

IPA 2010 National Programme for Albania

Project Fiche n° 1:

Support to the Penitentiary Infrastructure and improvement of training and accommodation capacities in the Police Education Centre

1. Basic information

- 1.1 CRIS Number:** 2010/022-530
- 1.2 Title:** Support to the Penitentiary Infrastructure and improvement of training and accommodation capacities in the Police Education Centre.
- 1.3 Sector:** 01.23 Political Criteria/Judiciary and fundamental rights
- 1.4 Location:** Albania

Implementing arrangements:

- 1.5 Contracting Authority (EU):** The European Union represented by the European Commission and on behalf of the Albanian Government.
- 1.6 Implementing Agency:** Delegation of the European Union to Albania.
- 1.7 Beneficiary:** Ministry of Justice and Ministry of Interior/Albanian State Police (Police Education Centre).

For the Ministry of Justice

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- 1.8 Overall cost (VAT excluded)¹:** EUR 21 250 000
- 1.9 EU contribution:** EUR 18 200 000
- 1.10 Final date for contracting:** Two years following the date of the conclusion of the Financing Agreement.
- 1.11 Final date for execution of contracts:** Four years following the end date of contracting. These dates apply also to national co-financing.
- 1.12 Final date for disbursements:** One year following the end date for the execution of contracts.

2. Overall Objective and Project Purpose

2.1 Overall Objective:

The overall objective of the project is to have in place a strengthened rule of law through more efficient Police services and a better functioning Penitentiary system.

¹ The total cost of the project should be net of VAT and/or other taxes. Should this not be the case, the amount of VAT and the reasons why it should be considered eligible should be clearly indicated

2.2 Project purpose:

The support provided will enhance the situation in the detention facilities in the country and the Penitentiary system in general, through decreasing the overcrowding of prison facilities (new prison built in Fieri) and improving prisoner's living conditions (improved respect for human rights and rights of prisoners).

The improved infrastructure capacities of the Police Education Centre (PEC) will allow the delivering of Training & Education Programmes and Methods to present and future members of the police at the European standard level.

2.3 Link with AP/NPAA / EP/ SAA

According to the **National Plan for the Implementation of the SAA**, 3.25, Cooperation in Justice and Domestic Affairs - Police, Point 12, medium term priorities: "the Albanian Government's main political objective is the establishment of a professionally effective, politically impartial, flexible and dynamic Police Force which will protect public order and security and ensure rule of law in the entire Republic of Albania, as well as to regain the public's support by respecting human rights".

The judicial sector remains a high priority for Albanian Government which is committed to further improvements in basic judicial infrastructure so as to ensure efficiency of its actions and donor support for Justice and Home Affairs (JHA) reform. The proposed Project will support the attainment of the objectives outlined by the Ministry of Justice to improve the pre-trial and detention system in Albania.

This project's intervention field is in line with the objectives set out by the **Stabilisation and Association Agreement**, which was signed on 12 June 2006 and entered into force on 1 April 2009, in particular with the Article 78 Reinforcement of institutions and rule of law: "Parties cooperation on justice and home affairs shall attach particular importance to the consolidation of the rule of law, and the reinforcement of institutions at all levels in the areas of administration in general and law enforcement and the administration of justice in particular. Cooperation shall notably aim at strengthening the independence of the judiciary and improving its efficiency, improving the functioning of the police and other law enforcement bodies, providing adequate training and fighting corruption and organised crime".

Also, the project will assist to achieve the priorities included in the proposal of the European Commission dated 06.11.2007 for a Council Decision on the principles, priorities and conditions contained in the **European Partnership**² (EP) with Albania repealing Decision 2006/54/EC. The European Partnership outlines as the short-term priority the need that all law enforcement bodies are aware of their human rights obligations and implement them rigorously in accordance with the code of ethics for the prisons system and with international conventions ratified by Albania, in particular the European Convention on Human Right, as well as ensure that the relevant international conventions are observed in establishing and running new penitentiary facilities. As medium term priority, the Albanian Government should ensure that detainees and prisoners on remand are treated in accordance with international standards and should guarantee that human dignity and personal safety are respected in detention centres, prisons and mental institutions, in accordance with international conventions.

² The European Partnership Document for Albania adopted by Council Decision of 18 February 2008 on the principles, priorities and conditions contained in the European Partnership with Albania and repealing Decision 2006/54EC.

Regarding the Police Education Centre, the EP highlights as a mid-term priority the need to “Continue to bring police services up to European standards, most notably through adequate training and equipment”.

2.4 Link with MIPD 2009-2011

The Multi-annual Indicative Planning Document 2009-2011 underlines the need for improvements in the penitentiary system. This project’s goals comply with two priorities set out by the MIPD:

- “Support to the Police Reform to assist Albania to gain a police force which is operating in an efficient and sustainable structure, capable of fulfilling its role in the enforcement of the Rule of Law”; and
- Support to the Reform of the Judicial System with the overall strategic objective of an independent, reliable and efficient functioning judiciary that guarantees the rule of law.

Furthermore, the MIPD stipulates that some of the programmes which should be implemented ought to include: “Provision of the conditions for adequate staffing, infrastructure and equipment to the Judiciary. Institution and capacity building for the Ministry of Justice, subordinated and other independent institutions. Assistance to the penitentiary system”.

2.5 Link with National Development Plan

The National Strategy for Development and Integration 2007-2013 approved by Decision of the Council of Ministers (DCM), No. 342, dated 12.03.2008, underlines the necessity to “Develop infrastructure based on the master plan and the standardisation of buildings”, (Point 3.1: Integration in EU and NATO, page no. 38 - Public order/Policies and strategic priorities).

2.6 Link with national/sector investment plans

The Master Plan for the pre-trial detention system in Albania was financed under CARDS 2001 and completed in 2004. The proposed project is in line with the terms of the master plan and will contribute to the attainment of objectives outlined by the Ministry of Justice to improve the pre-trial and detention system in Albania.

The long-term Strategy and the related Action Plan for the Albanian State Police, adopted by Council of Ministers in 2007, has placed as overall objective the "Improvement and standardisation of the Police's premises" (points 9.2; 9.5.2; 9.5.6,) stressing the improvement of the quality services of the police.

Given the present condition of the buildings and the investments that have been made, there is still much to be done not only regarding renovation work and their approximation to contemporary standards, but also regarding the improvement of the management procedures.

The Master Plan for the renovation of PEC was financed under CARDS 2004 and completed in 2006. A revision of the PEC Master Plan was carried out in 2010. The proposed project will contribute to the fulfilment of objectives and finalisation of Master Plan investments plan.

Description of project

3.1 Background and justification:

New Fieri Prison

Albania has achieved significant progress regarding enhancing human capacities in the prison system area through obligatory training courses on human rights for judges, prosecutors, police officers and prison personnel. These issues have been included on the School of Magistrates

curriculum. The European Commission Progress Report 2009 underlines several achievements as regarding the legal and prison monitoring aspects. It further calls for more attention on improving conditions in prisons and detention centres as well as for human and material resources available for prison management. Progress in developing rehabilitation schemes, such as education, work and social programs for detainees, will be key to progress in this area.

The Multi-Annual Indicative Programme 2009-2011 underlines the need for “investment support to upgrade the existing infrastructure”. The main problem to be addressed by this project is the lack of adequate detention facilities in Albania and inadequate conditions of the detainees. In order to overcome this situation, the Ministry of Justice, through the assistance of CARDS 2001, has prepared a Master Plan for the Albanian pre-trial detention system. The Master Plan lists the main problems in this field which include:

- All pre-trial detention facilities are overcrowded by up to 100% (the prisoner capacity amount to 825 persons and the actual number of detainees is 1631);
- Most of the pre-trial detention facilities are in a desolate condition and dilapidated;
- All cells are overcrowded;
- There are no windows in most cells;
- There are cells with no toilets and running water;
- There is no cell furniture.

This project will partially address the outlined objectives by building detention and pre-trial detention centre in Fier. The new pre-trial detention centre and prison at Fier represents a single complex facility and shall accommodate 180 male, juvenile and female pre-detainees and 600 detainees. Their master plans have been designed in such a manner that both centres share significant infrastructure for their operations.

While the pre-detention centre is financed by IPA 2007 National Programme for Albania, the prison centre will be financed by IPA 2010 National Programme for Albania.

Currently, under IPA 2007, through an amount of a total of €10 million, the issue of the pre-trial detention facilities overcrowding and improve pre-trial detainees’ rights and living conditions is being addressed. The project supports the construction of two new pre-trial detention centres, in Fier and Elbasan, in accordance with the 2004 Ministry of Justice Master Plan for the pre-trial detention system, including the provision of furniture and equipment.

Currently, the works for the pre-trial detention centre of Elbasan are expected to start in April 2010 and to be completed by end of 2011.

For the new pre-trial detention of Fier, as part of the single complex of pre-trial detention and prison centre, the procedures of procurement are on the stage of launching under IPA 2007 and IPA 2010 programme. The tender is organised in two lots:

- Lot 1: Construction of new pre-trial detention centre in Fier (under IPA 2007);
- Lot 2: Construction of new prison in Fier (this lot will be launched under suspensive clause, conditional to the adoption of IPA 2010 National Programme for Albania).

The works for the pre-trial detention are expected to start in October 2010 and to be completed in March 2012. The works for the prison part are expected to start in March 2011 and to be completed approximately in 2013. So, the new pre-trial detention centre in Fier together with the new prison, as part of a single complex, are expected to be operational by spring-summer 2013.

Police Education Centre

The Albanian State Police increasingly is recognising the fact that the development of the organisation and the improvement of the performance will be achieved through properly trained

personnel. In this context, from 2005 to present, the training system has been undergone through a progressive change and improvement. Similarly, there is an increase in the demand for recertification training for firearms-use, provision of first aid, police tactics and driving techniques – programmes the largest part of which will be mainly conducted at the police units and during in-service hours.

The Police Education Centre will continue to remain the most important institution where the majority of State Police training sessions will be run.

The implementation plan (Master Plan) for the complete refurbishment of the Police Education Centre, revised on January 2010, was designed through CARDS 2004 funding. Following this Master Plan, works are being carried out at the Police Education Centre funded with CARDS 2004 and CARDS 2005 programmes.

The project covered by IPA 2010 should complete the investments planned in the Master Plan and will be the final phase of intervention in the Police Education Centre. The expected output will be fulfilment of the real training needs of the organisation and minimisation of the training costs.

Furthermore, in the period 2010–2015, it is expected that the demand for advanced & specialised training will be increased focusing on special areas such as border & migration, crime investigation, organised crime, corruption, terrorism, and road traffic and crises management.

3.2 Assessment of project impact, catalytic effect, sustainability and cross border impact

New FIERI prison

The project will significantly contribute towards a more efficient functioning of the Penitentiary system in Albania thus ensuring:

- Improved respect for human rights and the rights of detainees;
- Improved living conditions for pre-trial detainees and detainees;
- Reduction of overcrowding in pre-trial detention centres;
- One new detention and pre-trial detention centre is constructed.

The adoption and application of the European acquis in the field of justice is an essential element of the Albanian Stabilisation and Association process. IPA will contribute towards increased efficiency of the penitentiary system through improving the living conditions of detainees in Albanian pre-trial detention facilities. Such initiative will therefore assist Albania in its efforts to meet European standards in this area.

The justice and home affairs reform will continue to be a main priority for the Albania, and the Albanian Government will ensure the budgeting, staffing and maintenance of the pre-trial detention and detention centres.

Police Education Centre

The Police Education Centre already benefited from investments funded by the European Commission. The reconstruction of the Police Education Centre was funded by EU previous programmes and with the IPA 2010 project completes the realisation of the entire Master Plan for the infrastructure, thus enabling sustainability of investment and comprehensive results. These results will have a direct impact on the teaching and accommodation quality provided to the students that are involved in the basic training programmes and to a considerable degree, all

that is provided also to the students involved in the specialised and advanced training programmes.

Albanian State Budget (State Police) will ensure that the financial support needed to maintain the equipment and the benefited investments are planned and delivered in proper time.

3.3 Results and measurable indicators:

Activity 1 – Fier Prison (*Contracts 1.1, 1.2, 1.3*)

Results: Prison in Fier constructed, furnished and equipped properly.

Indicators:

- Final acceptance of the works is delivered; Prison in Fier is in use and fully operational.

The existing concerns regarding the overcrowding of pre-trial detention facilities is satisfactorily addressed and positively reported in relevant documents on pre-trial detainees' rights and living conditions.

At the finalisation of the project places for 180 male, juvenile and female pre-detainees (pre-trial detention block) and 600 detainees (prison block) will be available.

Activity 2 – Police Education Centre (*Contracts 2.1, 2.2*)

Results:

- All Police Education Centre buildings and the overall infrastructure are completed according to European standards;
- Working conditions for students and staff are improved;
- A new standard/pattern about how to treat staff in the Albanian State Police is set up.

Indicators:

- Final acceptance of the works is delivered, Police Education Centre is in use and fully operational;
- Increased capacity and quality of service in reconstructed Police Education Centre premises, at around 3.000 police agents trained in 2011.

Activity 3 – Supervision (*Contracts 3.1, 3.2*)

Results:

- The supervision for both, Police Education Centre and Fier Prison buildings works, is carried out.

Indicators:

- The quality of the works executed is in line with the design and technical specification requirements.

3.4 Activities:

3.4.1 Activity 1 - Fier prison

The building works of the prison in Fier will be carried out through three contracts:

- Contract 1.1 Works contract, financed by EU Contribution
 - Construction works for the new prison in Fier (completing the IPA 2007 investment on the Fieri pre-trial detention centre).
- Contract 1.2 Works contract, financed by national contribution
 - Connection of the new complex facility (pre-trial detention and prison) with the main network utilities (access road; water; electricity; telephone; sewerage, etc.).
- Contract 1.3 Supply contract, financed by national contribution
 - Furnishing the detention centre in pre-trial detention and prison centre in Fier.

3.4.2 Activity 2 – Refurbishment of the Police Education Centre

The refurbishment of the Police Education Centre will be carried out through two contracts:

- Contract 2.1 Works contract, financed by EU contribution
 - Overall Infrastructure (including: water supply, sewage and storm water system, fire fighting system, power grid system, telephony and LAN network, road system and any other infrastructure works deemed to be necessary for full operability of the buildings inside of the Police Education Centre).
 - Rehabilitation of: “dormitory for new recruits“, “schools for beginners“, “refectory block“, “furnace and laundry“, “training compound for officers” buildings including: electrical system, ventilation system, Air Conditional system, sanitary system, oil tanks, landscaping and greenery and various civil works needed to make efficient the investment done from the previous interventions.
 - Construction of “sports centre“, “outdoor sports playing fields and areas” “guest house for visitors and foreign students“, “reception centre for senior officers“, “football warehouse and shower facilities“, “tactical training square and object”.
- Contract 2.2 Supply contract, financed by national contribution
 - Accommodation furniture for “guest house for visitors and foreign students“, “reception centre for senior officers,“ “infirmary and chancellery“, “dormitory for officers“, “stores“, “sport centre“, “laundry, “training compound for officers“, “football warehouse and shower facilities “buildings.
 - Specialised IT equipment and sport force equipment for: “shooting range“, “sport centre“, “administration building“, “guard house” buildings.

3.4.3 Activity 3 – Supervision

- Contract 3.1 Supervision Contract, financed by EU contribution
 - Supervision of the constructions works in Fier prison.
- Contract 3.2 Supervision Contract, financed by EU contribution
 - Supervision of the constructions works in the Police Education Centre.

3.5 Conditionality and sequencing:

The beneficiary institutions are committed to cooperate with the implementing agency and to administer the implementation of this project. Albanian institutions have already taken measures in order to avoid any barriers jeopardizing this undertaking as well as providing land use and construction permits.

Fieri prison

The land in Fier for the new pre-trial detention and prison centre to be financed by IPA is already under the possession of the Ministry of Justice (105 000 m² of land).

The construction and environment permits should be obtained by the Ministry of Justice before the signature of the works contract. Permanent main utilities (access road, water, electricity, sewage, telephone, etc.) connections to the project area shall be provided by the Albanian Government before the completion of the works. Furthermore, planning of maintenance and relevant budgeting should be provided before signature of the works contracts

As the pre-trial detention centre and the prison in Fier are part of a single complex facility, the works for the construction of the pre-trial detention centre must commence at the same time, as close as possible to the commencement of the works for the construction of the prison.

This would not be possible if the initiation of the procedure to contract the construction of the prison were to wait the conclusion of the financing agreement implementing IPA national programme for 2010, with the consequence that a second, separate tender for the construction of the prison alone would have to be launched. This would likely entail disruption in the implementation of the whole complex facility, increasing administrative costs, e.g. two supervision contracts with different consultants, two works contracts with two different contractors, longer works duration and more expensive contractor's mobilisation. All this would result in a severe reduction of effectiveness and efficiency in the project implementation.

Police Education Centre (PEC)

The Government of Albania will ensure that any related works funded either by the government or other donors will not impede, cause delays or stop the implementation of planned works as foreseen by the proper schedule. The Government of Albania will ensure long-term sustainability of the actions by supporting the PEC with funds needed to maintain the equipment and the benefited investments are planned and delivered in proper time necessary fund for full and financial management of water and sewage services. Planning of maintenance and relevant budgeting should be provided before signature of the works contracts.

3.6 Linked activities

Fieri prison

Previous investments under CARDS programme focused on upgrading the penitentiary prisons of Fushë Kruja and Korça. The European Commission granted support to Albania under CARDS 2001 for the implementation of a project aiming to improve the penitentiary system in the country, focusing on creating a Master Plan for the pre-trial detention system (implemented through twinning with the Austrian Ministry of Justice). EU support has been available in this field (penitentiary infrastructures) also through PHARE Programmes. In this context, it is worth mentioning the following projects:

- The detail design and the construction of Fushë Kruja prison, were respectively supported under PHARE 1998 and CARDS 2001;
- The completion of Lezha prison and the support with equipment and furniture to this prison were carried out under PHARE 1999;
- The design and the first phase of the construction of Korça prison were implemented respectively under PHARE 2000 and CARDS 2002, were particularly important. Furthermore, CARDS 2004 provided support for the completion of the Korca prison's construction works -initiated under the CARDS 2002 project);

- The detail design and the construction of Center of the Reintegration of Minors Kavaja were respectively supported under CARDS 2004;
- Under CARDS 2003, the European Commission implemented a project on the Vlora pre-trial detention centre, which also comprises support for equipment and furniture;
- Under PHARE 2000, the European Commission funded a project to prepare the Master Plan for Judiciary to determine the priorities for interventions within the judicial infrastructure system. Previous investments under CARDS programmes focused on upgrading the penitentiary and court infrastructure, i.e. new Court of Appeal of Vlora and Korça Serious Crimes Court;
- Under IPA 2007, through an amount of a total of €10 million, the issue of the pre-trial detention facilities' overcrowding and the improvement of pre-trial detainees' rights and living conditions is being addressed as well. The project supports the construction of two pre-trial detention centres, in Fier and Elbasan, in accordance with the 2004 Ministry of Justice Master Plan for the pre-trial detention system, including the provision of furniture and equipment. Actually, the works for pre-detention of Elbasan started on April 30, 2010 and will be completed by end of 2011. For the pre-trial detention of Fier, being part of the single complex of pre-trial detention and prison centre, the procedures of procurement are at an early stage of launching;
- Under IPA 2008, through an amount of €6.5 million, shall support the construction of a new pre-trial detention centre in Berat, in accordance with the Master Plan. The works are expected to start in September 2010 and be completed by end of 2011. Actually, the procedures of procurement are taking place.

The proposed IPA 2010 project is a continuation of the so far efforts and shall further upgrade the involvement of other donors.

Police Education Centre

The project for the completion of the refurbishment of the Police Education Centre was funded by CARDS 2004 and 2005 Programmes, in two phases. The detail design for the phase three is part of the revised Master Plan funded by the IPA 2008 Project Preparation Facility. This project will be the third phase of investments, with the purpose to finalise and complete the investments planned in the revised "Master Plan".

3.7 Lessons learned

The European Commission remains committed to assist the Albanian Government in its efforts to improve justice and home affairs infrastructure. Nevertheless, in a number of cases, detention facilities' projects had to be delayed due to different reasons such as land ownership disputes. Such experiences must not be repeated. Therefore, the precondition for this project is that the Albanian Government will ensure the availability of land for the construction of the pre-trial detention centre (free of land ownership disputes). The construction and environment permits should be obtained by the Ministry of Justice before the signature of the works contract. Permanent main utilities (access road, water, electricity, sewage, telephone, etc.) connections to the project area shall be provided by the Albanian Government.

The European Commission remains committed to assist Albanian Government in its efforts to improve Albanian State Police infrastructure. Nevertheless, in a number of cases, due to different reasons such as land ownership disputes, some project faced difficulty during the implementation. Such experiences must not be repeated. Therefore, the precondition for this project is that the Albanian Government will ensure the availability of land for the reconstruction of the Police Education Centre (free of land ownership disputes). The construction and

environment permits should be obtained by the beneficiary before the signature of the works contract.

4. Indicative Budget (amounts in EUR)

			SOURCES OF FUNDING									
			TOTAL EXP.RE	IPA EU CONTRIBUTION		NATIONAL CONTRIBUTION					PRIVATE CONTRIBUTION	
ACTIVITIES	IB (1)	INV (1)	EUR (a)=(b)+(c)+(d)	EUR (b)	%(2)	Total EUR (c)=(x)+(y)+(z)	% (2)	Central EUR (x)	Regional/ Local EUR (y)	IFIs EUR (z)	EUR (d)	% (2)
Activity 1- Fieri Prison			14 700 000	12 500 000	85	2 200 000	15	2 200 000				
Contract 1.1 - Works contract	-	X	12 500 000	12 500 000	100							
Contract 1.2 Works contract			500 000			500 000	100	500 000				
Contract 1.3 Supply contract	-	X	1 700 000			1 700 000	100	1 700 000				
Activity 2- Police Education Centre		X	5 700 000	4 850 000	85.09	850 000	14.91	850 000				
Contract 2.1 Works contract	-	X	4 850 000	4 850 000	100							
Contract 2.2 Supply contract	-	X	850 000			850 000	100	850 000				
Activity 3			850 000	850 000								
Contract 3.1 – Supervision contract (Fieri Prison)	=	X	600 000	600 000	100							
Contract 3.2 – Supervision contract (PEC)	=	X	250 000	250 000	100							
TOTAL IB												
TOTAL INV			21 250 000	18 200 000	85.65	3 050 000	14.35	3 050 000				
TOTAL PROJECT			21 250 000	18 200 000	85.65	3 050 000	14.35	3 050 000				

Amounts net of VAT

(1) In the Activity row use "X" to identify whether IB or INV

(2) Expressed in % of the Total Expenditure (column (a))

5. Indicative Implementation Schedule (periods broken down per quarter)

Contracts	Start of Tendering	Signature of contract	Project Completion
Contract 1.1	1 st Q. 2010*	1 rd Q. 2011	1 rd . Q. 2014
Contract 2.1	1 st Q. 2011	3 rd Q. 2011	3 rd . Q. 2014
Contract 3.1	1 st Q. 2010* (?)	1 rd Q. 2011	1 st . Q 2014
Contract 3.2	1 st Q. 2011	3 rd Q. 2011	3 rd . Q 2014

All projects should in principle be ready for tendering in the 1st Quarter following the signature of the FA.

* Due to the European Commission's authorisation to use a suspensive clause, the tender for Fieri is already launched.

The project duration includes approximately 2 years for construction and 1 year defects liability period.

Contracts 1.2, 1.3 and 2.2 will be covered by the national contribution for the project.

6. Cross cutting issues (where applicable)

6.1 Equal Opportunity

During the implementation of the project equal opportunities within the General Directorate of Prisons will be guaranteed.

Human resources strategic plans and policies must reflect contemporary working practices that take into account gender and equal opportunities issues, particularly with regards to recruitment of students that will receive basic training in the Police Education Centre.

Special attention will be paid to build access of public buildings to disable people/wheel chairs.

Project will ensure, as far as is practicable, that the internal policies, structure or operating procedures of the beneficiary will be conform to relevant EU directives and/or laws related to the promotion of equal opportunity.

6.2 Environment

Throughout the buildings will work interventions environmental and natural resources will be preserved. Nevertheless, the projects are not expected to have an adverse impact on the environment.

The projects address the promotion of improved environmental conditions through the implementation of modern infrastructure, and all efforts will be made to ensure the works undertaken complies with relevant EU Directives.

6.3 Minorities

During the implementation of the project respect for minority rights within the General Directorate of Prisons will be guaranteed.

The proposed project will, as far as is practicable, take the required steps to ensure that the internal policies, structure or operating procedures of the beneficiary will be conform with minorities' promotion policies

ANNEXES

Annex 1 - Log frame in Standard Format;

Annex 2 - Amounts contracted and Disbursed per Quarter over the full duration of Project;

Annex 3 - Description of Institutional Framework;

Annex 4 - Reference to laws, regulations and strategic documents;

Annex 5 - Details per EU funded contract.

ANNEX 1
Logical framework matrix in standard format

LOGFRAME PLANNING MATRIX FOR Project Fiche		Justice and Home affairs - Support to the infrastructures in the Penitentiary System and in the Police	
		Contracting period expires 2 years after the signature of the Financing Agreement	Disbursement period expires one year following the end date for the execution of contracts.
		Total budget : EUR 21 250 000	IPA budget: EUR 18 200 000
Overall objective	Objectively verifiable indicators	Sources of Verification	
The overall objective of the project is to have in place a strengthened rule of law through more efficient Police services and a better functioning Penitentiary system.	<ul style="list-style-type: none"> • Improved overall situation with the detention facilities; • Numerous prison facilities in Albania in line with EU standards; • More positive reports of the Anti-torture committee of the Council of Europe for improvement of the human right conditions in detention places in Albania. 	<ul style="list-style-type: none"> • Internal evaluations of the Ministry of Justice, Albanian State Police, Ministry of Interior; • European Commission country reports; • Reports of different Civil Society Organizations s involved in human rights in Albania; • Reports of different organisation/Mission assisting Police in Albania; • Implementation of the Mid Term Training Strategy-Action Plan; • Reports of the Anti-torture committee of the Council of Europe for improvement of the human right conditions in detention places in Albania. 	
Project purpose	Objectively verifiable indicators	Sources of Verification	Assumptions
The support provided will enhance the situation in the prisons facilities in the country and the Penitentiary system in general, through decreasing the overcrowding of prison facilities (new prison built in Fieri) and improving detainees' living conditions (improved respect for human	<ul style="list-style-type: none"> • Increased capacity of the new pre-trial and detention facility in Fier; • At the finalisation of the project places for 180 male, juvenile and female pre-detainees (pre-trial detention block) and 600 	<ul style="list-style-type: none"> • Supervision of works for the new prison facility and of PEC building; • Ministry of Justice internal evaluation; • Albanian State Police internal evaluation; • PAMECA III Mission / ICITAP program /OSCE (others International Bodies) 	<ul style="list-style-type: none"> • JHA reform continues to be a main priority for the Albanian Government; • Albanian Government ensures the budgeting, staffing and maintenance of the courts, prison centres and reconstructed Police Education Centre.

rights and rights of detainees). The improved infrastructure capacities of the Police Education Centre (PEC) will allow the delivering of Training & Education Programmes and Methods to present and future members of the Police s at the European standard level.	detainees (prison block) will be available. <ul style="list-style-type: none"> • Quality of the new detention facilities; • Increased number of police officers trained within the PEC premises; • Qualitative teaching curricula implemented; • Increased capacity and quality of service in reconstructed PEC premises. 	evaluation reports on the training of police officers and their performance during the daily execution of their tasks.	
Results	Objectively verifiable indicators	Sources of Verification	Assumptions
Prison in Fier constructed, furnished and equipped properly. All Police Education Centre buildings and the overall infrastructure completed according to European standards; working conditions for students and staff improved; a new standard / pattern of how to treat staff in the ASP set up. The supervision for both Police Education Centre and Fier Prison buildings works is carried out.	<ul style="list-style-type: none"> • Final acceptance delivered; • Prison in Fier in use and fully operational; • Final acceptance delivered, • Police Education Centre in use; • quality of works executed in line with the design and technical specification requirements; 	<ul style="list-style-type: none"> • Internal evaluations of the Ministry of Justice; • European Commission country reports; • Reports of different Civil Society Organizations involved in human rights in Albania; • Internal evaluations of the Ministry of Interior/Albanian State Police; • Reports of different organisation/Mission assisting Police in Albania regarding the training delivered and the improvement of the quality of Police officer performance. 	<ul style="list-style-type: none"> • Possible delays in the implementation of the construction adequately addressed; • Eventual land ownership disputes have been adequately addressed by the Government; • Taking all the necessary action from PEC in order to allow the work execution at the site.
Activities	Means	Costs	Assumptions
The building works of prison in Fier will be carried out through three contracts. The building works for the Police Education Centre will be carried out through two contracts. Supervision Contracts for the Fieri prison and PEC.	Work contracts Supply contract Supervisions	EUR 18.2 Million	Albanian institutions have already taken measures in order to avoid any barriers jeopardizing this undertaking

ANNEX 2
Amounts (in €) Contracted and disbursed by quarter for the project

Contracted	Q1 2011	Q2 2011	Q3 2011	Q4 2011	Q1 2012	Q2 2012	Q3 2012	Q4 2012	Q1 2013	Q2 2013	Q3 2013	Q4 2013
Contract 1.1(Works)	12 500 000											
Contract 2.1(Works)			4 850 000									
Contract 3.1 (Supervision)	600 000											
Contract 3.2 (Supervision)			250 000									
Cumulated	13 100 000		18 200 000									
Disbursed	Q1 2011	Q2 2011	Q3 2011	Q4 2011	Q1 2012	Q2 2012	Q3 2012	Q4 2012	Q1 2013	Q2 2013	Q3 2013	Q4 2013
Contract 1.1(Works)	1 200 000	1 350 000	1 350 000	1 350 000	1 350 000	1 350 000	1 350 000	1 350 000	1 850 000			
Contract 2.1(Works)				485 000	650 000	650 000	650 000	650 000	650 000	630 000	485 000	
Contract 3.1 (Supervision)	60 000		120 000		120 000		120 000		120 000			60 000
Contract 3.2 (Supervision)				25 000		60 000		60 000		60 000		45 000
Cumulated	1 260 000	2 610 000	4 080 000	5 940 000	8 060 000	10 120 000	12 240 000	14 300 000	16 920 000	17 610 000	18 095 000	18 200 000

ANNEX 3

Description of Institutional Framework

Ministry of Justice

In the framework of guaranteeing basic and fundamental rights for all individuals, and in particular the rights and freedoms of convicted criminals, the Albanian Government considers the creation of appropriate conditions for the rigorous implementation of all existing legal framework obligations, as a priority commitment. The Government requires that all law enforcement agencies ensure the human treatment of detainees, and the transformation of criminal punishment into a re-education/correctional opportunity.

Given that the prison legal framework is being approximated to international standards in the penitentiary field, another important objective for the Government is the implementation of international recommendations, regulations and other acts for both the prison and detention systems, as well as all SAA obligations.

The flexibility of all above-mentioned acts increases the likelihood of improving their practical implementation in the prison service, just as in the European Union, where they have become both a symbol and an incentive for the improvement of general standards and humanitarian and progressive treatment regimes. This guarantees that a prison verdict will be implemented impartially without discrimination due to religion, race, colour, gender, political or economic beliefs, and so on.

In addition, another priority for the Albanian Government is to resolve the problem of overcrowding in prisons, whilst rigorously implementing the Council of Europe's recommendations. The necessary conditions have been put in place for the implementation of various projects funded by the CARDS programme for the construction of prisons and the reconstruction of existing ones.

In order to meet the obligations deriving from the legislation into force, the structures responsible for observing the respect of human rights, namely the prison system, are as follows:

- General Directorate of Prisons is an institution, which comes under the Ministry of Justice by way of Law No. 8678; dated 14.05.2001 "On the Organisation and Functioning of the Ministry of Justice" amended by Law No. 9112 dated 24.07.2003. It monitors the organisation and functioning of the detention system, the execution of criminal verdicts, the prison term, etc;
- The Ministry of the Interior is in charge of the respect of the rights of detainees and persons arrested in flagrante (48 hours), who are kept at Police Commissariats;
- The General Prosecution is responsible for the execution of penal decisions and treatment of request and complaints by the detainees, for the cases of maltreatment of prisoners by Prison Police or Police whilst in detention, etc.

Albanian State Police

Following the implementation of the new the State Police Law that became effective on July 2007, the Police Training Department was established, as one of the 5 most important administration & management structures of the State Police General Directorate; it is fully dedicated to training the Albanian State Police (ASP). Thus, the development of a contemporary training system is perceived as one of its priorities, necessary to solve strategic issues and concerns related to crime investigation, integrated border management and public order & safety.

From 2006 to October 2009, the State Police trained according to the new concept over **232** new recruits and, based on the same programme and objectives, over **2 175** police incumbents. The police basic training goal is that, beyond 2011, the Albanian State Police operates with police staffs that have undergone unified training. In the period 2008–2009, a total of **408** advanced & specialised training courses were delivered and a total of **7 627** police employees from specialties such as crime, border, public order, road traffic police and support services participated in them. In addition to that, **6** training courses were delivered to support managerial capacities and career advancement with the participation of **106** police employees grouped according to their rank. As many police employees will be trained with the same programme in November 2009. Until December 2011 will be trained at around 3000 executive police and 300 new police staffs, and after 2011 it is foreseen to be created at around 500- 600 new working places.

In-service training, briefing and re-certification are new training approaches to the Albanian Police. This new training approach, based on the new training concept, aims at upgrading the knowledge and information that are used during the in-service hours, verification of their professional skills and knowledge, thus providing the public with an up-to-date and reliable service. In the future, this will be one of the training development priorities in the Regional Police Directorates, Regional Border & Migration Police Directorates and the in-service training on the overall.

All the Albanian State Police employees, over 9 600, will be involved in those training programmes throughout the year. Support of these training programmes in compliance with the contemporary standards remains to be the strategic goal of the State Police in this area.

The Police Education Centre (PEC) will continue to remain the most important institution where the majority of State Police training sessions will be run. It is there that both training of the police incumbents and new recruits will be accomplished.

Thus, up to December 2011, over 3 000 police incumbents and over 300 new recruits will be put through the basic training programme.

After 2011, it is foreseen that about 500-600 new posts will come up. Thus, beyond this period, the total number of trainees at the PEC will be increased by the same figure.

Furthermore, in the period 2010–2015, it is expected that the demand for advanced & specialised training increase primarily in specialties such as border & migration, crime investigation, organised crime, corruption, terrorism, road traffic and crises management.

Similarly, there will be an increase in the demand for recertification training for firearms-use, provision of first aid, police tactics and driving techniques –programmes, the largest part of which will be mainly conducted at the police units and during in-service hours. The expected output will be fulfilment of the real training needs of the organisation and minimisation of the training costs.

The Albanian State Police's future as a credible, modern organisation that meets EU standards in the field of policing depends upon the training and professionalism of its staff. The PEC is the most important institution for the delivery of training and as such the development of internal infrastructure will significantly impact the quality of training benefited by the Albanian State Police. The monitoring and assistance provided by PAMECA III Mission and its close cooperation with the Albanian State Police will provide for an efficient use of the investment and all training sources of the EU Delegation paving the way to a near future when the State Police will take ownership of this investment that is being done for purposes of further upgrading the training process to meet with the EU standards.

ANNEX 4

Reference to laws, regulations and strategic documents

Fieri Prison

Reference to relevant laws and regulations

- Law No.8678 dated 14.05.2001 “On the Organisation and Functioning of the Ministry of Justice”, amended by Law No.9112 dated 24.07.2003;
- Law No.8331 dated 21.04.1998 “On the Enforcement of Criminal Case Decisions”;
- Law No.8137 dated 31.07.1996 “On the Ratification of the European Convention for the Protection of Fundamental Rights and Freedoms”;
- Law No.8328 dated 16.04.1998 “On the Rights and Treatment of Prisoners”, amended by Law No.8758 dated 26.03.2001 and Law 9888 dated 10.03.2008;
- Law No.10032 dated 11.12.2008 “On Prison Police”;
- Law No.9397 dated 12.05.2005 "On the Internal Control Service in the Prison System”;
- Council of Ministers Decision No.303 dated 25.03.2009 “The Approval of the General Prison Regulation”, amended by Council of Ministers Decision No.187 dated 17.03.2010.

Reference to Stabilisation and Association Agreement

The Stabilisation and Association Agreement (SAA) between the Government of Albania and the European Community entered into force on 1st April 2009. Article 78 “Reinforcement of institutions and rule of law” states that:

“Parties cooperation on justice and home affairs shall attach particular importance to the consolidation of the rule of law, and the reinforcement of institutions at all levels in the areas of administration in general and law enforcement and the administration of justice in particular. Cooperation shall notably aim at strengthening the independence of the judiciary and improving its efficiency, improving the functioning of the police and other law enforcement bodies, providing adequate training and fighting corruption and organised crime.”

Reference to European Partnership

The project will assist to achieve the priorities included in the proposal of the European Commission, dated 06.11.2007, for a Council Decision on the principles, priorities and conditions contained in the European Partnership (EP) with Albania, repealing Decision 2006/54/EC. The European Partnership outlines the following short and midterm priorities:

Short – term priorities:

- Ensure that all law enforcement bodies are aware of their human rights obligations and implement them rigorously in accordance with the code of ethics for the prisons system and with international conventions ratified by Albania, in particular the European Convention on Human Rights;
- Ensure that the relevant international conventions are observed in establishing and running new penitentiary facilities.

Medium – term priorities:

- Ensure that detainees and prisoners on remand are treated in accordance with international standards;
- Guarantee that human dignity and personal safety are respected in detention centres, prisons and mental institutions, in accordance with international conventions.

Reference to the MIPD 2009-2011

The Multi-annual Indicative Planning Document 2009-2011 underlines the need for improvements in the penitentiary system. This project's goals comply with two priorities set out by the MIPD:

- “Support to the *Police Reform* to assist Albania to gain a police force which is operating in an *efficient and sustainable structure*, capable of fulfilling its role in the enforcement of the Rule of Law”; and
- *Support to the Reform of the Judicial System* with the overall strategic objective of an independent, reliable and efficient functioning judiciary that guarantees the rule of law.

Furthermore, the MIPD stipulates that some of the programmes which should be implemented ought to include: “*Provision of the conditions for adequate staffing, infrastructure and equipment to the Judiciary*. Support to the High Council of Justice will continue. *Institution and capacity building for the Ministry of Justice, subordinated and other independent institutions. Assistance to the penitentiary system. Strengthening the prosecution.*”

Reference to national investment plan

The Master Plan for the pre-trial detention system in Albania was financed under CARDS 2001 and completed in 2004. The proposed project is in line with the terms of the master plan and will contribute to the attainment of objectives outlined by the Ministry of Justice to improve the pre-trial and detention system in Albania.

Police Education Centre

Reference to relevant laws and regulations

The procedures, the internal activities and the responsibilities of the police structures related to training are defined in legal acts, regulations and administrative papers:

- Law No. 9749 dated: 04.06.2009 “On the Albanian State Police” : Official Gazette of Republic of Albania No 73 dated 19.06.2007;
- Decision of Council of Ministers No 804 dated 21.11.2007 “The approval of the regulation in the State Police Personnel”: Official Gazette of Republic of Albania No 167 dated 11.12.2007;
- Decision of Council of Ministers No 803 dated 21.11.2007 “On the determination of corresponding functions for the State Police ranks and their equivalency” Official Gazette of Republic of Albania No 167 dated 11.12.2007;
- Internal regulation of State Police, Approved by the Minister of Interior No 1404 dated 09.12.2008;
- Instruction “For recognition of training committed abroad by employees of State Police and their equivalency”, Approved by the Minister of Interior No 1339 dated 19.11.2008;
- Regulation on Training within the ASP” , Approved by the Minister of Interior No 1136 dated 09.12.2008;
- “Standard working procedures ”, Approved by the General Director of ASP No 1200 dated 28.10.2009;
- “Responsibilities and job descriptions”, Approved by the General Director of ASP No 435 dated 03.05.2008.

Reference to the National Plan for the Implementation of the SAA (NPISAA)

The Albanian Government's main political objective is the establishment of a professionally effective, politically impartial, flexible and dynamic Police Force which will protect public order and security and ensure rule of law in the entire Republic of Albania. It should also regain public's support by respecting human rights. NPISAA, 3.25, Cooperation in Justice and Domestic Affairs - Police, Point 12, medium term priorities.

Reference to "The Stabilisation & Association Agreement"

The Stabilisation and Association Agreement (SAA) between the Government of Albania and the European Community entered into force on 1st April 2009. Article 78 "Reinforcement of institutions and rule of law" provides that:

"... In their cooperation on justice and home affairs, the Parties shall attach particular importance to the consolidation of the rule of law, and the reinforcement of institutions at all levels, in the area of administration in general and law enforcement and the administration of justice in particular. Cooperation shall notably aim at strengthening the independence of the judiciary and improving its efficiency, **improving the functioning of the police** or other law enforcement bodies; **providing adequate training** and fighting corruption and organised crime".

Reference to the MIPD 2009-2011

The Multi-annual Indicative Planning Document 2009-2011 underlines the need for improvements in the penitentiary system. This project's goals comply with two priorities set out by the MIPD: "Support to the Police Reform to assist Albania to gain a police force which is operating in an *efficient and sustainable structure*, capable of fulfilling its role in the enforcement of the Rule of Law";

Reference to National Development Plan

The National Strategy for Development and Integration 2007-2013 approved by Decision of the Council of Ministers, No. 342, dated 12.03.2008, underlines the necessity to "Develop infrastructure based on the master plan and the standardisation of buildings" ***Point 3.1: Integration in EU and NATO page no. 38/Public order/Policies and strategic priorities:***

Further improvement of human resources where are the necessary procedures for recruiting and evaluation are included, to develop a professional upgrading plan for Police employees; to enhance competencies and responsibilities for each role and function; transparency and communication; unification of the delivered training and increasing the capacity of Police Academy.

Developing the infrastructure based on the master plan and the standardisation of police buildings.

Reference to National/Sectoral Plans

PEC Long-term Strategy, points 9.2; 9.5.2; 9.5.6, Improvement and standardisation of Police Building". Embracing the philosophy of Community Policing will help deliver more and better quality services. As a result this will determine the needs for proper environment and premises required to offer such services.

The effectiveness of the performance of the police will increase significantly in case an environment according to contemporary parameters is provided.

The idea of being transparent with the public indispensably requires all these buildings to be uniformed; implying that all police services should have corporate identity and be easily reached

by the community. Given the present condition of the buildings and the investments that have been made, there is still much to be done not only regarding renovation work and their approximation to contemporary standards, but also regarding the improvement of the management procedures.

The "Master Plan for the renovation of PEC" was financed under CARDS 2004 and completed in 2006. A revision of the PEC Master Plan was carried out in 2010. The proposed project will contribute to the fulfilment of objectives and finalisation of Master Plan investments plan.

ANNEX 5

Details per EU funded contract

Fieri Prison The building works of the prison in Fier will be carried out through three contracts:

- Contract 1.1 Works contract, financed by EU Contribution
 - Construction works for the new prison in Fier (completing the IPA 2007 investment on the Fieri pre-trial detention centre).
- Contract 3.1 Supervision Contract, financed by EU contribution
 - Supervision of the constructions works in Fier prison.

The 2004 Master Plan has foreseen the establishment of 12 pre-trial detention centres in each prefecture of the country. Possible delays in the implementation of the construction/rehabilitation works is a risk that has to be taken into consideration. The main assumptions are that the Justice and Home Affairs reform continues to be a main priority for the Albanian Government, and that the Albanian Government ensures the budgeting, staffing and maintenance of the courts and pre-trial detention centres. Eventual land ownership disputes have been adequately addressed by the Albanian Government and therefore the project shall not encounter problems with such issues.

As part of this project proposal, the funding of the furniture and equipment of the new pre-trial detention centre that is going to be built in Gjirokastra is foreseen. The quantity and type of this furniture and equipment will vary from the project design, and they will range from office to prison cell's furniture and equipment.

The feasibility study/construction project design for this pre-trial detention centre is financed by a previous CARDS 2005 project designated for improving the pre-trial detention centres' infrastructure. This CARDS 2005 project financed the completion of construction project designs for pre-trial detention centres, among which is the Gjirokastra one, by the end of 2007.

- Co financing

The Albanian Government will cover EUR 2 200 000 of the project cost, as well as the VAT related expenses (currently at the level 20% of the investment) for this project.

- Ownership of assets (current and after project completion)

Albanian Government, Ministry of Justice-General Directorate of Prison.

Police Education Centre (PEC)

The refurbishment of the Police Education Centre will be carried out through two contracts:

- Contract 2.1 Works contract, financed by EU contribution
 - Overall Infrastructure (including: water supply, sewage and storm water system, fire fighting system, power grid system, telephony and LAN network, road system and

any other infrastructure works deemed to be necessary for full operationality of the buildings inside of the Police Education Centre);

- Rehabilitation of: “dormitory for new recruits“, “schools for beginners”, “refectory block”, “furnace and laundry”, “training compound for officers” buildings including: electrical system, ventilation system, Air Conditional system, sanitary system, oil tanks, landscaping and greenery and various civil works needed to make efficient the investment done from the previous interventions;
- Construction of “sports centre”, “outdoor sports playing fields and areas” “guest house for visitors and foreign students”, “reception centre for senior officers”, “football warehouse and shower facilities”, “tactical training square and object”.
- Contract 3.2 Supervision Contract, financed by EU contribution
 - Supervision of the constructions works in the Police Education Centre.

The Master Plan funded by CARDS 2003 National programme for Albania included all necessary interventions on the reconstruction of buildings within PEC premises and the identification of equipments needed.

The feasibility studies/construction project designs for the renovation of Police Education Centre is financed by a previous CARDS 2003 project “Master Plan” designated for improving the pre-trial detention centres infrastructure. Projects under CARDS 2004 and CARDS 2005 national programme for Albania financed partly the renovation and construction of the buildings within the Police Education Centre (former Academy of Police) as foreseen in the Master Plan. This IPA 2010 project aims at finalising the Master Plan. As part of this project proposal, it is foreseen the funding of the furniture and equipment of the buildings of the PEC, those which were already renovated with CARDS 2004 and 2005 funds, but also those expected to be funded from IPA 2010. The quantity and type of furniture and equipment will vary from the project design, and they will range from accommodation furniture to specialised IT equipment and sport force equipment. The expenses relative to the Supply component of this project will be covered by national contribution as co-financing obligation.

- Co-financing

The Albanian Government will cover EUR 850 000 of the project cost as well as the VAT related expenses (currently at the level 20% of the investment) for this project.

- Ownership of assets (current and after project completion)

Albanian Government, Ministry of Interior, General Directorate of Albanian State Police, Police Education Centre