

**CROSSCUTTING STRATEGY: FIGHT AGAINST  
ORGANIZED CRIME, TRAFFICKING AND  
TERRORISM**

Tirana, September 2007

## TABLE OF CONTENT

Message of the minister of the interior .....	3
Introduction.....	4
CHAPTER I.....	7
1. An Overview of “organized crime” .....	7
1.1 The situation of organized crime in Albania.....	9
1.2. Police and other state structures actions against Organized Crime, September 2005 – May 2007 .....	10
1.3 Organized crime and some of its forms as defined in the Albanian legislation.	15
CHAPTER II.....	17
The main sub-sectors of State Institutions’ activity in Combating Organized Crime ..	18
Legal framework of the fight against organized crime.....	18
The main tasks of Institutions in fighting against organized crime and terrorism.....	19
CHAPTER III .....	22
Identifying the main forms of organized crime and terrorism.....	22
III. 1. Fight against criminal organizations and armed groups .....	22
III. 2. Fight against drugs trafficking .....	22
III. 3. Fight against other illicit traffics.....	24
III. 4 . Prevention of Money Laundering .....	25
III. 5. Safeguarding the national borders .....	29
III. 6. Fight against Terrorist Acts .....	30
Chapter IV.....	31
The Vision.....	31
The Mission of the Strategy .....	31
Chapter V .....	32
Policies and objectives for combating organized crime and terrorism.....	32
V. 1. Conducting the Fight against Organized Crime.....	32
V. 2. Border and migration management.....	32
V. 3. On Prevention of Money Laundering .....	33
V. 4. On the Fight against Terrorist Acts.....	34
V. 5 Objectives.....	34
V. 6 Short term objectives (2007 – 2008).....	35
V.7. Medium term objectives (2009 – 2010).....	36
V. 8 Long term objectives (2011-2013).....	37
Chapter VI.....	38
The process of monitoring and assessing.....	38
VI. 1 Responsibilities of specific institutions .....	38
VI.2. Monitoring .....	40

## **MESSAGE OF THE MINISTER OF THE INTERIOR**

The Strategy on the Fight against Organized Crime, Trafficking and Terrorism is a document which clearly expresses the will of the Albanian Government to engage in an uncompromising war against organized crime, illicit trafficking and terrorism.

The state structures for the first time guarantee the entire coordination of actions and measures undertaken by every institution engaged in fighting against these phenomena which have been acknowledged, as threats and perils with grave consequences for our country, in documents of all levels in the national security field. The purpose of this document is to prevent, combat and suppress these phenomena.

Along with other institutions, the Ministry of Interior is committed to play an important role in coordinating the implementation actions of this strategy and other sector strategies related to the fight against different forms of organized crime and terrorism.

This strategy will be implemented in accordance with the government's policies and commitments in fighting against organized crime and terrorism and it will also coordinate the action plans defined in the other sector strategies.

I consider this strategy an important achievement of all our institutions and believe that it will contribute in raising the quality of the specialized structures' work, will help in improving the assignment of tasks and coordination of actions, and it will also influence in advancing the fight against organized crime, trafficking and terrorism.

Its implementation will enlist our country among those states which fight effectively against organized crime and will introduce us as a fully guaranteed partner who meets standards for becoming a member of the European Union family.

**BUJAR NISHANI**

**MINISTER**

## INTRODUCTION

Building this strategy was not only an obligation due to the priorities defined in Albania for fighting all forms of organized crime, but also a necessity to implement the objectives set in the regional strategy ratified in *Brijuni*, a necessity to better harmonize and coordinate each particular strategy already ratified or under ratification process.

This strategy aims to define the strategic priorities of the fight against organized crime, to set the objectives for all the institutions which are engaged in this fight and to coordinate the crosscutting actions for fulfilling its goals. It also aims to:

- Identify in a wide scale the phenomenon of organized crime and other target phenomena of this strategy by analyzing thoroughly the causes and factors for their development.
- Present the institutional activity of all actors engaged in fighting against organized crime.
- Assess the situation in our country, based mainly on documents, media and international institutions data.
- Establish priorities and objectives to be fulfilled for minimizing organized crime and specifying the main forms of this criminal activity.
- Define the measures to be taken by various institutions in order to fulfill their goals.
- Spell out the action plan, defining the measures to be taken by every institution based on established deadlines and documents such as: strategies and specific action plans, national plans or matrixes.
- Define the monitoring methods of strategy implementation.
- Define the financial needs or the possible financial resources for fulfilling the activities related to the implementation of this or other sector strategies.

The fight against organized crime should not be considered and perceived just as an exclusive responsibility of State Police. Partnership among different actors is a crucial element for the effectiveness of this fight. Therefore, in this strategy are assigned the duties and measures that will be carried out by different institutions. Actually, the main responsibility and significant activity that influences on the indicators of the fight will be undertaken by the State Police which should also gather the information and deliver it according each sector's work objectives.

Currently, Albania is a member country in several regional and broader initiatives and a member of the organization SECI, Interpol; it has also ratified and signed several international conventions and agreements. Based on the

above and in the analysis of socio-political, economic, legislative and technical factors, the main priorities of the State Police in combating the organized crime will be:

1. The fight against drugs;
2. The fight against illicit traffics, i.e.:
  - The fight against human trafficking and migrant smuggling;
  - The fight against weapon trafficking;
  - The fight against stolen vehicles trafficking;
  - The fight against art works trafficking;
3. The fight against money laundering and corruption.
4. The fight against terrorism.

The fight against organized crime remains one of the most significant priorities in the activity of involved institutions and State Police because of the consequences and high risks that this phenomenon causes for the society. Organized crime includes several aspects of the criminal activity, thus this strategy will provide an assessment of the situation, identification of the issues and will establish new measures and methods to be used by every institution in the fight against this phenomenon.

This document's priorities were defined taking into consideration the government's priorities for the 2005-2009 period, the provisions of the 7 years sector strategy of State Police, the provisions of the document for Albania's membership in EU and NATO, the provisions of other strategies, which are in the implementation phase or that have been drafted, on the fight against specific forms of organized crime, such as: the fight against drugs, against human trafficking, anti-terrorism strategy, etc. They were also defined based on the impact that these phenomena and the fight against them would have on Albanian society and its image among international partners.

It is important to highlight from the very beginning of this document that the fight against organized crime requires vision, establishment of necessary objectives, resources and skills to deal with this phenomenon. This strategy introduces new methods and models in managing the resources and in raising the capacities of police force employees engaged in the fight against this phenomenon.

In conclusion, the goal of the police structures and all other institutions engaged in this field is to make Albania a safe and attractive country and improve its citizens' quality of life, through the implementation of the foreseen objectives and measures of this and other sector strategies. Naturally, the priorities and objectives of this document are in accordance with the provisions of the existing strategies, namely:

- National Strategy on the Fight against Drugs;
- National Strategy on the Fight against Child Trafficking;
- National Strategy on the Fight against Human Trafficking;
- The Strategy on the Fight against Terrorism (not ratified yet)

Considering the measures taken till now, the Albanian Government has built the necessary trust, and shows that it is fully committed in intensifying the fight against organized crime, aiming to reach the required standards and fulfill the set objectives.

Every action plan of the sector strategies on the fight against different forms of organized crime, drafted so far or that will be drafted in the future will be part of this strategy.

## CHAPTER I

### 1. An Overview of “organized crime”

The term “organized crime” was used extensively since the beginning of the last century to define the Sicilian-American crime groups in North America, especially after combating the famous crime groups of Al Capone during 30's and 40's. However, there have always been other examples of crime groups which acted under new organized and relatively disciplined structures. Initially, this term was used to refer to small groups of people but later on it began to define large criminal organizations. The armed groups and their mafia like operations were known as “organized crime”. Italian criminal organizations such as “Cosa nostra”, “Camorra”, “NDrageta”, etc., are well known and recognized for committing crimes and threatening the lives of people.

The first notions of “organized crime” are given by Interpol describing the risks that this form of crime brings to different countries or entire regions. In the beginning of the 90's, Interpol warned on the danger of crime groups from Eastern countries which would soon apply mafia like methods in their criminal activities.

The oldest international notion of organized crime (1998), stated officially in a document of international right, is the definition of criminal organization in the Joint Action, adopted by EU:

“A criminal organization shall mean a structured association, established over a period of time, of more than two persons, acting in concert with a view to committing offences which are punishable by deprivation of liberty or a detention order of a maximum of at least four years or a more serious penalty, whether such offences are an end in themselves or a means of obtaining material benefits and, where appropriate, of improperly influencing the operation of public authorities.”<sup>1</sup>

The Council of Europe - in its Recommendation (2001) 11 of 19/09/2001 - adopted a similar definition of the “organized crime group”, without limiting its field of action to the international offences.

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<sup>1</sup> Joint Action 98/733/JHA (Justice and Home Affairs) of 21 December 1998 adopted by the European Council on the basis of Article K.3 of the Treaty on European Union, on making it a criminal offence to participate in a criminal organization in the Member States of the European Union/ cited in the *European Council Report on the situation on Organized and Economic Crime in Southeast Europe, Strasbourg, August 2006, Albanian version, p. 11.*

The American agencies of law enforcement, adopt as a definition of organized crime the following: "a punishable, continuous and self-sustained criminal activity with an organized structure, maintained by fear and corruption and driven by greed to secure profits"\*.

United Nations Convention against Transnational Organized Crime (UNTOC) may be considered as the most important attempt up to now, for defining a globally accepted notion of organized crime. This convention was ratified in September 2003 and by June 2006 it was ratified by all regions covered in the project, by the majority of member states of European Council and European Union (up to now 19 states). Therefore, it is the most valuable legal instrument in Europe and the region. UNTOC is applied against organized crime, corruption, money laundering and justice impediment, but only if the offence has an international character and involves an organized criminal group as defined in this Convention. According article 2 of this convention:

(a) 'Organized criminal group' shall mean a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit.

(b) 'Serious crime' shall mean conduct constituting an offence punishable by a maximum deprivation of liberty of at least four years or a more serious penalty.

(c) 'Structured group' shall mean a group that is not randomly formed for the immediate commission of an offence and that does not need to have formally defined roles for its members, continuity of its membership or a developed structure\*.

The consequences of organized crime are multi-fold, firstly - it creates general panic and fear in the community, generating a lack of trust in state and its institutions, secondly, it generates huge financial resources which constantly risk financing terrorist activities and serious crimes, thirdly, it constitutes a serious threat for different countries.

Regardless the threat it generates, states have successfully acted against "organized crime", suppressing its activity and eliminating the possible consequences, due to the serious attempts from the specialized structures, the establishment of legal instruments for combating it, and due to national and international cooperation.

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\* "Threats of International Organized Crime", USA National Security Council's Report, Washington

\* European Council Report on the situation on Organized and Economic Crime in Southeast Europe. Strasbourg, August 2006, Albanian version, p. 11.

## 1.1 The situation of organized crime in Albania

The situation of “organized crime” in Albania demands a specific and in-depth analysis, gathering of arguments, facts and evidence, on the way it was developed and on the different forms it has taken.

Regardless, the siege and impossibility to cross the border during the totalitarian regime, still the tendency for organized crime activities such as: smuggling, criminal groups of thieves and other crimes, existed at that time, too.

After the 90's there are several factors which influenced the gradual development of organized crime in Albania. Initially, it emerged in simple criminal groups and later on in structured and organized ones. The main factors enlisted by the scholars as reasons for the development of a violent form of criminality are:

- Establishment of contacts between individuals with criminal tendencies in Albania and in the neighboring countries, thus importing their experiences and ways of developing this crime.
- The lack of community's awareness on the risks and consequences of organized crime.
- The huge incomes of organized criminal activities and the extraordinary profits within a very short period of time.
- A high level of poverty almost all over the country.
- Factors related to the geographical position, as the country is situated at the crossroads between east and west.
- A slow reaction by the state institutions to confront, combat and suppress the emergence and development of forms of organized crime in Albania.
- The lack of necessary legal instruments to fight against organized crime.

Because of the above mentioned factors and others, within a short period of time, Albania started to appear in the reports of international institutions as a source country for high crime rate. Gradually the Albanian criminal groups, within a few years, became competitors of Italian, French, Belgian, English, Greek, etc., criminal groups.

However, in Albania, along with the emergence and development of organized crime, started also the reaction of state institutions and mainly that of specialized structures to get informed and combat typical cases of some forms of organized crime such as: narcotics trafficking, - human trafficking and especially women trafficking for exploitation and prostitution, - smuggling and other offences related to illicit trafficking.

Meanwhile there were also noted tendencies to create criminal organizations with criminal goals, which started to commit serious offences such as murders, armed robberies, terrorist acts using explosives, etc. Authentic criminal organizations were also some of the financial pyramid schemes established in Albania with the goal of money laundering or other criminal aims.

In Albania, the armed criminal groups and groups' activity reached the highest point in 1997 and at the same time emerged as structured criminal groups. These structured criminal groups, shared their assignments, had a steady criminal activity, intensified the serious offences, etc.

For several years the reaction toward the increasing criminal activities was weak because of the pressure, corruption, fear and insecurity. However, it was the steady pressure exerted from international organizations and from the community itself that made institutions take measures for combating organized crime and some of its forms such as: trafficking in human beings - women or children, weapon trafficking, vehicles trafficking, narcotic substances trafficking and cultivation of narcotic plants.

According the police data, in the period 2002-2006 were suppressed about 500 criminal groups with tendencies of organized crime, among which there were also authentic criminal organizations dealing with narcotic substances, human beings trafficking and other traffics, as well as, economic crimes and money laundering. Only from 2005-2007, were suppressed and have been finalized several prosecutions related to the fight against organized crime which have influenced positively in building the trust and raising the awareness of the community.

A positive effect in combating organized crime had also the serious punishment of persons found guilty for practicing illicit trafficking and other offences related to organized crime.

The positive situation of combating organized crime is also result of adopting efficient legal instruments and applying some of the best experiences in the field by admitting, ratifying and implementing international acts on the fight against organized crime and terrorism.

## **1.2. Police and other state structures actions against Organized Crime, September 2005 - May 2007**

Because of the aggravated situation concerning Organized Crime in Albania, the right wing coalition which won the 2005 elections, established in its governmental program as a high priority the fight against Organized Crime and destruction of criminal organizations, and full participation in the global fight

against terrorism on the side of USA and other western countries. In the governmental program (2005-2009) of the Ministry of Interior is stressed:

“Strengthening and guaranteeing public order and security, individual and communal will be a primary engagement of the new political majority and its government. Our motto will be “Zero tolerance towards crime”. The fight against organized crime, trafficking and especially trafficking in human beings, as well as fighting against money laundering will be our priority. To this end, there will be made legal amendments which will include maximal detentions and final forms of detentions for these types of offences”

During this period of time, in order to fulfill government’s engagements and priorities, were undertaken the following concrete measures:

- Attached to the Deputy Minister of Interior, at the same time National Coordinator for Anti-trafficking, was established the Anti-trafficking Unit which operates based on the Prime Minister’s Order no. 203, of 19/12/2005. This structure’s main task is the monitoring of activities of institutions engaged in implementing the National Strategy on Fight against Trafficking in Human Beings, coordination of the work with these institutions, gathering information and data on issues related to this phenomenon, etc. It was demanded to all institutions involved in preventing and combating against human trafficking, to report the measures taken within their action plans and moreover to make suggestions for improving the Strategy in accordance with the government’s priorities and program, by drafting concrete and practical measures and their success indices and establishing objective deadlines for their fulfillment.
- It was drafted the assessment report which was delivered to all local and foreign interested parties
- There were concluded agreements with Greece on providing protection and giving assistance to children victims of trafficking.

Based on the Council of Ministers Decree no. 754, of 06/12/2005, was adopted the European Council Convention “On Measures against Trafficking in Human Beings”. Based on another Decree of the Council of Ministers was adopted the 3 years moratorium for the sailing boats, aiming at preventing sea trafficking. There were established at a local level Anti-trafficking Committees, with representatives from the local police directories, regional educational directories, local government and social service offices. An improved border management and capacity building of the anti-trafficking police departments will also contribute in combating effectively this phenomenon. It was defined also as a priority the amendment of the legislation on children trafficking and their protection.

Albania is active in the Global Anti-terror Fight, too. It has established a nation wide system which coordinates the action strategy against terrorism and the inter-departmental cooperation for the permanent combat and prevention of terrorism. Albanian Government has drafted a series of fundamental documents such as: Action Plan of Anti-terrorism Fight, Establishment of Inter-departmental Committee of Security Policies. It has also paid attention to the drafting of a proper legal framework for a coordinated institutional activity and cooperation. It was established the Inter-departmental Committee of Security Policies, the Coordination Committee, it was drafted The Joint Order of the Minister of Defense and SIS, etc. Albania has ratified several international agreements concerning the fight against terrorism, and constantly cooperates with international partners, exchanging relevant information and experiences. Albanian parliament has ratified several acts which constitute a legal framework for the involvement of FA and other state institutions in the fight against terrorism and also authorize the proper and needed support for international organizations such as NATO, EU, etc. To this end, a great part of national infrastructure could be used by NATO for its operations and actions in the anti-terror fight or other missions.

In May 2007, in the Ministry of Interior was held the meeting of the State Committee on the Fight against Trafficking in Human Beings. In this meeting, the Minister of Interior, Bujar Nishani proposed a closer collaboration with the prosecution structures in combating human trafficking, and engagement of the three departments involved in this process: the Ministry of Interior, the Ministry of Foreign Affairs and the Ministry of Labor, Social Affairs and Equal Opportunities. According to the Minister, this collaboration will enable the efficient functioning of the responsible authority for the national-wide treatment of trafficked victims and for protecting and rehabilitating in the long run all the trafficked victims.

While the Deputy Minister of Interior, at the same time coordinator of the State Committee on the Fight against Trafficking in Human Beings, referring to the annual report 2006, stated that: "In Albania trafficking in human beings has a diminishing trend, based on the number of trafficked victims returned from other countries and those identified within the country". However, she added that: "issues still persist, and we are trying to control the erratic movement of people and forms of forced labor within the country, which might influence the trafficking rate".

The Deputy Minister, mentioned as well, the serious efforts made to combat trafficking, highlighting the establishment of the national identifying, referral

and protecting structures for the victims of trafficking at a central and local level\*.

The good work conducted by the Ministry of Interior and the structures of Albanian Police in combating Organized Crime was mentioned also in the Situation Report on Organized and Economic Crime in South-eastern Europe conducted by CARPO Regional Project, which states: "It is quite fair to emphasize that the recent dismantling and the arrest of several persons with high criminal profile and members of different organized crime groups have given a serious blow to the organized crime world in Albania. Since November 2005, there has been no week without news on arrests of criminals, traffickers, organized groups and even of the corrupt Police Officers. This has indicated the determination and strong willingness of the new Albanian Government to tackle all types of organized crimes, increasing in this way the reputation of the Ministry of Interior and the Albanian State Police\*.

"We will combat seriously against crime and nobody involved in it would have any chance to escape the punishment of law. Due to political willingness of the majority and the government, it was given a serious blow to trafficking and organized crime.

The government, in order to fulfill its obligation toward the votes and trust of Albanian citizens, cut all the ties that existed between crime and segments of politics, and with 'zero tolerance' in less than two years governance, suppressed 151 criminal groups, and arrested 435 of its members."<sup>2</sup>

In the periodical "Koha Jonë", on 11, 12 and 13 May 2007, was published the Institute of Risk Management Report conducted by French specialists of organized crime, based on the data of secret services. The report makes a detailed analysis of the organized crime structure in Albania nowadays, its field of activity, its economic power and ties with politics.

Further on in the Report are mentioned the effects of the Albanian Government policy on the measures to combat mafia.

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\* From the meeting of the State Committee on the Fight against Trafficking in Human Beings, held on 11 May 2007/ (published in the newspaper "Republika" on 12 May 2007)

\* CARPO Regional Project Report on the Situation on Organized and Economic Crime in South-eastern Europe. Strasbourg, August (*Ky raport eshte bere ne shtator?? September*) 2006, Albanian version, p. 71.

<sup>2</sup> Parliamentary request for the Minister of Interior, Bujar Nishani, on the government's engagements concerning public safety in our country, on 31 May 2007, published by the periodical Shekulli (1 June 2007)

After September 2005, the newly elected government has energetically engaged to combat Albanian mafia and has undertaken several actions:

The government's actions against mafia consist of a frontal fight against criminal clans in Albania. The strategy of excessive fight against mafia, soon gave concrete and encouraging results; there were destroyed the 12 largest clans in the country until October 2005. More than 150 members of mafia families were arrested in operations that were backed up by the anti-trafficking units established throughout the country, and local equivalents for the French RIU (Regional Intervention Units). Compared to the inactivity of the previous governments, these figures are an unbelievable shift. The fight against criminal groups is spread even abroad.

Moreover, the government has adopted several acts and amendments to the new law against criminals, which give an optimistic perspective to the fight against mafia. The government has voted an act which prohibits for a period of three years the sailing of any kind of boat. This act was issued in April 2006 and it gives a serious blow to one of the technical supports of the above mentioned traffics. The dynamic fight and its results are very encouraging.

However, the real blow on Albanian mafia should be considered from another point of view, too. Except its impact on mafia elements, its importance is far more reaching. The government's action against mafia touches the transit character of Albanian mafia, which is indispensable for the above mentioned traffics. The ability of Albanian mafia to transport drugs and smuggle emigrants to Western Europe is influenced by two different sides of the government's plan. The fight against corruption makes more difficult the transfers through the country.

Prohibition of sailing boats endangers the sea routes that connect the Albanian and Pulia's coasts. Faced with this new situation, Albanian clans have three choices: to stop their activity, to continue by destroying the obstacles, to continue by avoiding the obstacles. As every criminal organization the Albanian mafia prefers the simplest way and with courage chooses the third option\*.

In the annual Report of the State Department of USA on "Human Trafficking Worldwide" published by Voice of America on 12/06/2007, is pointed out that "Albania is again in Tier 2 which comprises countries that are demonstrating commitment to address their problems but have not yet achieved minimal standards for eliminating trafficking".

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\* Institute of Risk Management Report conducted by French specialists of organized crime/published by "Koha Jonë" on 11, 12 and 13 May 2007

The government continued to show its commitment to prosecute and punish the traffickers, made available a free telephone line for denouncing such cases and ratified a bilateral agreement with Greece. The government continued also its efforts to protect and rehabilitate victims of trafficking.

It has also promoted the witness of the victims against their traffickers but usually they do not testify as they are scared. In 2006 only 20 out of 227 victims testified against their traffickers. During 2006 the Albanian Government advanced in preventing and raising the awareness of people concerning trafficking but these efforts were supported financially mainly by non-governmental and international organizations.

In the draft-report prepared by the Norwegian rapporteur Sverre Myrli, member of the special commission of NATO, submitted to be ratified by the Parliamentarian Assembly of NATO on 25 May 2007, was pointed out that:

*“Albania has demonstrated its commitment and impressive progress in implementing significant reforms which are crucial in showing its ability to achieve NATO standards”*

After being introduced to the issues presented in the above cited reports, the Albanian Prime Minister, in an interview for the Belgium newspaper “Le Soir”, said:

*“Now we are initiating a new and open wide battle, the one against criminal economy. In less than two years, we have destroyed in Albania 141 criminal groups; 1 170 members and leaders of these groups were arrested and send to trial. In cooperation with the EU agencies involved in the fight against organized crime we have hunt down and have extradited to Albania 191 wanted criminals. There will be no peace with the organized crime in Albania and Albanian crime in Europe. We are decided to go through this fight until it ends. We can not fulfill our aim if we do not suppress the criminal economy. This is vital. It should not exist”.*

*“Mafia has influenced so much our people that it has mutilated our image in the world. Therefore, I am convinced that the worst enemy of our country is organized crime. That is why I fully support police and institutions combating crime”\**.

### **1.3 Organized crime and some of its forms as defined in the Albanian legislation.**

The Albanian legislation, article 28 of the Penal Code gives the following definition on criminal organizations:

1. A criminal organization is the highest form of association of more than two persons distinguished by its particular level of organization, structure,

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*\* Interview of the Albanian Prime Minister, Sali Berisha for the Belgim newspaper “Le Soir” translated by Gjovalin Kola, published by the periodical “Albania” on 26 May 2007)*

continuity, duration, and a view to committing one or more offences for obtaining material and non-material benefits.

The criminal organization, in order to achieve its goals uses force, other means of threatening, subduing or silence because of its participation and actions in offences to secure at any means the administration or taking in control the economic activity, concessions, authorizations, enterprises and public services for obtaining illicit benefits for themselves or third parties.

2. The terrorist organization is a special feature of the criminal organization which aims to commit acts of violence for terrorist purposes such as: overthrow of constitutional order, instability of public order, emergence of mass fear and insecurity.

3. The armed gang is a particular form of association, which possesses weapon, military munitions and other necessary means for committing offences included in chapter V, VI and VII of the special section of this Code.

4. The structured criminal group is a particular form of association of three or more persons with a view to committing one or more offences for obtaining material and non-material benefits.

5. The establishment and participation in a criminal organization, terrorist organization, armed gang or structured criminal group is classified as offence and is punishable according the provisions of the Special Section of this Code or other specific penal provisions.

6. The members of a criminal organization, armed gang or structured criminal group are responsible for all the offences committed in view to fulfill their criminal activity.

7. The member of a criminal organization, armed gang or structured criminal group benefits pardon or reduction of detention when collaborates and provides crucial information for uncovering his/her or other collaborators activity, the estates they possess, as well as information relevant in the investigation of criminal organizations, terrorist organizations, armed groups and structured criminal groups\*.

Organized crime is one of the most serious offences and has its salient features which will be target of this strategy and will be analyzed individually. Thus, the main forms of organized crime are:

- Establishment of criminal organizations or armed groups.
- Offences related drugs.
- Illicit trafficking, human trafficking, women trafficking for prostitution, child trafficking, vehicles trafficking, weapon trafficking.

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\* Penal Code of the Republic of Albania, ammended by act no.9275, of 16.09.2004, article 2

- Economic and financial crime.
- Money laundering.
- Murders, terrorist acts or specific murders.
- Other offences related to the above mentioned.

These forms of organized crime are often committed combined and associated with other crimes such as, murders, kidnapping, armed robbery, etc.

The fight against organized crime remains one of the highest priorities in the activity of State Police and other institutions, due to the dangerous consequences this phenomenon causes to our society.

Organized crime includes several aspects of the criminal activity thus this strategy will provide an evaluation of the situation, identification of problems and definition of measures and new methods that the Albanian institutions will use against this phenomenon.

## **CHAPTER II**

## **The main sub-sectors of State Institutions' activity in Combating Organized Crime**

Currently, Albania is a member country in several regional and broader initiatives and a member of the organization SECI, Interpol; it has also ratified and signed several international conventions and agreements to combat against organized crime.

Based on the above facts and on the analysis of socio-political, economic, legislative and technical factors, the main priorities of the State Institutions in combating the organized crime will be:

1. The fight against criminal organizations, groups and structured groups.
2. The fight against drugs.
3. The fight against other illicit traffics.
4. The fight against money laundering and corruption.
5. The fight against terrorism.

Combating against these phenomena (organized crime and illicit trafficking) is one of the priorities of the Albanian Government, as well as, a very important factor for Albania's integration in European Union. The commitments and the objectives set by the government are in accordance with the provisions of the Stabilization and Association Agreement.

These provisions oblige Albania to engage in promoting regional cooperation and good neighboring relations in order to develop joint projects on issues related the fight against organized crime, illicit migration and trafficking, including especially the human beings trafficking, smuggling, illicit trafficking of weapon and vehicles, borders control and safety, etc. These provisions are a key factor for developing cooperative relations between Albania and other countries, thus directly contributing in the region's stability.

The Albanian Government is fully committed in intensifying the fight against organized crime and illicit trafficking phenomena, aiming at reaching the demanded standards and fulfilling its engagements. Our country has also considerably contributed in the anti-terror fight with military forces and means attached to the NATO's operations or specific anti-terror coalitions.

### **Legal framework of the fight against organized crime**

There is a considerable legislation in the field of fight against organized crime and illicit trafficking of which we could mention as primary the following:

- Act no. 8920 of 11/07/2002 "On ratifying the United Nation Convention against Transnational Organized Crime and the two protocols; the

Protocol of Palermo of 2000 "To prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations convention "Against Transnational Organized Crime".

- Act no. 9749 of 04/06/2007 "On the State Police"
- Act no. 8677 of 02/11/2002 "On organization and operation of judicial police"
- Act no. 7895 of 27/01/1995 "Penal code" with various additional amendments mainly related to offences classified as organized crime.
- Act no. 7905 of 21/03/1995 "Code of Penal Procedure of the Republic of Albania" which in the recent years has undergone a series of changes and improvements related to the penal procedures for the criminal offenders and implementation of specialized inquest methods and techniques.
- Act no. 9284 of 30/9/2004 "On preventing and combating Organized Crime"
- Act no. 8610 of 17/05/2000 "On prevention of money laundering" which was changed in Act no. 9804 of 19/06/2003, drafted in accordance with the standards of European Union based on Directive 91/308/EEC of 10 June 1991 "On prevention of the use of the financial system for the purpose of money laundering" and Directive 01/97/EC of 04/12/2001 which amended Directive 91/308/EC.
- Act no. 9258 of 15/07/2004 "Measures against the financing of terrorism"
- Act no. 8722, of 26/12/2000 "On the Republic of Albania joining the "United Nations Convention against illicit traffic in narcotic drugs and psychotropic substances, 1988".
- Act no. 8723, of 26/12/2000 "On the Republic of Albania joining the "United Nations Single Convention on Narcotic Drugs", amended by the 1972 Protocol "On Amending United Nations Single Convention on narcotic drugs, 1961".
- Act no. 8965, of 07/11/2002 "On the Republic of Albania joining the United Nations Convention on Narcotic and Psychotropic Substances, 1971".
- Act no. 8750, of 26/03/2001 "On preventing and combating trafficking narcotic and psychotropic substances".
- Act no. 7975, of 26/07/1995 "On narcotic drugs and psychotropic substances"
- Act no. 8874, of 29/03/2002 "On control of substances used in the illicit manufacture of narcotic drugs and psychotropic substances"

**The main tasks of Institutions in fighting against organized crime and terrorism**

- **The Ministry of Interior** (State Police) - organizes the work for identifying and combating organized crime, arresting its authors and prosecuting them.

Attached to this institution, are established special structures for combating organized crime, as part of Crime Prosecution Department in the General Directory of State Police, with central and local organization.

The Border and Migration Department also assists in this field by taking measures for guarding and controlling the border, checking and dealing with foreigners, etc.

The specialists in these structures have the competency to gather information and competencies of judicial police.

These structures are organized in a way to be able to gather information on the tendencies of organized crime, to control it and to provide the necessary evidence for the detention of the offenders.

- **The Ministry of Justice** - is engaged in drafting the legislation in the field of fight against organized crime and illicit trafficking and also prepares policies for seriously combating organized crime.
- **General Prosecution's Office** - prosecutes the organized criminal activity and uncovers the entire activity of the offenders, provides legal documentation on their activity and proposes serious penal detentions. The prosecution's office overlooks the implementation of recent methods and techniques on investigating organized crime and terrorism, thus providing legal evidence on the offenders' activity.
- **State Informative Service (SIS)** - Its activity is focused on major objectives which are listed among the priorities of state policies in the process of full European integration of Albania, especially issues for facing successfully risks and threats of an asymmetric war, conditioned by the connections of international terrorism, mainly of Islamic fundamentalists or other forms of organized crime like: illicit trafficking, drugs, smuggling, corruption, fiscal evasion and issues threatening the integrity of the country.  
Being the main institution of specialized information activity in the field of national security, SIS has intensified its cooperation with other institutional structures, especially with the Ministry of Interior, not only in exchanging classified information but also in the practical implementation of joint operations and operative undertakings.
- **The Ministry of Labor and Social Affairs** - deals with the accommodation and re-integration of trafficked victims by implementing victims' rehabilitation policies.
- **The Ministry of Transports** - in preventing and combating against trafficking of vehicles through an accurate system of registration and control.

- **The Ministry of Finance** - (General Department of Custom Houses, General Department on Fighting against Money Laundering and the Taxation Department)
  - a. Albanian Customs Service*  
The Albanian Custom Service, except its primary activity has got an important defense mission, namely:  
*Defense of national security and public order:* a) Preventing the illicit trafficking of weapon, explosives and toxic substances; b) Providing safety in airports and ports within the framework of fight against terrorism; Suppressing drugs and psychotropic substances trafficking; c) controlling “dirty money”; d) Suppressing the import, export and transit transport of written materials which threaten national security.
  - b. General Department against Money Laundering* whose mission is “prevent “money laundering” and combat against financing terrorism, by gathering, verifying, assessing, controlling, storing information in order to suspend, stop and freeze transfers, alienations or transfers of wealth and products deriving from criminal activities”
  - c. General Taxation Department*  
Within the framework of the Crosscutting Strategy on the Fight against Organized Crime, Trafficking and Terrorism, the Department’s administration cooperates with the Department against money laundering, with the General Prosecution’s Office and the State Police.  
Its goal is to identify cases of money laundering and economic crimes.
- **The Ministry of Defense** - gathers the information relevant for the safety of air and marine space of the Republic of Albania, exchanges this information and makes it available for other state structures, supports the structures of public order with special means in order to face aggravated public situations or at the national borders, controls and prevents trafficking in the marine space and gives concrete military contribution in joint anti-terror operations with regional and transnational organizations.
- **The Ministry of Foreign Affairs** - contributes in the transnational cooperation on the fight against organized crime, drafts and signs agreements, treaties, and other transnational acts, etc.
- **The Ministry of Education and Science** - cooperates with the Ministry of Interior to fulfill the bilateral act-agreement “*On the fight against using, abusing and distributing drugs in school environments*”
- **The Ministry of Agriculture** - cooperates with the Ministry of Interior to fulfill the bilateral act-agreement “*On the fight against cultivation of narcotic plants*”
- **Ministry of Health** - cooperates with the Ministry of Interior to fulfill the bilateral act-agreement “*On strengthening the measures of control against precursors and drugs used in health care*”.

## **CHAPTER III**

### **Identifying the main forms of organized crime and terrorism**

#### **III. 1. Fight against criminal organizations and armed groups**

In Albania there have been tendencies for establishing criminal organizations and armed groups which were combated since the early stages of their establishment or at the time of their identification.

Albanian structured criminal groups had characteristics of criminal organizations and aimed at material profits, committing various offences such as trafficking drugs or other illicit traffics such as: human, weapons and vehicles, and committing robberies and thefts. Armed groups were established basically in 1997 and continued their criminal activity of thefts, murders, robberies, etc. for several years.

Criminal organizations, armed groups, structured criminal groups or other criminal groups will be dealt with in this strategy according the criminal activity they commit or their main criminal tendency.

Albanian criminal groups are involved in the transnational drug trafficking becoming part of the network of this traffic, in human beings trafficking especially in women's trafficking for prostitution, in weapon trafficking mainly with the neighboring countries, and other illicit traffics.

#### **III. 2. Fight against drugs trafficking**

The Albanian Government, in accordance with the Anti-drugs Strategy, aims to:

- Establish an efficient system for assessing the risk caused by drugs availability, drugs consume and the efficiency of anti-drug activities.
- Strengthen and improve actions against trafficking illicit drugs and precursors, as integral part of the fight against organized crime, money laundering and corruption.
- Improve the collaboration and coordination among governmental and non-governmental institutions involved in the fight against drugs.
- Control the negative consequences that drug use has on public health and society, strengthening the cooperation with the international organizations and other countries.

Anti-drug policies and actions will be used for reducing the supply, trafficking and demand for illicit drugs, as well as, raising the effectiveness of the control on the offenders. This field's actions will be carried out based on agreed principles

according to the provisions of the European Strategy on Drugs and other international Conventions and instruments on this issue.

### ***Present Situation***

The fight against drugs remains a high priority of this strategy because the geographical position of our country favors this phenomenon which is one of the factors for the growth of criminality rate. Criminal groups involved in trafficking narcotic substances use Albania as a transit country for transporting strong drugs, mainly heroin, to western countries. A part of this drug quantity remains in our country for supplying the local needs which are steadily increasing because of the growth of drug consumers.

Albania remains in the list of those countries that produce cannabis sativa. Although this phenomenon was reduced due to the recent years operations, still there are particular areas where are identified cases of cannabis sativa cultivation.

Although not long experienced, the state police has had positive results during these last years, testifying the success against this phenomenon. The quantity of drugs being trafficked to the destination countries has been constantly reduced. These are results of the almost completed legislation in this field, use of special ways and methods of investigation, and of the capacity growth of the specialized units engaged in the anti-drug fight.

For the implementation of the tasks deriving from the current legislation concerning the fight against drug trafficking, and for the implementation of the anti-drug strategy, except the structures and institutions mentioned in chapter II, responsible are also the following institutions:

*Anti-drug Department* (Central Service of the Fight against Drugs), in the Ministry of Interior, is the only structure in charge of coordinating the activity of the police structures concerning drug offences. The mission of this central department is:

- to coordinate, collaborate, operate, administer and investigate on offences in the Republic of Albania related drugs and those delegated to it by the prosecution's office, and carry out other tasks foreseen in the Penal Code and in the present legislation;
- to coordinate the joint international activity of the police and other international organizations dealing with drugs;
- to coordinate the operational activity of the Anti-drug Departments (Regional Offices) and other structures combating crime.

### **Other institutions responsible for the fight against drugs are:**

Other institutions involved in the fight against drugs, except the ones mentioned in chapter II are also:

*National Center on drugs control*, in charge of analyzing and conducting administrative controls on the use of legal drugs.

*Pharmaceutical Department*, in charge of implementing the law on supervision of pharmaceutical activities through the Pharmaceutical Inspection Service.

*Public Health Institute*, which monitors the issuing of prescriptions and prepares guidelines describing drugs that contain narcotics.

### **III. 3. Fight against other illicit traffics**

The most wide spread illicit traffic has been trafficking in human beings. However, as a result of a specific strategy on the fight against human trafficking, the serious commitment and support given to this strategy (several initiatives for the establishment of joint committees and groups to combat this phenomenon), have been achieved considerable accomplishments. Based on these accomplishments it can be stated that Albania is no longer considered a transit country for human trafficking. Currently we are a country of destination of the stolen cars traffic and country of origin and transit for the weapon and military munitions trafficking.

As a result of using specific ways and methods in investigation, there have been accomplishments in combating other illicit traffics as well.

In May 2006 was established the Responsible Authority for the National Referral Mechanism of the human trafficking cases, with representatives from the Ministry of Interior, Ministry of Labor, Social Affairs and Equal Opportunities, and the Ministry of Foreign Affairs, for coordinating the referral process for initial assistance and protection and long term rehabilitation of all victims of trafficking in close collaboration with the social services, the Albanian diplomatic representatives abroad and specialized sheltering centers for victims of trafficking in Albania.

There were established Local Anti-trafficking Committees based on the Prime Minister's Order no. 139 of 19/06/2006 "On the establishment of Local Committees for the Fight against Trafficking in Human Beings". These committees will play an important role in assessing vulnerable social and economic groups, in identifying cases of potential victims of trafficking.

The main fields of the fight against illicit trafficking are:

- Fight against human trafficking;
- Fight against weapon and munitions trafficking;
- Fight against motor vehicles trafficking;
- Fight against works of art trafficking;
- Prevention and minimization of smuggling of persons

The fight against illicit trafficking is conducted based on the strategies against trafficking in human beings and the fight against children trafficking as well as on the specific action plans for each type of illicit trafficking. The implementation of the Strategy on the Fight against Organized Crime will expand the measures for suppressing and preventing these traffics.

### **III. 4 . Prevention of Money Laundering**

In order to prevent money laundering the fight against laundering money provided by illicit traffics and terrorism, and economic crime activity will be strengthened. This aims to raise the trust in the state and in its economic and legal system.

For the fulfillment of this objective a close collaboration between the agencies dealing with this issue within the country and abroad is needed, in order to prevent the use of their financial systems for laundering the criminal activities' incomes and for financing terrorism.

The collaboration in this field will be developed according to proper standards and tools for combating money laundering and terrorism financing, taking into consideration especially the European Union and other international organizations standards in this field.

#### **The current institutional framework**

According the current legislation, the following structures are responsible for implementing the tasks against money laundering:

- a. General Department for Prevention of Money Laundering (GDPML), (the Albanian Financial Intelligence Unit - FIU).
- b. Albanian Agency for Coordination of Efforts in the Prevention of Money Laundering (AACEPML). This agency is headed by the Prime Minister and is composed of several representatives from governmental institutions.
- c. The Department of Economic and Financial Crime and the Department for Combating Organized Crime attached to the Crime Investigation Department in the Ministry of Interior.
  - a. General Department for Prevention of Money Laundering (GDPML), which operates as a Financial Intelligence Unit and whose mission is:
    - Prevention of "money laundering" and fight against financing terrorism, by gathering, verifying, assessing, controlling, storing information in

- order to suspend, stop and freeze transfers, alienations or transfers of wealth and products deriving from criminal activities;
- Collaboration with other law enforcement structures such as the Ministry of Interior, General Prosecution's Office, State Information Service and foreign counterparts or international institutions;
- Drafting programs of collaboration and mutual assistance with different countries for the prevention of "money laundering", according signed and ratified international conventions.

b. Albanian Agency for Coordination of Efforts in the Prevention of Money Laundering (AACEPML). This agency is headed by the Prime Minister and is composed of several representatives from governmental institutions. Some of its tasks are:

- To define the general goals of state policy for the prevention of money laundering;

To analyze the 6-months reports on the activity of General Department for Prevention of Money Laundering, and reports or documents prepared by international institutions and organizations which deal with prevention of money laundering, such as Bank of Albania (Supervision Department), which has the following specific competencies: to notify GDPML when it observes elements of money laundering according the provisions stated in the law for all enterprises;

- To operate in accordance with the programs against money laundering;
- To control and implement the appropriate programs against money laundering; formulate or assess in the guidelines and regulations for detecting cases of suspicious behavior of the clients;
- To take measures for drafting and implementing the necessary regulations for avoiding the control, appropriation, penetration or interference, in the enterprises it supervises, of criminal groups or their collaborators;
- To collaborate and give professional assistance in investigation of money laundering cases when demanded by the specific authorities;
- To notify the responsible authorities for any suspicious case of money laundering.

c. The Department for Combating Money Laundering attached to the Crime Investigation Department in the Ministry of Interior.

The tasks of this department are: to run, coordinate, control and implement the activity for preventing, detecting, documenting and suppressing the criminal activity in the money laundering and economic crime fields.

The activity of the General Department for Prevention of Money Laundering aims to prevent and fight against money laundering, financing terrorism and financial crime in general.

Divided in two Departments, the Department of Analyzing and Monitoring and the Department of Preventing and Supervising, GDPML operates as a financial intelligence unit. It serves as a national center and is in charge of collecting, analyzing and distributing the data on suspected money laundering and terrorism financing cases, to the respective authorities. The data are gathered from the financial information reported from the enterprises, based on the provisions of law no. 8610 of 17/05/2000, "On Prevention of Money Laundering", amended by law no. 9084 of 19/06/2003 "On some additions and changes in the law no. 8610, of 17/05/2000 On Prevention of Money Laundering".

The report consists of: cases of financial transactions surpassing the amount foreseen by the law, the suspected cases identified by the reporting subjects and also from the amounts of "cash" declared in entering or exiting the border of the Republic of Albania.

In order to fulfill the objectives set by the institutions that signed this Memorandum and ratified the international Conventions, and to: identify, detect, freeze, stop, sequester and confiscate the money, wealth, incomes and profits or products provided from criminal activity and mainly from organized crime and also for the detention of the persons dealing with this activity and prevention of this phenomenon, was established the Contact Group composed of specialists from various institutions. This Group consists of: the General Director of GDPML, as head of the Group; a Representative of the Ministry of Interior (member); a Representative of State Information Service (member); a Representative of the Bank of Albania (member)

The departments of these institutions which deal with the economic-financial crime, frame the ways of exchanging information according the law, on the individual persons whom are suspected to have made profits from criminal activities, set the tasks for gathering information in the border custom houses for persons carrying cash or traveling checks, entering or exiting the Republic of Albania territory; based on the specific situations and issues that might rise they elaborate tasks on evaluation, necessity and importance of exchanging information; they collaborate for uncovering, finding documents and identifying wealth provided by organized crime activities such as: human, drugs and weapon trafficking or smuggling and fiscal evasion.

The Contact Group meets at least once a month for drafting and setting joint tasks, and at least once in three months together with the ministers and head of institutions which have signed this memorandum. The outcome of these meetings is reported to the Government. The members of the Contact Group are

permanently in touch with their superiors and report their accomplishments and issues arising throughout their work.

GDPML gives a considerable assistance for the formalization of the economy. Also, most of the statements and reports from the banks and other financial or non-financial institutions contribute in this respect, too.

In the framework of inter-institutional collaboration there were signed MoU with the High Inspectorate for Declaration and Audit of Assets (HIDAA), Anti-corruption Office and the Internal Control of the Council of Ministers.

According the Council of Ministers' decree no. 1 of 23/03/ 2004 was established the Albanian Agency for Coordination of Efforts in the Prevention of Money Laundering headed by the Prime Minister and composed of: The General Prosecutor, the Governor of the Bank of Albania, the Minister of Foreign Affairs, the Minister of Interior, the Minister of Public Order, the Minister of Finances, the Minister of Justice and the Director of State Information Service. The task of this agency is to define the general goals of state policy for the prevention of money laundering/financing terrorism.

In the meetings of this Agency, according the issues dealt with, are invited to participate: the Minister of Public Works, Transports and Telecommunications, the Minister of Interior, the Minister of Economy, the Minister of Labor, Social Affairs and Equal Opportunities, the Minister of Tourism, Culture, Youth and Sports, the Head of the Central Office of Immovable Property Registration, the Head of the Commission for Supervising Insurances, the General Director of Taxes, the General Director of Customs, the Director of the National Agency of Privatization, as well as, members of parliament, directors or representatives of institutions and specialists in the field of combating and preventing money laundering.

Albania is a full right member in the *Egmont Group* since 2005 and is represented by the General Director of GDPML. The General Director of GDPML is also head of the permanent delegation to *Moneyval*, and is composed of representatives from the Ministry of Interior and one representative from the Ministry of Justice.

The General Department for Prevention of Money Laundering is responsible for the international cooperation and coordination of the fight against money laundering and terrorism financing, according to the international standards defined by the international Financial Action Task Force GAFI-FATF, directive no. 308, of 1991 and no. 97 of 2001, of European Union, United Nations Conventions against international organized crime (Palermo Convention) and

against trafficking illicit drugs and psychotropic substances (Vienna Convention of 1988), United Nation Convention on the fight against financing terrorism of 1999 and the resolution of United Nation Assembly.

The serious and concrete engagement of the Government in fight proclaimed against terrorism is reflected in the Council of Ministers Decree (CMD) no. 718 of 29/10/2004 "On the Declared list of terrorism financing", in the additional CMD and also in the 16 Orders of the Minister of Finances concerning closing, freezing and sequestering the assets and bank accounts of persons suspected or carrying out terrorism financing.

### **III. 5. Safeguarding the national borders**

The management and safety of borders are a priority of the Albanian Government in order to respect the legal and political obligations, and also the national security of the country as well as the international relations especially those concerning the process of membership in the Euro-Atlantic structures, for gaining the trust of neighboring countries and also to contribute in the fight against organized crime.

Strengthening the control of the borders is the goal of the structures operating at the border area in order to prevent the criminal activities or other activities that might endanger the security of the country. These controls will be fulfilled by implementing the Strategy of Integrated Management of the Border. These controls will aim to:

- stop criminals from accomplishing criminal cross-border activities by preventing or uncovering their activities.
- combat trafficking of all kinds, illegal immigration, terrorism and organized crime will be the focus of the structures controlling the border
- check the "doorways", which is considered a useful and efficient means in preventing the development and expanding of crimes, the detention of criminals and decreasing their illicit profits.

The national institutions (especially the custom houses, border police, sanitary authorities, etc.) through the implementation of these strategies will strengthen the inter-institutional collaboration, for making the border entries/exits more efficient in letting through the goods and persons and also for controlling the cross border criminal activity.

The Border and Migration Police is officially responsible for supervising and controlling the border, checking the circulation of persons, vehicles and goods through the state border.

This strategy makes possible for the Strategy of Integrated Management of Borders and its Action Plan to raise the standards for controlling the borders entries and exits, preventing criminal activities through the border and especially organized crime and terrorism.

### **III. 6. Fight against Terrorist Acts**

Albania is one of the countries that fight actively against terrorism considering it a serious threat for humanity.

The fact that in Albania there are no cases of terrorism or terrorism threat is an evidence for the peaceful character of Albanian people who want to live in peace and harmony with the other nations.

The situation in Albania is calm and there are taken full measures for preventing possible terrorist acts against our country or the neighboring countries.

The presence of organized crime and the possibility of financing terrorism demands a permanent estimation and alert for allocating information sources, close collaboration among state institutions engaged in this field and also taking measures in order to prevent such cases.

Within the framework of the “National Action Plan against Terrorism” ratified in CMD no. 12, of 28/01/2002, all the state institutions are involved in the fight against terrorism.

Therefore, along with the Anti-terror and Serious Crimes Directory, attached to the Department of State Police on Crime Investigation, in the fight against terrorism are specifically involved also, the State Informative Service, the Ministry of Defense, the Department against Money Laundering in the Ministry of Finances and also the Prosecution’s Office.

It the context of collaboration among governmental structures, operates the Inter-ministerial Committee on criminality, and also different NGO.

## **CHAPTER IV**

### **The Vision**

***“Together for a well coordinated fight against organized crime, illicit trafficking and terrorism”***

The long term strategic goal of this strategy implementation is: *“to establish a society unthreatened by organized crime, in peace and in continuous improvement of its citizens’ quality of life, thus reflecting the image of a calm and high security standards country”*.

This vision is closely connected with defining the responsibilities of each institution, establishing the full legal infrastructure, raising capacities and technical and professional abilities, the qualitative implementation of measures and tasks of the action plans, the increasing of inter-institutional cooperation and implementation of this strategy and other strategies deriving from it such as: the strategy on the fight against drugs, the strategy on the fight against human trafficking, the strategy of the fight against terrorism, the strategy on the fight against children trafficking and the State Police Strategy.

This strategy will increase the collaboration and will assign the tasks of all institutions and actors, aiming at an active involvement of all law enforcement agencies against organized crime, illicit trafficking and terrorism.

The implementation of this strategy aims to accomplish by 2013, the destruction of criminal groups, minimization of organized crime and the community to be free of criminality concerns, as well as to establish high security standards, to implement strictly the law and to respect the human liberties and rights.

### **The Mission of the Strategy**

The mission of this strategy is to define the strategic priorities of the fight against organized crime, to define the goals of all institutions engaged in this fight and to harmonize inter-institutional actions in order to fulfill the set objectives, and improve the quality of services in order to reduce the damages caused by organized crime to the Albanian society.

## **CHAPTER V**

### **Policies and objectives for combating organized crime and terrorism**

#### **V. 1. Conducting the Fight against Organized Crime**

##### **Priorities and policies**

The field of combating organized crime and illicit trafficking is one of the priority fields of the Albanian Government and a crucial element in the context of Albania's integration in European Union.

Albania should engage in promoting regional cooperation and good neighboring relations for implementing joint projects on issues related to the fight against organized crime, smuggling of persons, especially the trafficking in human beings, smuggling, illicit trafficking of weapon and motor vehicles, etc.

- Investigating in order to fully destroy crime networks, criminal organizations or structured groups of all criminal forms or tendencies.
- Partnership as a main policy of these structures
- Recognizing the experiences of more developed countries in the fight of organized crime.
- Increasing the danger for the persons or groups of persons involved in criminal activities.
- Decrease the availability of drugs and destabilize its market through minimizing its use.
- Suppressing the cases of corruption and crimes in the economic-financial field.
- Raising the awareness of citizens concerning the consequences of organized crime for the Albanian society and the destabilizing effects for the country's economy.
- Minimizing the human trafficking and other illicit traffics
- Prevention of money laundering

#### **V. 2. Border and migration management**

The management and safety of borders are a priority of the Albanian Government in order to respect the legal and political obligations, and also the national security of the country as well as the international relations especially those concerning the process of membership in the Euro-Atlantic structures, for

gaining the trust of neighboring countries and also to contribute in the fight against organized crime.

The policy of open but at the same time controlled and safe borders demands an efficient management of the border in collaboration with other region's countries, in order to have accomplishments at a regional level.

- Adopting high standards in controlling the border and the foreigners
- Approximation of the national legislation concerning borders with the European Union standards
- Partnership with the structures operating at the border and their counterparts of neighboring countries
- Implementation of the strategy on Integrated Borders Management.
- Efficient policy toward foreign citizens in our country and fight against terrorism and organized crime which could be carried out through the border.

### **V. 3. On Prevention of Money Laundering**

The prevention of money laundering will cause the decrease of the organized crime rate and will decriminalize the economic activity in the country. For this reason, it is one of the priorities of the Albanian Government.

To this end the Albanian Government will collaborate with other countries to prevent the use of their financial systems for laundering incomes provided by criminal activities in general and using these incomes for financing terrorism.

The collaboration in this field will be developed based on standard's implementation and use of appropriate instruments to combat money laundering and financing terrorism, focusing mainly in the European Union standards and international instruments in this field.

- Adjusting the Albanian legislation on ML/FT according international standards on the fight against ML/FT; increasing the number of reports (RTV and RAD) up to 150.000 per year within 2008.
- Implementation of national policies and strategies on the prevention of money laundering and the fight against financing terrorism.
- Designing a complete and efficient IT platform to assist in gathering, analyzing and distributing the financial information: the efficient elaboration of the financial information received from RTV and RAD in order to draft and compile the complete files to be submitted in the General Prosecution's Office for prosecution.
- Raising the efficiency of the work and increasing the cases of prevention of money laundering and financing terrorism.

#### **V. 4. On the Fight against Terrorist Acts**

Albania seriously commits to fulfill actively and engage in its tasks in the global fight against terrorism, considering it to be the number one threat and enemy for world's peace, safety and democracy.

- Impeding the use of Albanian territory as a base to plan, organize, carry out terrorist crimes or promote the participation in these crimes; including prevention of terrorist elements from entering the country or gaining the refugee status or the individual or collective right of residence so that could train, find weapon or undertake any other illicit activity.
- Collaboration and coordination of actions with other partner countries, especially with USA and other countries on issues concerning the fight against terrorism.
- Improving the systems for detecting the transport, export, and gathering of weapon, munitions and explosives or other mass destruction weapons.
- Strengthening the tools for securing and protecting persons of special importance.
- Strengthening the tools for securing and protecting the main locations, plants, state or private enterprises and public transportation means, in order to prevent terrorist acts.
- Providing protection and safety for the diplomatic individuals and missions; for the international and regional recognized organizations in our country, according the international agreements on this field.
- Raising the security measures and coordination of information with every country, in order to discover the objectives or terrorist groups and organizations, to block their plans and make known the danger they represent for the security and stability.
- Establish the database for gathering and analyzing information on persons, groups, movements and terrorist organizations, and also monitor the developments of this phenomenon and look through successful experiences in combating it. This information should be updated and exchanged with the competent authorities of other countries according the agreements and procedures' provisions.

#### **V. 5 Objectives**

In order to fulfill the vision and mission of this strategy were defined general, short, medium and long term objectives.

- Short term objectives are those to be achieve from 2007 to 2008
- Medium term objectives are those to be achieved from 2009 to 2010
- Long term objectives are those to be achieved from 2011 to 2013

The objectives of this strategy will be adopted as well, in the other sector strategies. They will not substitute the objectives of these strategies but will expand and advance them. The measures to accomplish these objectives will be presented in the action plans of every governmental institution involved in the tasks of this strategy or the sector strategies concerning organized crime, illicit trafficking and terrorism.

**The General Objective** of this strategy is to raise the collaboration of the institutions and actors which will take responsibilities that aim an active reaction of all law enforcement agencies against organized crime, illicit trafficking and terrorism.

Other general objectives of this strategy are:

- To carry out the coordination and harmonization of sector strategies, action plans and other measures, allowing their simultaneous and even implementation, thus achieving the goals of the fight against organized crime and terrorism.
- To raise the responsibility and effectiveness of all state structures in fighting against organized crime and terrorism.

#### **V. 6 Short term objectives (2007 - 2008)**

- To revise and update all the designed action plans till the ratification of this strategy, formulate new action plans for the institutions that did not have them so far and are engaged in combating organized crime and terrorism.  
The action plans will be designed according the phases defined in this strategy.
- To establish structures required by other strategies, reconsidering the functions of committees, commissions, secretariats and all structures founded by the sector strategies, in order to advance their competencies and operations in combating organized crime and terrorism.
- To establish, based on the Order of the Prime Minister, the office attached to the State Police for overlooking and coordinating the measures of different institutions in combating organized crime and preparing reports on their activity.
- To draft the legislation on combating organized crime, illicit traffics and terrorism according the EU standards. To review also the other acts on the operations of structures involved in this field based on the other strategies and their action plans.

- Drafting all the necessary acts which will strengthen the collaboration with counterparts in the region and beyond, for combating trans-border organized crime and various forms of organized crime and terrorism.
- Drafting acts for crosscutting collaboration, for the collaboration and coordination among various institutions in order to fulfill joint tasks in combating organized crime and terrorism.
- Establishment of individual or joint systems of gathering, elaborating and delivering information, according the target of each structure operations.
- Minimizing the use of drugs in the country and preventing the cultivation of cannabis sativa.
- Completing the IT systems which will transmit and analyze the information on offences of organized crime and terrorism.
- Implementing new advanced investigation techniques for all forms of organized crime, as foreseen in the legal framework.
- Identifying and analyzing the situation of criminal groups which commit or are suspected of offences related to organized crime and terrorism.
- Organizing continuous professional trainings for the specialists working in structures involved in activities against organized crime and terrorism. Using the experiences of other countries in this field.
- Establishing a report and monitor system on the results of investigations and prosecutions of cases on organized crime, illicit trafficking and terrorism, sequestration of wealth obtained through criminal activities and attempts of money laundering.
- Developing and advancing the transparency for the community on the fight against organized crime.

#### **V.7. Medium term objectives (2009 - 2010)**

- Improve significantly the results of the fight against organized crime, illicit trafficking and terrorism by giving a serious blow to the criminal groups, trafficking networks, identifying attempts of money laundering or to commit terrorist acts.
- Carry out the control of the state border and approximating to the EU countries' standards.
- Establishment of a complete information system by the General Department against Money Laundering about the attempts for money laundering.
- Drafting the legislation on the fight against organized crime, money laundering and the use of money or assets obtained by criminal activities, according the EU standards.

- Creating a database on all the Albanian individuals who are judged guilty and are sentenced in foreign countries, are currently suffering their detention or already did, on offences defined as organized crime or illicit trafficking.
- Creating a database on Albanian citizens who live abroad and are known for committing offences classified as organized crime, illicit trafficking, money laundering or terrorism in those countries.
- Advancing continuously the collaboration among institutions within the country and foreign counterparts for combating organized crime and terrorism.
- Making full operational an analytic system of information on organized crime and terrorism, exchanging the information fast and with quality and delivering it to the State Police structures.
- Conducting thorough observations on the pace of work about hitting and preventing various forms of organized crime, defining the financial and material needs of the structures operating in this field and fulfilling these needs based on the capabilities of every institution.
- Conducting joint analyses of the detective, investigative and prosecution institutions concerning criminal groups prosecuted for offences of organized crime and terrorism, in order to take preventive measures.
- Establishing a computer based statistical system for the institutions which pursue, investigate or prosecute cases of organized crime and terrorism.

#### **V. 8 Long term objectives (2011-2013)**

- Preventing of all forms of organized crime and minimizing the offences related to organized crime and trafficking according the standards of more developed countries in this field.
- Preventing possible terrorist acts in our country or through our country.
- Drafting a legal system or other acts according EU standards which make possible the prevention and suppressing of organized crime and terrorism.
- Introducing the specialized state structures as professionally capable and seriously engaged in identifying and combating organized crime.
- Accomplishing the border check according EU standards.
- Suppressing all criminal groups which commit or have committed organized crime activity, identified in the first and second phases of this strategy, based on the motto “no individual or criminal group who commits offences related to organized crime will escape the punishment of law”

- Presenting the Albanian state structures as efficient professional partners, equal and trustful for their counterpart structures in other countries.

## **CHAPTER VI**

### **The process of monitoring and assessing**

#### **VI. 1 Responsibilities of specific institutions**

The Strategy on the Fight against Organized Crime does not intend to present a detailed action plan for each institution, but it defines the policies and objectives to be accomplished through a cognitive analysis.

After the ratification of this strategy, there will be included in it, all the objectives and measures of the action plans of every institution, formulated in the sector strategies on organized crime features, development strategies, in the action plans of other strategies and in the programs or specific operational plans related to organized crime, illicit trafficking, money laundering and terrorism.

This strategy was designed not to avoid other strategies but to advance the measures for their full implementation.

The Tasks of the Institutions:

- To engage in the tasks defined in this strategy and other sector strategies on the fight against organized crime and terrorism, and to draft action plans or operational programs for their implementation according the phases defined in this strategy.  
The action plans or operational programs will be part of this strategy and will be jointly supervised.
- To establish immediately the work groups for the implementation of their tasks and to define the contact structures responsible for reporting on coordination and implementation of the tasks assigned in this strategy.

Specific tasks:

#### **1. Ministry of Interior (State Police)**

- Should undertake the drafting of initiatives for the coordination and collaboration among various institutions mentioned in this strategy.
- Should gather the action plans or work programs of all other institutions and include them in this strategy.

- Should undertake the initiative for revising and updating the other sector strategies according the policies and objectives foreseen in the current strategy.

## **2. Ministry of Justice**

- Except drafting its work program according the phases of this strategy and the provisions of other strategies, it should assist in drafting legal acts foreseen in this strategy and other sector strategies.
- To specify the necessary instruments for inspecting the court decisions given to offenders of organized crime, terrorism, etc.

## **3. Ministry of Finances**

- Except drafting its work plan it should advance the measures of its depending structures such as General Department against Money Laundering, Custom Houses and Taxation Department, whose activity is closely connected to the fight against organized crime and terrorism.

## **4. Prosecution's Office**

- Should draft the work program for implementing the defined objectives in this strategy for the Prosecution's Office.

## **5. State Informative Service**

- Should draft the action plan for implementing the objectives in the field of combating organized crime, illicit trafficking, money laundering and the fight against terrorism.

## **6. Ministry of Labor and Social Affairs**

- Should draft the work program in order to achieve the objectives foreseen in this strategy especially for minimizing the consequences of organized crime and deal with the treatment of the victims of trafficking, etc.

## **7. Ministry of Transports**

- Should draft the action plan to accomplish the objectives set in this strategy especially in taking measures to prevent the trafficking of motor vehicles through a perfect registration system of the vehicles.

## **8. Ministry of Finances**

- Should draft the action plan to accomplish the objectives set in this strategy especially in the field of money laundering, identifying economic crimes and collaborating with other institutions.

## **9. Ministry of Defense**

- Should draft the work program to accomplish the specific objectives set in the strategy for this institution, especially in exchanging information, in building capacities and military assets for a joint use from other state institutions, as well as making them available to international organizations in the context of combating organized crime.

#### **10. Ministry of Foreign Affairs**

- Should draft the work program to accomplish the objectives of this strategy especially in the field of cooperation between Albanian institutions and foreign counterparts and international organizations.

#### **11. Ministry of Education and Science**

- Should draft the work program to accomplish the objectives set in this strategy, focusing especially in *“The fight against the use, abuse and distribution of drugs in the schools’ environment”*

#### **12. Ministry of Agriculture**

- Should draft the work program to accomplish the objectives set in this strategy focusing in the measures for *“Fighting against the cultivation of narcotic plants”*, etc.

#### **13. Ministry of Health**

- Should draft the work program to accomplish the objectives set in this strategy especially for *“Strengthening the control measures on precursors and drugs used in health care”*

### **VI.2. Monitoring**

Monitoring is the process which reflects the implementation of the strategy on the fight against organized crime and terrorism, and the accomplishment of the set objectives as well.

This strategy assigns the drafting of initiatives for coordinating and collaborating among different institutions to the Ministry of Interior which through the Directory of Analyzing the Crime Information will:

- Collect the action plans or work programs of all other institutions and include them in the current strategy.

- Take the initiative to revise and update other sector strategies according to the policies and objectives set in the current strategy.

The monitoring of the results will be done from inner and external indicators. The inner monitoring will assess the progress achieved based on the following indicators:

Inner Indicators:

- The destruction of criminal groups involved in these activities.
- Sequestered wealth provided by illicit activities.
- Detention of persons involved in criminal activities
- The indexes of illicit market
- The use of specific ways and means in investigation
- The establishment of a safe situation and high standards of order in the country.

External indicators:

- Evaluations by the public, citizens and different enterprises by using questionnaires, interviews and open forums.
- Evaluations of international institutions in periodical reports or bulletins.
- Evaluations from the region's countries on the indexes of organized crime minimization in Albania.

Considering that this is a crosscutting strategy the reporting of its implementation will be done to:

The institution in charge of monitoring the strategy is the Council of Ministers while the reporting institution for the measures taken and accomplishments is the Ministry of Interior.

All the other institutions will prepare detailed reports on the measures taken for the implementation of this strategy and other strategies every 3 months and will submit them to the Ministry of Interior, including the accomplishments due to the implementation of the measures taken.

The Ministry of Interior will prepare the quarterly bulletin on the accomplishments achieved through the implementation of the strategy, action plans or work programs of other institutions in the context of this strategy or other sector strategies.

The Government will analyze the work of the institutions included in the strategy on the fight against organized crime and terrorism once a year and will also advertise the accomplishments of each implementation phase of the fight against organized crime.