

IPA 2009 National Programme for Albania
Project Fiche N°4
**Enhancement of operational and logistical capacities of Witness
and Special Persons Protection Unit**

1. Basic information

- 1.1 CRIS Number: 2009/021-642
- 1.2 Title: Enhancement of operational and logistical capacities of Witness
and Special Persons Protection Unit
- 1.3 ELARG Statistical code: 01.24
- 1.4 Location: Tirana, ALBANIA

Implementing arrangements:

- 1.5 Contracting Authority (EC): Delegation of the European Commission to Albania.
- 1.6 Implementing Agency: Delegation of the European Commission to Albania.
- 1.7 Beneficiary (including details of project manager):
 - Ministry of Interior
 - General Directorate of State Police
 - Department of Criminal Investigation
 - Directorate of Witness and Special Persons Protection
 - First Senior Leader, Mr. Astrit KODRA
 - Drejtoria e Pergjithsme e Policise, Blv. Bajram Curri, Tirana
 - E-mail: kodraa@mrp.gov.al
 - Telephone: +355 4 2279371

Financing:

- 1.8 Overall cost (VAT excluded): 1.050.000 EUR
- 1.8.1 Albanian State Budget 50.000 EUR
 - Co financing (Twinning) 40.000 EUR
 - Co-Financing (Supply Component) 10.000 EUR
- 1.9 EC contribution: 1.000.000 EUR
- 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: Two years following the end date of contracting. These dates also apply 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

To ensure that the Albanian Criminal Justice System is capable of providing the appropriate level of security for justice collaborators and witnesses.

2.2 Project purpose

Through a process of twinning, to strengthen the tackling of organised crime and terrorism in Albania by developing the capabilities of the Albanian State Police (and Prosecutors) in relation to witness protection specifically by:

- developing consistent operational practices with regard to witness protection in line with European Best Practice and ECHR;
- ensuring the sufficient and appropriate coordination of the four primary Criminal Justice partners in witness protection, Albanian State Police; Prosecutors; Courts & Prisons (MoJ);
- assist in meeting the equipment and logistical needs to ensure adequate witness protection by advice and a supply component (Armoured cars in the first instance);
- day to day mentoring of the work of the Witness Protection Unit;

2.3 Link with AP/NPAA / EP/ SAA

A series of strategic documents highlight the importance of this crucial sector in the path towards European Integration for Albania. A synoptic list is found in the below paragraph:

The European Partnership Document of 18th February 2008 contains the following indications which the Government of Albania shall comply with, in particular:

- Ensure that the appropriate legislation and resources are in place for adequate witness protection.
- Urgently put in place practical measures to guarantee witness protection
- Enforce legislation on witness protection.

- The European Commission Annual Progress Report 2008 specifies that:

Chapter 2.1 Democracy and the Rule of Law: "Some progress can be reported on witness protection. The 2007 Law on State police upgraded the witness protection unit into a directorate. At present there are 60 persons in the witness protection programme. The 2008 budget allocated to the programme marks an increase. However, further amendments to the Law on witness protection have not yet been adopted. The lack of reliable witness protection continues to be problematic'

Chapter 2.2 Human Rights and the Protection of Minorities, 'The proportion of women having suffered from domestic violence is significant and increasing. Witness protection remains weak with the result that victims of trafficking are reluctant to report their traffickers to the police.

The Report (Chapter 4.3.5) further states that "There has been some progress in the fight against trafficking in human beings. However, much remains to be done, particularly in the area of victim protection and identification. Albania continues to be a source country for human trafficking, particularly of women and girls for sexual exploitation. Children are also trafficked for begging and other forms of child labour. Approximately half of all Albanian trafficking victims are under the age of 18. Internal sex trafficking of women and children is on the rise; particularly from the Roma minority...The strategy for protection of child victims of trafficking was also adopted. However, much remains to be done, particularly in terms of victim protection. More political will and better coordination are needed for the implementation of the anti- trafficking strategy, particularly

regarding victim protection...The national referral mechanisms are not yet operational; there is no nationwide coverage (especially in remote areas) and no alternative protection and assistance for victims of trafficking. Training for law enforcement officials within the anti-trafficking sector should be "enhanced.

2.4 Link with MIPD Multi Indicative Planning Document (2008-2010)

While Albania has made progress in a number of areas, including as regards political requirements, further action is necessary to ensure the proper functioning of the judicial system, to reform the public administration, and to fight corruption and organised crime. Strengthening Law Enforcement institutions from a technical as well as administrative and operational standpoint remains therefore fundamental to achieve the overall objective of consolidating the Rule of Law. The threat posed by organised criminal groups vis-à-vis Albania and the wider European community of states must be tackled decisively and according to a holistic approach. Among the objectives featured in the MIPD which are directly relevant to this project we can find the following:

- Better functioning of the justice sector institutions;
- Number of pending cases before courts reduced;
- Penitentiary system improved and the prosecution strengthened;
- Infrastructure of judicial system and penitentiary facilities in place;
- Case management system introduced;
- Witness protection mechanisms strengthened.

2.5 Link with National Development Plan

The fight against crime is featured in all the most relevant strategic documents elaborated by the Government or negotiated with the European Commission. There is a clear link between enhancing witness protection and advancing the fight against crime in Albania.

In particular in the National Plan for Implementation of the SAA (2007-2012) the fight against organised crime and illegal trafficking is identified as one of the political priorities (NPI of SAA chap.3.25.7)

2.6 Link with national/sectoral investment plans

The enhancement of Witness Protection represents a key priority featured in the overall Development Strategy of the Albanian State Police (Priority 1 objective 1.8 (1.8.1; 1.8.2; 1.8.3; 1.8.4). The efficiency of the fight against Organised Crime cannot be considered as complete unless victims and witnesses of crime cannot feel safe to collaborate with state institutions such as the Albanian State Police: the organisation is very conscious of that.

Advancing Witness Protection is therefore paramount in advancing the Rule of Law in Albania; as a matter of fact, the Albanian State Police is taking steps and making capital investments in order to modernise its Witness Protection Directorate by providing new premises to it.

3. Description of project

The project addresses both capacity building and logistics arrangements necessary for the functioning of this crucial unit. Activities are conducive to the achievement of the necessary technical and managerial skills to further the Unit's efficiency through the secondment of a long term expert plus a sufficient number of STE days, as well as the provision of equipment. The project also addresses the necessity of linking the Unit's activities more closely to those of the General Prosecutor's Office and the Court's system.

3.1 Background and justification:

Current situation

The Directorate of Witness and Special Persons Protection was established and performs its tasks in compliance to the law No. 9205, date 15.03.2004 on "Witness and Special Persons Protection"; Its object of work is to provide protection to the lives, welfare and the fundamental human rights and freedoms to persons whose life is threatened due to their collaboration with judicial authorities, witnesses of justice, justice collaborators, persons close or related to them are included. The witness and Special Persons Protection Directorate also provide protection to Prosecutors of Serious Offences, Judges of Serious Offences Police Officers of State Police whose life is threatened because of their duty.

This Authority implements two types of protection measures; temporary protection measures and special protection measures.

Protection measures are implemented toward persons that not only collaborate with Justice Authorities, but give information which constitute fundamental evidence in a criminal proceeding for serious crimes and that due to this collaboration they are in real, concrete and serious danger.

Organisation

The Directorate of Witness and Special Persons Protection is established as a central structure within the Department of Criminal Investigation in the General State Police. It is organised in two sections (divisions): (Section for Implementation of Protection Measures, Section for Data Processing and Assistance), two offices (Office of Finance, Archive and Protocol; Office for Special Persons) and Special Unit RESI

Activity and Specific Objectives

The activity of the Directorate during April 2005 - June 2008 has been focused on implementation of temporary and special protection measures through considerable number of protection programs, and persons. However, in spite of the many efforts undertaken in recent years and a series of donations, mostly of a bilateral nature, the witness protection mechanism in Albanian suffers from a chronic lack of infrastructure and assets. There also is an identified need to develop and streamline procedures to modernise and render more efficient the operational and administrative mechanisms of the Unit.

Special measures of protection that this structure applies include:

- a) Change of identity;
- b) Change of residence;
- c) Special physical and technical measures of protection in the place where the protected Person resides, as well during transportation, including also situations where such protection is needed for the fulfilment of the obligations towards the justice authorities.
- d) Protection and special treatment in cases when the justice collaborator has been placed in prison as a pre-trial security measure or sentenced by imprisonment;
- e) Temporary protection of the identity, information and documents of the protected person;
- f) Declarations of the witness under another identity and their administration with special means for voice and real appearance deformation;

- g) Social rehabilitation;
- h) Maintenance, change of the work place and temporary employment;
- i) Financial aid for the period of time between two employments;
- j) Professional re-qualification;
- k) Provision of advice and specialised legal assistance/guidance.

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

Successful implementation of the project will assist the Albanian State Police and wider Criminal Justice System in their fight against organised crime by increasing the professionalism of staff and operational effectiveness of the Directorate of Witness and Special Persons Protection. In turn this will increase the confidence of persons considering becoming potential collaborators of justice that their safety can be maintained by the state if they are to turn against organised criminal groups. Value for money is an important consideration when deciding upon protection measures, a cost/benefit analysis needs to be considered and proper risk assessments can prevent the unnecessary use of excessive and expensive protection measures, the project will help to ensure that the scarce resources of the unit are spent effectively.

Sustainability of the project will be supported by the appointment of a training officer position to the unit. The unit has a good track record with retention of key staff and the law on Witness Protection clearly states the procedures for appointment and removal of unit staff. Finally sustainability will be greatly assisted by an effective twinning process, with the selection of an RTA who is a professional and experienced practitioner of serious crime witness protection who can mentor the unit. Twinning with a strong partner unit will also allow tapping into networks and contacts of similar units in other countries.

3.3 Results and measurable indicators:

- Activity 1: Twinning Contract

This activity will be implemented with a technical assistance support provided via a Twinning project with a Member State (contract 1.1), which will include the mobilisation of a Resident Twinning Adviser in Albania and a team of Short Term Experts as well as a Project Leader in the Member State. The Albanian Government will provide co-financing to this activity (contract 1.2). The TA will be focused on six components:

Component 1- Legal Framework, Operating Procedures and Structure

Results: Improved legal and operational framework; improved professionalism and operational capacity of the Witness Protection Directorate in line with international standards

Measurable Indicators: Legal and sub-legal acts, and Standard Operating Procedures in place regulating the overall functioning of the witness protection program, the relationships with other relevant agencies, the functioning of the Unit, and the legal and administrative arrangements with persons placed within the program (such as the provision of new identities and their relocation) Greater cooperation and integration with the General Prosecution office, especially in developing risk assessments and assessing the value of collaborator testimony against the cost and complications of entering persons into protection schemes ¹.

Component 2- Risk Assessment and Coordination with Criminal Justice Agencies

¹ Although it is possible that the number of persons under protection and providing testimony as a protected witness may increase as a result of this project, an increase in the number of persons under protection is not an appropriate result or measurable indicator. Improved assessment processes and collaboration with the prosecutor may actually have the opposite effect i.e. properly conducted risk assessments may show that a person can provide testimony under a lesser degree of protection.

Results: Development of joint risk assessment training schemes and coordination mechanisms between Criminal Justice agencies.

Measurable Indicators: Joint Training Schemes developed and implemented (number of trained staff to be further specified); Risk assessment procedures established and agreed between the Unit and Prosecutors.

Component 3: Physical Protection Measures & Techniques

Results: Improved operational efficiency of the Unit through technical/operational training on physical protection; increased security for Unit staff.

Measurable Indicators: Training delivered to relevant staff (number to be further quantified) and techniques consistently used within protective operations.

Component 4: Assistance and Awareness

Results: The Unit is provided with continuous mentoring to improve the Unit's efficiency and to established sustainable working relationships with foreign homologue units.

Measurable Indicators: Evidence of continued mentoring and assistance provided to the Unit to overcome specific difficulties; existence of working links with foreign homologue units.

Component 5: Courts and Prisons

Results: Courts and Prison procedures improved with regard to the treatment of witnesses and justice collaborators; enhanced capacity of relevant staff to deal with witnesses and justice collaborators; segregated wings in relevant pre trial and prison detention facilities.

Measurable indicators: Relevant staff trained (number to be further specified); evidence of mentoring and advice provided to the Ministry of Justice, Court and Prison responsible officials.

Component 6: Management

Results: Improved management capacity, including with regard to human resources and staffing policy, as well as long term planning.

Measurable Indicators: Long Term development plan and Human Resources Policy in place.

- **Activity 2: Supplies**

This activity will be implemented via one Supply contract (contract 2.1) for the purchase of motor vehicles; the Albanian Government will provide co- financing (contract 2.2), as well as a second Supply contract (contract 2.2) specified below. Components for this activity are as follows:

Component 1: Purchase of Motor Vehicles through a supply contract (contract 2.1)

Results: Improved operational efficiency and improved security of staff and protected persons through the utilisation of properly equipped motor vehicles.

Measurable indicators: At least 2 armoured vehicles are procured, fit for operational use, administered and utilised in the most professional and cost effective manner.

Component 2: Identification of Further Equipment needs & Supply thereof, through a supply contract (contract 2.3)

Results: Pursuant to an identification exercise, the required equipment is procured and utilised to improve the functioning of the Witness Protection Directorate.

Measurable indicators: At least 2 armoured vehicles are procured, fit for operational use, administered and utilised in the most professional and cost effective manner.

3.4 Activities:

Activity 1 – Twinning (contract 1.1; cofinancing by the Government of Albania through contract 1.2)

For this activity a twinning partnership will be established (contract 1.1) with a witness protection unit from an EU Member State to draw upon the resources and experience of this institution. Upon commencement a detailed analysis of the structure's current capabilities, human resources and logistics will be made. This will allow the partner to be familiar with Unit's situation as it pertains at the commencement of the project and to make recommendations to the State Police and wider Criminal Justice Partners to provide the maximum effectiveness of the project.

Component areas of assistance are:

Component 1: Legal Framework, Operating Procedures and Structure

- Assist with the amendment of the law on witness protection (if not finalised by the commencement of the project)
- Develop sub legal acts/operating procedures for
 - Key Operations of the unit
 - Working relationships with external agencies for providing identities and services to protected persons including (but not limited to Ministry of Health, Transport, education and finance)
 - Others as appropriate
- Developing legal agreements and conditionality for persons under protection

Component 2: Risk Assessment and Coordination with Criminal Justice Agencies

- Training to develop risk assessment and analysis models for consideration
- Training for prosecutors in assessment of testimony and the suitability of candidates for protection schemes
- Establishment of effective coordination measures between the Unit and the Prosecutor's Office

Component 3: Physical Protection Measures & Techniques

- Practical Training to specialists regarding physical protection during escort & transportation
- Practical training in physical security measures at residences
- Practical training in physical security measures at court

Component 4: Assistance & Awareness

- The provision of advice and mentoring by the RTA and other experts to assist the unit to fulfil its duties and overcome specific difficulties
- Research visit(s) to a homologue Unit in a member state to be familiar with good practices and to assist in establishing international links
- Development of formal and informal links with other witness protection units within the EU and elsewhere

Component 5: Courts & Prisons

- Conduct a full assessment of the current capabilities of the MoJ to protect justice collaborators and witnesses in prison and pre trial detention, with recommendations and an action plan
- Provide advice, assistance and training to the General Directorate of Prisons on effectively securing collaborators who are serving a sentence

- Provide advice, assistance and training to the General Directorate of Prisons on effectively securing collaborators who are placed in pre trial detention
- Provide advice, assistance and training to the Ministry of Justice on the strategic management of justice collaborators & witnesses in protective custody
- Provide training and advice (including legal training) to court staff, including judges on best practice in handling testimony from protected witnesses and justice collaborators.

Component 6: Management

- With the chief of the Unit, develop a long-term strategic development plan for the Directorate of Witness and Special Persons Protection.
- Training and instructions in order to compose a human resources policy regarding personnel verification, selection and career promotion of the employees working in this structure.
- Training on the threat assessment while carrying out the implementation of protection measures(special persons, witnesses of justice)

Activity 2 – Supply (Contracts 2.1, 2.2, 2.3)

Component 1: Purchase of motor vehicles through a Supply contract (contract 2.1). Co financing by the GoA will be provided through a separate contract (contract 2.2).

For the security of the life of the persons under protection (a considerable number of them being justice witnesses, justice collaborators, persons related to them, etc.), the Directorate takes special protection measures, but lack of motor vehicles, which to date are few in number and not in compliance with the appropriate technical parameters.

For these reasons, it is necessary to fund the purchase of 4 motor vehicles, as follows:

- One x Ballistic Protected (armoured) 4x4 vehicle - Three x Large escort 4x4 type vehicle

Component 2: Identification of Further Equipment needs & Supply thereof (contract 2.3).

As this proposed project will not take place for a further 18 months, it is likely that during that time other equipment will be secured from donors and the State Budget. It is also foreseen that the Unit will be moving premises. It is therefore impractical at this stage of development to clearly identify exactly what equipment will be necessary. Therefore the following steps will be undertaken:

- Full equipment needs assessment undertaken by external experts (Ideally under the framework of the above twinning)
- Drawing up of technical specifications and contracting
- Delivery of selected equipment
- Training on New equipment (Ideally under the framework of the above twinning) for a minimum of 80 officers.

A crucial component of this project will be the supply of a local, secure IT network.

Law no. 9205, dated 15.03.2004, "On witness protection and Justice Collaborators Protection" sets out the following obligations for the Witness Protection Directorate:

- Administration of the database relating to Directorate's activity, to the development of special investigation measures and the steps taken to ensure their implementation and to administer them in accordance with the appropriate level of intelligence categorisation, in compliance with provisions in force.
- Acts, documents and any sort of information relating to the proposal, approval and implementation of the special protection measures is considered as classified information and is

stored and administered by the Witness Protection and Justice Collaborators Directorate.

As a result, funding should be earmarked for the supply, commissioning and installation of a local, protected, IT network for storing the documents and the sensitive data related to the proposal, approval and implementation of special protection measures; additionally, the supply of a software database will be necessary for storing, proceeding and administering the information in compliance with the required standards for storage and handling of classified information.

3.5 Conditionality and sequencing:

The current administrative capacities of the General Directorate of State Police, Department of Criminal Investigation and Directorate of Witness and Special Persons Protection are responsible for management and implementation of this project.

In 2007 with the new structure of the General State Police, the Unit for Witness' and Special Persons' Protection was re-organised and operates at the level of Directorate. Presently, the structure is complete, has a central function and a sizeable number of protection programmes and considerable persons that fall into the category of:

- Witness of justice
- Collaborator of justice
- Close and related persons to Witnesses and Collaborators of justice
- Special Persons

Therefore, close cooperation between the Witness Protection Unit and other Units of the Albanian State Police is necessary so to ensure that overall State Police policy and planning can be coordinated with the needs of the Witness Protection Unit.

The Unit is at the stage where the project could commence immediately although it is appreciated that it is likely to commence from mid 2010 onwards. The below conditionalities have to be met prior to the launch of the Twinning Call for Proposals, which will also precede any supply activity to be undertaken within this project. The successful completion of these actions is a pre-requisite for the project to be supported and funded:

NO.	Condition	Responsible For its Fulfilment
1	Move of the Witness Protection Unit into suitable premises	Beneficiary
2	Identification of a suitable office for the RTA within the WP Unit	Beneficiary
3	Identification of a suitable Assistant for the RTA (given that the RTA will be sighted on extremely sensitive information i.e. the location and status of protected persons it is essential that their assistant is a reliable and vetted person. Therefore the assistant will be selected by the WP Unit itself	Beneficiary
4	Identification of a suitable RTA (given the relatively low level of funding for the twinning component, to maximise expenditure the RTA should be able to provide a great deal for mentoring and training through their own experience, therefore it is essential that the RTA is a highly experienced practitioner in witness protection. The RTA should also have the necessary security clearance.	Beneficiary & Contracting Authority
5	Appointment of a training officer position to the WP Unit	Beneficiary

6	Demonstration that the budget is available for the upkeep and maintenance of the vehicles to be purchased under the supply component	Beneficiary
7	Co-Financing is made available	Beneficiary

Assumptions (potential risks to the implementation of this project) are:

- Unnecessary personnel movement of this structure,
- The failure to identify suitable premises for the Unit.

3.6 Linked activities

- Trainings held by Homologue Unit of German Police regarding implementation of procedural and non - procedural measures in function of witness protection;
- Trainings held by Homologue Unit of Austrian Police on "Witness Protection, Police Cooperation on war against human trafficking and illegal immigration";
- Training through PAMECA II Mission;
- Council of Europe has offered assistance with homologue Units of this structure in 2004, 2005, 2006;
- Workshops organised by EUROPOL with the Czech homologue Unit;
- Participation in witness protection symposiums in USA 2006 and France 2007;
- Firearms training provided by the US ICITAP Programme.

Regional project in the Western Balkans:

- IPA Multi-beneficiary Programme 2009 - Cooperation in Criminal Justice: Witness Protection in the Fight against Serious Crime and Terrorism (WINPRO)

4. Indicative Budget (amounts in EUR)

			SOURCES OF FUNDING						
			TOTAL EXP.RE	IPA COMMUNITY CONTRIBUTION		NATIONAL 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)
Activity 1			640,000						
contract 1.1	X	–		600,000	57				
contract 1.2	X	–		0	0	40,000	4	40,000	0
Activity 2			410,000						
contract 2.1	–	X		200,000	19	0	0	0	0
contract 2.2	–	X		0	0	10,000	1	10,000	0
contract 2.3	–	X		200,000	19	0	0	0	0
TOTAL IB			640,000	600,000		40,000		40,000	
TOTAL INV			410,000	400,000		10,000		10,000	
TOTAL PROJECT			1,050,000	1,000,000	95	50,000	5		

NOTE: DO NOT MIX IB AND INV IN THE SAME ACTIVITY ROW. USE SEPARATE ROW

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))

* expressed in % of the Total Cost

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

Contracts	Start of Tendering	Signature of Contract	Project Completion
Contract 1.1*	Q1 2010	Q4 2010	Q2 2012
Contract 2.1	Q1 2010	Q3 2010	Q1 2011
Contract 2.3	Q3 2010	Q4 2010	Q5 2010

* Based upon a twinning of 15 months duration.

Indicative implementation schedule should only refer to EC financed contracts.

6. Cross cutting issues

6.1 Equal Opportunities

The strategic plans and human resources policies will reflect modern practices when dealing with issues of gender and equal opportunities

6.2 Environment

The project will reflect modern practices when dealing with issues of environmental awareness and

best practices.

6.3 Minorities

The strategic plans and human resources policies will warrant due compliance with recognised standards when dealing with issues of minorities.

Annexes:

Annex I Log Frame

Annex II Amounts Contracted and Disbursed per Quarter

Annex III Description of the Institutional Framework (please refer to narrative)

Annex IV Reference to Laws and Strategic Documents (please refer to narrative)

Annex V Details per EU funded contract

ANNEX 1: Logical Framework

LOGFRAME PLANNING MATRIX	Programme name and number IPA 2009		
	Contracting period expires Two years following the date of the conclusion of the Financing Agreement	Disbursement period expires one year after the end date for the execution of contracts	
		Total budget : EUR 1.050.000	IPA budget: EUR 1.000.000
Overall Objective	Objectively Verifiable Indicators	Sources of Verification	Assumptions
To ensure that the Albanian Criminal Justice System is capable of providing the appropriate level of security for justice collaborators and witnesses.	The overall performance of the Albanian State Police	Periodic reports and analyses prepared from the Albanian State Police, Ministry of Interior, General Prosecutor's Office and Ministry of Justice. External Reports from relevant EU projects (PAMECA, EURALIUS, follow-up projects, NGOs etc)	That the GoA continues to place a high priority and adequately funds Witness Protection Activities. That staff of the unit are not inappropriately moved or transferred so that levels of professionalism can be maintained

Project Purpose	Objectively Verifiable Indicators	Sources of Verification	Assumptions
Through a process of twinning, to strengthen the tackling of organised crime and terrorism in Albania by developing the capabilities of the Albanian State Police (and Prosecutors) in relation to witness protection specifically by:-	Establishment of a twinning project with bespoke work plan aligned with goals of the ASP, wider Justice partners and GOA (national strategy & action plans etc)	Periodic reports and analyses prepared from the Albanian State Police, Ministry of Interior, General Prosecutor's Office and Ministry of Justice. External Reports from relevant EU projects (PAMECA, EURALIUS, follow-up projects, NGOs etc)	That a Twinning partner is found and a work plan developed
Developing consistent operational practices with regard to witness protection in line with European Best Practice and ECHR	Development of SOPs and policies	Periodic reports and analyses prepared from the Albanian State Police, Ministry of Interior, General Prosecutor's Office and Ministry of Justice. External Reports from relevant EU projects (PAMECA, EURALIUS, follow-up projects, NGOs etc)	That the Twinning Partners collaborate to develop operational practices in line with EU standards and which are suitable to the Albanian context
Ensuring the sufficient and appropriate coordination of the four primary Criminal Justice partners in witness protection, Albanian State Police; Prosecutors; Courts & Prisons (MoJ)	The functioning of existing witness protection coordination mechanisms as foreseen in the law on witness protection and the creation of new mechanisms	Periodic reports and analyses prepared from the Albanian State Police, Ministry of Interior, General Prosecutor's Office and Ministry of Justice. External Reports from relevant EU projects (PAMECA, EURALIUS, follow-up projects, NGOs etc)	That a cooperation mechanism is established and effective between partner institutions

<p>Assist in meeting the equipment and logistical needs to ensure adequate witness protection by advice and a supply component (Armoured cars in the first instance)</p>	<p>That equipment needs are formulated and delivered to the unit</p>	<p>Periodic reports and analyses prepared from the Albanian State Police, Ministry of Interior, General Prosecutor's Office and Ministry of Justice. External Reports from relevant EU projects (PAMECA, EURALIUS, follow-up projects, NGOs etc) + EC Contracts</p>	<p>That funds are made available and disbursed</p>
<p>Day to day mentoring of the work of the Witness Protection Unit</p>	<p>That the RTA is able to report on a fruitful dialogue and consultation with the unit regarding day to day operational matters</p>	<p>Periodic reports and analyses prepared from the Albanian State Police, Ministry of Interior, General Prosecutor's Office and Ministry of Justice. External Reports from relevant EU projects (PAMECA, EURALIUS, follow-up projects, NGOs etc)+ Twinning Project RTA</p>	<p>That a fruitful dialogue mechanism is implemented between Twinning partners through the respective Project Leaders, Twinning Advisor and Counterpart</p>

Results	Objectively Verifiable Indicators	Sources of Verification	Assumptions
Greater cooperation and integration with the General Prosecution office, especially in developing risk assessments and assessing the value of collaborator testimony against the cost and complications of entering persons into protection schemes ²	That the Police and Prosecution are able to demonstrate specific examples of correctly performed risk assessments and cost benefit/analysis when deciding upon the potential use of a collaborator of justice	Periodic reports and analyses prepared from the Albanian State Police, Ministry of Interior, General Prosecutor's Office and Ministry of Justice. External Reports from relevant EU projects (PAMECA, EURALIUS, GPO Twinning, follow-up projects, NGOs etc)	That operational mechanisms are developed between the two institutions in a cooperative spirit
Increased professionalism of staff in the Directorate of Witness and Special Persons	Standard operating Procedures (sub legal acts) published and effective Training courses delivered to staff of the Unit A dedicated training officer is added to the unit Mentoring delivered to Unit Staff	Periodic reports and analyses prepared from the Albanian State Police, Ministry of Interior, General Prosecutor's Office and Ministry of Justice. External Reports from relevant EU projects (PAMECA, EURALIUS, follow-up projects, NGOs etc)	That the ASP provide an additional post within the unit of training officer

² Although it is possible that the number of persons under protection and providing testimony as a protected witness may increase as a result of this project, an increase in the number of persons under protection is not an appropriate result or measurable indicator. Improved assessment processes and collaboration with the prosecutor may actually have the opposite effect i.e. properly conducted risk assessments may show that a person can provide testimony under a lesser degree of protection.

<p>The witness protection unit structured to provide for maximum operating efficiency and in line with international standards</p>	<p>The composition of a human resource policy of the employees working in this structure</p> <p>The existence of agreed budget policies and procedures that allow for an adequate level of security and accountability</p>	<p>Periodic reports and analyses prepared from the Albanian State Police, Ministry of Interior, General Prosecutor's Office and Ministry of Justice. External Reports from relevant EU projects (PAMECA, EURALIUS, GPO Twinning, follow-up projects, NGOs etc)</p>	<p>That both the HR policy and the financial means to implement it are made available</p>
<p>Improved practices & equipment for the physical protection of persons</p>	<p>Armoured vehicles in use to protect persons in transit</p> <p>Segregated wings in relevant pre trial and prison detention facilities</p>	<p>Periodic reports and analyses prepared from the Albanian State Police, Ministry of Interior, General Prosecutor's Office and Ministry of Justice. External Reports from relevant EU projects (PAMECA, EURALIUS, GPO Twinning, follow-up projects, NGOs etc)</p>	<p>That equipment procured and techniques transferred are effectively utilised</p>
<p>Improved ability for the provision of new identities and relocation of persons under protection</p>	<p>Clearly defend policies and SOPS for the creation of new identities and the development of processes with other agencies to provide for the required documentation to maintain such identities</p>	<p>Periodic reports and analyses prepared from the Albanian State Police, Ministry of Interior, General Prosecutor's Office and Ministry of Justice. External Reports from relevant EU projects (PAMECA, EURALIUS, GPO Twinning, follow-up projects, NGOs etc)</p>	<p>That the appropriate legal acts and policies are drafted, approved and put to practice</p>

Better procedures and practices for ensuring security of Unit staff	The existence policies and procedures that allow for relevant Unit staff to maintain covert identities and the existence of a security and health policy for staff	Periodic reports and analyses prepared from the Albanian State Police, Ministry of Interior, General Prosecutor's Office and Ministry of Justice. External Reports from relevant EU projects (PAMECA, EURALIUS, GPO Twinning, follow-up projects, NGOs etc)	That the appropriate policies are drafted, approved and put to practice
Better practices and procedures for the protection of persons in pre trial detention and prison	Agreed policies and procedures with the MoJ to protect persons in their custody	Periodic reports and analyses prepared from the Albanian State Police, Ministry of Interior, General Prosecutor's Office and Ministry of Justice. External Reports from relevant EU projects (PAMECA, EURALIUS, GPO Twinning, follow-up projects, NGOs etc)	That the appropriate policies are drafted, approved and put to practice between the MoJ and the WP Directorate
Greater cooperation and integration with the General Prosecution office, especially in developing risk assessments and assessing the value of testimony.	The establishment of a formal mechanism that allows for the WP Unit to provide advice and guidance to the GPO in developing risk assessments in relation to the value of testimony	Periodic reports and analyses prepared from the Albanian State Police, Ministry of Interior, General Prosecutor's Office and Ministry of Justice. External Reports from relevant EU projects (PAMECA, EURALIUS, GPO Twinning, follow-up projects, NGOs etc)	That operational mechanisms are developed between the two institutions in a cooperative spirit throughout project implementation

Enhanced risk assessment capabilities	Risk assessment procedures established and agreed between the Unit and Prosecutors	Periodic reports and analyses prepared from the Albanian State Police, Ministry of Interior, General Prosecutor's Office and Ministry of Justice. External Reports from relevant EU projects (PAMECA, EURALIUS, GPO Twinning, follow-up projects, NGOs etc)	That the Twinning Partners and the GPO develop sustainable and agreed policies and procedures
Improved operating procedures with other national agencies that the Unit is required to work with, particularly around the development of new identities and the provision of state services (health, education etc.) to persons under protection	Risk assessment procedures established and agreed between the Unit and Prosecutors; Agreements developed with other relevant services	Periodic reports and analyses prepared from the Albanian State Police, Ministry of Interior, General Prosecutor's Office and Ministry of Justice. External Reports from relevant EU projects (PAMECA, EURALIUS, GPO Twinning, follow-up projects, NGOs etc)	That the Twinning Partners and the GPO develop sustainable and agreed policies and procedures

<p>Growth in regional and broader cooperation with homologue units, establishing partnership and cooperation agreements</p>	<p>Twinning Project established</p> <p>Study visit undertaken</p>	<p>Periodic reports and analyses prepared from the Albanian State Police, Ministry of Interior, General Prosecutor's Office and Ministry of Justice. External Reports from relevant EU projects (PAMECA, EURALIUS, GPO Twinning, follow-up projects, NGOs etc), plus reports available through Member States</p>	<p>That an appropriate network of operational, legal and external relations is developed and put to practice.</p>
---	---	---	---

Activities	Means	Costs	Assumptions
<p>Activity Area 1</p> <p>Contract 1.1 Twinning</p> <p>Twinning partnership will be established with a witness protection unit from an EU Member State to draw upon the resources and experience of this institution. Upon commencement a detailed analysis of the structure's current capabilities, human resources and logistics will be made. This will allow the partner to be familiar with Unit's situation as it pertains at the commencement of the project and to make recommendations to the State Police and wider Criminal Justice Partners to provide the maximum effectiveness of the project.</p>	<p>IPA funds plus cofinancing RTA + STEs</p>	<p>EUR 600.0000 (EC funds) EUR 40.000 (GoA funds)</p>	<p>Funds are made available by the EC and cofinancing by the Beneficiary (where cofinancing is foreseen)</p> <p>Conditionalities are fulfilled by Beneficiary</p>

<p>Component 1 Legal Framework, Operate rating Procedures and Structure</p> <p>Assist with the amendment of the law on witness protection (if not finalised by the commencement of the project)</p> <p>Develop sub legal acts/operating procedures for Key Operations of the unit</p> <ul style="list-style-type: none"> • Working relationships with external agencies for providing identities and services to protected persons including (but not limited to Ministry of Health, Transport, education and finance) • Others as appropriate • Developing legal agreements and conditionality for persons under protection 	<p>RTA + STEs</p>		
--	-------------------	--	--

<p>Component 2: Risk Assessment and Coordination with Criminal Justice Agencies</p> <p>Training to develop risk assessment and analysis models for consideration</p> <p>Training for prosecutors in assessment of testimony and the suitability of candidates for protection schemes</p> <p>Establishment of effective coordination measures between the Unit and the Prosecutor's Office</p>	<p>RTA + STEs</p>		
<p>Component 3: Physical Protection Measures & Techniques</p> <p>Practical Training to specialists regarding physical protection during escort & transportation</p> <p>Practical training in physical security measures at residences</p> <p>Practical training in physical security measures at court</p>	<p>RTA + STEs</p>		

<p>Component 4: Assistance & Awareness</p> <p>The provision of advice and mentoring by the RTA and other experts to assist the unit to fulfil its duties and overcome specific difficulties</p> <p>Research visit(s) to a homologue Unit in a member state to be familiar with good practices and to assist in establishing international links</p> <p>Development of formal and informal links with other witness protection units within the EU and elsewhere</p>	<p>RTA + STEs</p>		
--	-------------------	--	--

<p>Component 5: Courts & Prisons</p> <p>Conduct a full assessment of the current capabilities of the MoJ to protect justice collaborators and witnesses in prison and pre trial detention, with recommendations and an action plan</p> <p>Provide advice, assistance and training to the General Directorate of Prisons on effectively securing collaborators who are severing a sentence</p> <p>Provide advice, assistance and training to the General Directorate of Prisons on effectively securing collaborators who are placed in pre trial detention</p> <p>Provide advice, assistance and training to the Ministry of Justice on the strategic management of justice collaborators & witnesses in protective custody</p> <p>Provide training and advice (including legal training) to court staff, including judges on best practice in handling testimony from protected witnesses and justice collaborators.</p>	<p>RTA + STEs</p>		
--	-------------------	--	--

<p>Component 6: Management</p> <p>With the chief of the Unit, develop a long-term strategic development plan for the Directorate of Witness and Special Persons Protection.</p> <p>Training and instructions in order to compose a human resources policy regarding personnel verification, selection and career promotion of the employees working in this structure.</p> <p>Training on the threat assessment while carrying out the implementation of protection measures(special persons, witnesses of justice)</p>	<p>RTA + STEs</p>		
---	-------------------	--	--

<p>Activity Area 2- Supply</p> <p>Component 1: Purchase of motor vehicles</p> <p>For the security of the life of the persons under protection (a considerable number of them being justice witnesses, justice collaborators, persons related to them, etc.), the Directorate takes special protection measures, but lack of motor vehicles, which to date are few in number and not in compliance with the appropriate technical parameters.</p> <p>For these reasons, it is necessary to fund the purchase of 4 motor vehicles, as follows: One x Ballistic Protected (armoured) 4x4 vehicle Three x Large escort 4x4 type vehicles</p>	<p>IPA funds plus cofinancing</p>	<p>EUR 200.000 (EC Funds) EUR 10.000 (GoA Funds)</p>	<p>Funds are made available by the EC and Beneficiary (where cofinancing is foreseen)</p> <p>Conditionalities are fulfilled by Beneficiary</p>
---	-----------------------------------	---	--

<p>Component 2: identification of Further Equipment needs & Purchase</p> <p>Full equipment needs assessment undertaken by external experts (Ideally under the framework of the above twinning) Drawing up of technical specifications and contracting</p> <p>Delivery</p> <p>Training on New equipment (Ideally under the framework of the above twinning)</p>	<p>IPA Funds</p>	<p>200,000</p>	
--	------------------	----------------	--

ANNEX II Amount (in EUR) Contracted and disbursed by quarter for the project

Contracted	Q2 2010	Q3 2010	Q4 2010	Q1 2011	Q2 2011	Q3 2011	Q4 2011	Q1 2012	Q2 2012
Contract 1.1			600.000						
Contract 2.1		200.000							
Contract 2.3			200.000						
Cumulated		200.000	1.000.000						
Disbursed									
Contract 1.1			480.000			60.000			60.000
Contract 2.1		120.000		80.000					
Contract 2.3			120.000		80.000				
Cumulated		120.000	720.00	800.000	880.000	940.000			1.000.000

ANNEX III Description of the Institutional Framework

The Directorate of Witness and Special Persons Protection was established in compliance to the law No. 9205, date 15.03.2004 on "Witness and Special Persons Protection"; Its objective is to provide protection to the lives, welfare and the fundamental human rights and freedoms to persons whose life is threatened due to their collaboration with judicial authorities, witnesses of justice, justice collaborators, persons close or related to them. The witness and Special Persons Protection Directorate also provide protection to Prosecutors of Serious Offences, Judges of Serious Offences Police Officers of State Police whose life is threatened because of their duty. The Directorate of Witness and Special Persons Protection is established as a central structure within the Department of Criminal Investigation in the General State Police. It is organised in two sections (divisions): (Section for Implementation of Protection Measures, Section for Data Processing and Assistance), two offices (Office of Finance, Archive and Protocol; Office for Special Persons) and Special Unit RESI

According to the current draft (April 2009) of the Witness Protection Law, Responsible bodies for the preparation, assessment, approval and implementation of the program for the protection of justice witnesses and collaborators are respectively:

- a) The Directorate for the Protection of Justice Witnesses and Collaborators ("the Directorate");
- b) The Commission for the Assessment of the Program for the Protection of Justice Witnesses and Collaborators ("the Commission").

The Directorate implements two types of protection measures; temporary protection measures and special protection measures.

Protection measures are implemented toward persons that not only collaborate with Justice Authorities, but give information which constitute fundamental evidence in a criminal proceeding for serious crimes and that due to this collaboration they are in real, concrete and serious danger.

ANNEX IV Reference to Laws and Strategic Documents

EU 2008 Progress Report for Albania, p.9, 10, 14 et al.

Multi-Annual Indicative Planning Document 2008-2010

National Strategy for Development and Integration 2007-2010

Law nr. 9284 and successive amendments, 'On Preventing and Striking at Organised Crime', 2004

Law nr. 7905 and successive amendments, "Criminal Procedure Code of Albania", 1995

Draft Law on Witness Protection, April 2009 version

ANNEX V Details per EU funded contract (*) where applicable:

For twinning covenants: account of tasks expected from the team leader, resident twinning advisor and short term experts:

Project Leader

Essential

- Proficient in English Language
- Experience of managing twinning projects and other EU funded programs
- Demonstrable background in law enforcement management

Desired

- Experience of witness protection issues

Resident Twinning Adviser

Essential

- An experienced Law Enforcement Officer or Prosecutor serving or recently retired (within 3 years)
- Documented Supervisory Experience (managing human, material and financial resources)
- An expert in the management and operations of a Witness Protection Unit
- Experienced in developing Risk Assessments for protected persons
- Demonstrable knowledge in the practicalities of relocation and provision of new identities
- Experience in the design, development, delivery, management and implementation of training courses.
- Excellent command of written and spoken English.
- Sound knowledge of EU data protection and best practices regarding intelligence gathering and analysis.
- Computer literate.

Desired

- Knowledge of Albanian Language
- With security clearance in his/her country of origin
- Experience in developing and implementing projects in an international police environment
- Previous experience as project coordinator/project manager within the same or similar discipline

Short Term experts

The Implementing Partner must Demonstrate Access to Short Term Experts in the following fields (not exhaustive):

- IT Experts for Secure Confidential Systems (preferably for a witness protection unit)
- Close personal protection & Defensive Driving/Escort (including of armoured vehicles)
- Risk Assessment for witness protection
- Legal experts in the witness protection field (for protection contracts etc.)
- Prosecution & use of protected witness by prosecutors
- The holding of protected witnesses in prisons and pre trial detention
- Human Resource Management for Confidential Units
- Covert financial management.
- Physical security

For investment contracts: reference list of feasibility study as well as technical specifications and cost price schedule + section to be filled in on investment criteria (**)

(*) non standard aspects (in case of derogation to PRAG) also to be specified

(**) section on investment criteria (applicable to all infrastructure contracts and constructing works):

- Rate of return
- Co financing
- compliance with state aids provisions
- Ownership of assets (current and after project completion)