Memorandum of Understanding between Minister of Interior of the Republic of Albania and Ministry of Interior of the Federal Republic of Austria on reinforcing the cooperation in the field of internal security, signed in Vienna on 27.01.2010.

- Technical Agreement between OSCE presence in Tirana and Albanian Ministry of Defense for the elimination of Chemical Stocks, 16.04.2012
- MoU between OSCE Presence in Albania and Albanian MoD for the elimination of Chemical Stocks, 10.10.2014.
- MoU between UNDP and Albanian MoD on bilateral cooperation in the implementation of the Albanian UXO Hotspots Clearance & Ammunition Disposal Programme, 01.01.2011
- MoU between United Nations Development Program and the Albanian Ministry of Defense in Support of the Small Arms and Light Weapons Control and Physical Security and Stockpile Management Activities in Albania, 2016.
- MoU between MoD of Republic of Albania and the United Nations Development Programme in support of the Small Arms and Light Weapons and Physical Security and Stockpile management Activities in Albania, 27.06 2019.