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**ANNEX III**

**of the Commission Implementing Decision on the financing of the annual action plan in favour of the Republic of Albania for 2022**

**Action Document for EU for Law Enforcement**

**ANNUAL ACTION PLAN**

This document constitutes the annual work programme in the sense of Article 110(2) of the Financial Regulation, and annual and multiannual action plans and measures in the sense of Article 8 of IPA III Regulation and Article 23 of NDICI - Global Europe Regulation.

**1. SYNOPSIS**

**1.1. Action Summary Table**

<b>Title</b>	EU for Law Enforcement Annual action plan in favour of Albania for 2022
<b>OPSYS</b>	ACT-61321, JAD.1030030
<b>Basic Act</b>	Financed under the Instrument for Pre-accession Assistance (IPA III)
<b>Team Europe Initiative</b>	No
<b>Zone benefiting from the action</b>	The action shall be carried out in Albania
<b>Programming document</b>	IPA III Programming Framework
<b>PRIORITY AREAS AND SECTOR INFORMATION</b>	
<b>Window and thematic priority</b>	Window 1: Rule of Law, Fundamental Rights and Democracy Thematic Priority 3: Fight against organised crime / security Thematic Priority 4: Migration and border management
<b>Sustainable Development Goals (SDGs)</b>	Main SDG (1 only): Goal 16: Peace, Justice and Strong Institutions.  Other significant SDGs (up to 9) and where appropriate, targets: Goal 15: Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity.

<b>DAC code(s)</b> <sup>1</sup>	15130 - Legal and judicial development			
<b>Main Delivery Channel</b>	12000 – Recipient Government			
<b>Markers</b> <sup>2</sup> (from DAC form)	<b>General policy objective</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Aid to environment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Gender equality and women's and girl's empowerment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Trade development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reproductive, maternal, new-born and child health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Disaster Risk Reduction	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Inclusion of persons with Disabilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Nutrition <sup>3</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<b>RIO Convention markers</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Biological diversity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Combat desertification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<b>Internal markers</b> <sup>4</sup>	<b>Policy objectives</b>	<b>Not targeted</b>	<b>Significant objective</b>
Connectivity		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Digitalisation		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Migration <sup>5</sup>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
COVID-19		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>BUDGET INFORMATION</b>				

<sup>1</sup> DAC sectors (codes and descriptions) are indicated in the first and fourth columns of the tab 'purpose codes' in the following document: <http://www.oecd.org/dac/financing-sustainable-development/development-finance-standards/dacandcrscodelists.htm>

<sup>2</sup> For guidance, see <https://www.oecd.org/development/financing-sustainable-development/development-finance-standards/> Go to "Data collection and resources for reporters", select Addendum 2, annexes 18 (policy) and 19 (Rio) of the reporting directive. If an action is marked in the DAC form as contributing to one of the general policy objectives or to RIO principles as a principal objective or a significant objective, then this should be reflected in the logframe matrix (in the results chain and/or indicators).

<sup>3</sup> Please check the [Handbook on the OECD-DAC Nutrition Policy Marker](#)

<sup>4</sup> These markers have a different scope/rationale than the DAC codes. They are drawn from the level of budget allocation and emphasis given to the action in terms main objective(s) selected. The definition of objectives, results, activities in description of the action should be in line with this section.

<sup>5</sup> For detailed information on programming migration and forced displacement, please have a look at the [thematic guidance note](#) on migration and forced displacement; for information on the migration marker please look at annex 2 of the thematic guidance note.

<b>Amounts concerned</b>	Budget line: 15.020101.01 Total estimated cost: EUR 14 900 000 Total amount of EU budget contribution EUR 14 900 000
<b>MANAGEMENT AND IMPLEMENTATION</b>	
<b>Implementation modalities (type of financing and management mode)</b>	Project Modality <b>Indirect Management</b> with the entity(ies) to be selected in accordance with the criteria set out in section 4.3.1
<b>Relevant priorities and flagships from Economic and Investment Plan for the Western Balkans</b>	Priorities: “Green Agenda”, “Digital Transition”, “Human Capital Development”, “Governance, Rule of Law, PAR” Flagships: “VII Waste and Waste Water”, “VIII Digital Infrastructure”,
<b>Final Date for conclusion of Financing Agreement</b>	At the latest by 31 December 2023
<b>Final date for concluding contribution / delegation agreements, procurement and grant contracts</b>	3 years following the date of conclusion of the Financing Agreement, with the exception of cases listed under Article 114(2) of the Financial Regulation
<b>Indicative operational implementation eligibility period</b>	72 months following the conclusion of the Financing Agreement
<b>Final date for implementing the Financing Agreement</b>	12 years following the conclusion of the Financing Agreement

## 1.2. Summary of the Action

The Action supports the rule of law through strengthening the track record of proactive investigations, prosecutions, and final convictions in the fight against organised crime in Albania, including environmental crime and cyber illegal activities, trafficking in human beings and irregular migration. The action supports Albania readiness to meet future obligations as a MS stemming from article 83 of the Treaty on the Functioning of the European Union, given the specific cross-border dimension of this type of criminality. The fight against organised crime/security is a crucial area of the EU *acquis*. In 2020, the Parliament of Albania adopted Law 18/2020 on countering organised crime, terrorism, and serious crimes with the purpose of tackling the economic and financial sources of organised crime in the country, through the seizure and confiscation of criminal assets.

Specific assistance to the Ministry of Interior, the Albanian State Police (ASP), the Special Anti-Corruption Structure and its National Bureau of Investigation (Struktura e Posaçme kundër Korrupsionit dhe Krimet të Organizuar - SPAK), General Prosecution Offices, the National Territorial Protection Inspectorate, and the relevant law enforcement agencies is proposed, with the aim to strengthen the National Law Enforcement System at all levels by increasing professional and organisational skills and deploying improved tools and technologies. The fight against environmental crime also needs to be tackled resolutely to fight various illegal

activities including the pollution of water, air and land, and damage to protected areas that are a significant threat for the environment and public health by supporting the law enforcement capacity of relevant agencies and particularly of the National Territorial Protection Inspectorate/IKMT (Inspektorati Kombetar I Mbrojtjesse Territorit) mandated to enforce the legislation on planning and protection of territory, environment, and forests. With regards to the efforts for encountering cybercrime threats, the support will target the ASP/Cybercrime unit capacities and Prosecution Offices in the investigation and prosecution of cybercrime.

The implementation of policies on migration from ASP/Border Police will be enforced in line with EU requirements in strengthening Integrated Border Management (IBM) and migration management and surveillance targeting the consolidation of the inter-institutional and international cooperation; increasing detection powers and investigation of cross-border crimes; prevention of illegal immigration and protection of vulnerable groups. The action will look at the needs on logistical capacities of the Border and Migration Police for the surveillance of the blue and green border.

Lastly, the objective is to support the Ministry of Interior and ASP to implement a comprehensive, medium to long term policy document for sustainable investment on Information and Communication Technologies (ICT), as basis for investment on critical ICT infrastructure such as (but not limited to) the disaster recovery data centre, and document management system.

The Action is designed under the Participation development/good governance general policy objective (principal objective under the DAC markers) and will contribute to Sustainable Development Goal (SDG) 16 'Peace, Justice and Strong Institutions', and SDG 15: 'Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity'.

## **2. RATIONALE**

### **2.1. Context**

In March 2020, the EU Council decided to open accession negotiations with Albania. The European Commission presented to the Council a proposal for a negotiation framework in July 2020, laying out the guidelines and principles for the accession negotiations. The first Intergovernmental Conference opening the accession negotiations with Albania took place on 19 July 2022, following the approval by the Council of the Negotiating Framework. The Commission started immediately the screening exercise, which is the first step in the negotiating process. The fight against organised crime related policy is one of the five priorities of Albania in the context of the EU accession process. Tangible results are currently being achieved, including a significant improvement in the legal framework on the confiscation of assets derived from organised crime activities.

The main threats identified for Albania and the region from the National Serious and Organised Crime Threat Assessment (SOCTA) are the production, trafficking and distribution of illicit drugs, cybercrime, migrant smuggling, trafficking in human beings, money laundering and the online trade in illicit goods and services. The UNODC Report Measuring Organised Crime in the Western Balkans, 2020, outlines the state of drug production and trafficking in Albania, related to the domestic production of cannabis, and drug trafficking primarily as a transit country, notably for trafficking heroin along the Balkan route, i.e., via Türkiye, Bulgaria, North Macedonia to Italy and other markets in West and Central Europe and for trafficking of cocaine from South America, notably Colombia, to West and Central Europe. The importance of Albania as a transit country for Latin American cocaine to Western Europe appears to be on the increase. In addition, criminal groups of Albanian citizens have gained in importance in international cocaine trafficking in several other European countries in recent years. To support the drug trade, as well as their influence in the cocaine trafficking within the EU and from Latin America, Albanian speaking criminal groups have also developed a wide range of other crimes such as: 1) Violence and professional executions, 2) Corruption; 3) Money laundering; 4) Trafficking in weapons and explosives; 5) Procurement of forged documents. In parallel, activities of Albanian organised crime groups in overall drug trafficking outside of Albania significantly increased as well, with arrests of persons holding Albanian citizenship in Europe outside of Albania rising from 992 in 1998 to 9,357 in 2018.

In its 2021 Report on Albania,<sup>6</sup> the European Commission recognises that Albanian Police achieved tangible results in the fight against organised crime, including by stepping up cooperation with EU Members States and Europol by exchanging an increasing number of qualitative information notably through the secure line for the exchange of operational information (SIENA) and performing joint police operations (e.g. Op. Los Blancos of September 2020 against cocaine trafficking). The report acknowledges the commitment of ASP to counter the production and trafficking of drugs, as air monitoring by EU member state law enforcement services has continued, while more effective actions shall be performed for the destruction of cannabis stockpiles and to tackle money laundering and confiscate assets stemming from crime. Lastly the European Commission identifies the need for Albania to keep up the efforts to increase the number of prosecutions and final convictions, especially at high-level corruption, as well as more efforts are needed to tackle cybercrime, and trafficking in human beings. A Working Arrangement with CEPOL has been in force since 2013.

Along with national efforts, the Western Balkans Strategy<sup>7</sup> envisages strategic and operational cooperation between the EU and the Western Balkans countries on countering various types of organised crime and improving management of migration and border management. This includes ensuring access to international protection, sharing of relevant information (such as risk analyses), enhancing border control, ensuring the effective implementation of readmission and return policies and the fight against irregular migration, migrant smuggling and identification of trafficking victims. The Strategy advocates for strengthening international and regional cooperation (including with EU agencies and the respective liaison officers in the region), and further consolidating border and migration management capacities, as well as underlining the crucial role of strategic and operational cooperation between the EU and the Western Balkans on security. The action will promote complementarity with the assistance supported through IPA III regional migration programming, and particularly the “Individual Measure 2023 on EU support to strengthen the fight against migrant smuggling and trafficking in human beings in favour of the Western Balkans” which is under preparation.

Albania is facing the sharp increase of environmental crimes, which marked an annual increase of 24.4% compared to 2019, based on the 2020 General Prosecution Annual Report. In this regard the prevention and punishment of environmental crime requires close cooperation between the Prosecution Office, the State Police, Inspectorates, Courts and Citizens. In a public survey conducted in 2019 by the OSCE and Academy of Security with 1,559 interviewees (48.7% women, 51.3% men), environmental crime was considered the second most dangerous threat to Albania (26.9%). Albania needs to strengthen its enforcement regarding environmental crime, in particular against waste crime, nature crime and transboundary environmental crime. The Green Agenda for the Western Balkans supports environmental governance, implementation and enforcement by having in place effective mechanisms for access to justice in environmental matters. This includes ensuring administrative capacity for combating environmental crime and other serious offenses by effective environmental inspections and administrative and criminal enforcement. Dealing with environmental crime requires trained, resourced law enforcement authorities, able to provide a quick reaction. The participation of the Albanian law enforcement authorities in selected Operational Actions in the Operational Action Priority (OAP) Environmental Crime, within EMPACT could be a tool to implement the fight against this form of crime. The National Territorial Protection Inspectorate/IKMT has been established for the enforcement of the legislation on planning and protection of territory, environment, and forests. The IKMT performs its duties through its 12 directorates in each region of the country. Since January 2020, the scope of its activity and functions has been expanded, adding to the protection of the territory from illegal construction, the protection of the environment, mainly of water, land, and forests, with an emphasis on forests. IKMT work is hampered by the insufficient operational capacity which impacts on the delivery of continued prevention services and ability to implement the control of environmental crimes, and/or sanctioning of illegal activities.

The action’s objectives are fully coherent with the national policies’ priorities and IPA III Programming

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<sup>6</sup> SWD(2021) 289 final

<sup>7</sup> COM(2018) 65 final

Framework, as all are aiming to the sound identification and effective dismantling of criminal networks and their economic bases. Particularly, the Strategy on the Fight against Organised Crime and Serious Crime 2021-2025 and the Action Plan 2021-2022 intends at strengthening the track records of investigation, prosecution, and conviction for organised crime, by improving criminal procedures and operational capacities, strengthening operational cooperation in the fight against drugs, and improving security against cybercrime and investigation practices.

The Albanian State Police and the prosecutor's office Cybercrime Investigation Unit are handling cybercrime incidents. The National Cybersecurity Strategy and Action Plan 2020-2025 takes into account the obligations arising from the European integration process and the recommendations from the EU [Directive on security of network and information systems](#) (NIS Directive), as well as the commitments as a NATO member country. The action plan prospects a number of ambitious indicators, ranging from the improvement of regulatory framework to support to state police and prosecutors for effective investigations of cybercrime.

EU assistance in supporting cyber resilience in Albania is mainly channelled through regional programmes, particularly the iPROCEEDS 2 - Action on Targeting crime proceeds on the Internet and securing electronic evidence in South Eastern Europe and Türkiye – which aims to further strengthen the capacity of authorities in South-eastern Europe and Türkiye to search, seize and confiscate cybercrime proceeds and prevent money laundering on the Internet and to secure electronic evidence. Such support is integrated to some extent by other bilateral support aiming to fight organised crime, however there is a clear need to reinforce assistance in this critical area to counter criminal and terrorist activities and promote effective international police and judicial cooperation.

The action will target policy priorities as set out from the national strategy, aiming at establishing a more effective law enforcement response focusing on the detection, traceability, and prosecution of cyber criminals.

The objectives of this action are also aligned with the Cross-cutting Integrated Border Management Strategy 2021-2025 and with the IPA III objectives for the Thematic Priority 4 on migration and border management, focusing on the development of an integrated border management system in line with the European border surveillance system, and enhancement of border security by improving cooperation at all levels and strengthening administrative, infrastructural, and technical capabilities. The mission of this Strategy is the integrated border management, coordination and joint action of the authorities involved in the IBM system, in order to minimise threats to border security, the internal security conditions and parts of the general security system of the Republic of Albania; the Strategy is based on international conventions that protect the rights of refugees.

In regard to the current institutional set up, the action takes into account the fact that the newly established Special Prosecution Office (SPO) and the National Bureau of Investigation (NBI) in the SPAK - are almost fully staffed and in November received access to the SIENA secure system for the exchange of operational information. Therefore, they will require horizontal support in order to develop their investigation and prosecution capacities in countering organised crime; thus further improvement of operational capacities of SPAK and ASP and criminal procedures is deemed necessary.

The Home affairs sector is well integrated in the Government's Medium-Term Budget Programmes, namely the State Police Programme and Planning and Management Programme. The national financial allocation to the Ministry of Interior was EUR 173 million for the year 2020, which was 1.19% of the Albanian Gross Domestic Product or 3.72% of overall expenditure of the Government. For the period 2020-2022, the State Police is allocated the largest share of the budget, accounting for 79%. In this context, the action will aim to better streamline future costs into the budget mechanism and provide the basis for strong sustainability of the achieved results.

## 2.2. Problem Analysis

### **Area of support #1: Albanian law enforcement system are more effective in preventing and fighting organised crime and irregular migration, including in the framework of EMPACT**

The law enforcement response is hampered as technical capacities to gather evidence and construct successful cases are still not sufficient to increase the number of cases sent to the court and the number of final convictions, thereby failing to improve the track records of investigation, prosecution, and conviction for organised crime including trafficking in human beings. As organised crime has become more sophisticated, the Albanian State Police (ASP) and operational structures in the Criminal Police Department need to reinforce intelligence-led investigations by mastering specific techniques, skills, and tools to carry out the covert infiltration in crime environments, the covert surveillance of suspected individuals committing crimes and the interception of their conversations. The ASP's Operational Directorate capacities are not proportionate to the challenges posed in conducting investigations of large and structured criminal networks, which may leave a competitive advantage to organised crime. The lack of skills on the latest investigation methods and adequate technologies makes covert surveillance in rural areas and real time investigation proceedings including indoor observations and environmental interceptions ineffective, as important data to support investigations are not collected.

Albania needs to be more pro-active in initiating and conducting investigations on serious crime and high-level corruption cases. Progresses made so far needs to be consolidated and further reinforced. This is a priority under EU assistance and the action will build on results from the ongoing EU bilateral assistance and regional projects such as the WB Pact Against Crime and Terrorism (WB PaCT), led by CEPOL with the participation of Europol which aims at identifying training needs and opportunities and the Countering Serious Crime in Western Balkans (CSCWB) project assisting countries in the region to respond to serious organised crime and terrorism efficiently and effectively.

Currently, the storage and administration of seized narcotics and chemical precursors by the General Directorate of the State Police does not meet all EU recommendations, especially regarding the procedure and regulation for their destruction, while the lack of a dedicated incinerator is considered a limiting factor. This poses higher risks of damage to material evidence and risk of explosion of chemical precursors, which could cause serious consequences for personnel health, environmental pollution, and other damage to the facilities where they are stored.

Steps still need to be taken to further improve the issues related to air, water and soil pollution, industrial noise near residential centres, forests and integrated waste management that must be addressed as soon as possible with concrete plans. The law enforcement agencies need long-term investments in technical assistance, instruments, equipment and means to exercise their new mandate regarding investigation of environmental crime, including transboundary environmental crime, and enforcement. Inter-institutional cooperation among many central agencies and municipalities is crucial for the enforcement of environmental crime-related legislation. The National Territorial Protection Inspectorate/IKMT has been mandated for the enforcement of the legislation on planning and protection of territory, environment and forests; its work is hampered by the insufficient operational capacity and skills of its staff and a lack of investigation and inspection technologies to deliver standardised prevention services on a continuous basis and with increased performance quality in order to implement the control of environmental crimes, and/or sanctioning of illegal activities.

Based on a study carried out by UNICEF, the National Cybersecurity strategy underlines that neither the police nor the prosecution is fully equipped with the adequate infrastructure to effectively investigate online child abuse cases. By all means the analysis applies to the general ability of the national systems to prevent and respond to cybercrime. The cybercrime investigation unit of the State Police lacks the resources to undertake active online surveillance, thus hampering their ability to start *ex officio* and proactive investigations. The failure of internet service providers to quickly react to the requests of the prosecution, and difficulties in identifying alleged perpetrator IP addresses, gravely impact the overall quality and efficiency of the investigation, and consequently, the possibility to bring perpetrators to justice. The priorities identified in the action plan are of interest in guiding the capacity building of police and prosecutors and namely the need to reinforce the prosecution and police capacities by establishing training programs and reinforcing national capacities in relevant areas, including on

identification of end-users through IP, developing standardisation mechanisms for collection and use of digital forensic evidence analysis and mutual legal assistance. A more effective law-enforcement response focusing on the detection, traceability, and prosecution of cyber criminals is needed. The track record on fighting cybercrime and internet fraud in 2020 was limited. In the last years, the ASP has received every year between 5.000 and 20.000 referrals for online child sexual abuse materials from international law enforcement agencies. However only 12 cases have been investigated by the police in the last three years, despite the fact that on-line dimension of trafficking in human beings has increased in recent years, particularly during the COVID-19 pandemic. Participation in EMPACT selected actions in the field of CSE, or in the Victim Identification Taskforce (VIDTF), hosted on a yearly basis at Europol, could improve the joint analysis of data, leading to the identification of victims of online Child Sexual Exploitation.

Regarding the border surveillance and migration policy implementation, ASP/Border police has no capacities for proper early identification of trafficking victims and potential victims in mixed migration flows and intensify cross-border cooperation with neighbouring countries and international cooperation. While the number of irregular migrants apprehended in Albania in 2021 decreased by about 15% compared with 2020, no progress was made in referrals to asylum procedure and the implementation of return procedures in line with the legal framework. Comprehensive training and joint exercises have been organised for key border officials and frontline officers; however, permanent training structures should be established in compliance with basic training standards for EU border guards. According to the EC, the Border and Migration Police officers should increase their capacities to identify migrants with specific needs and apply screening and return procedures in compliance with the Law on foreigners and ensure that its return mechanism for irregular migrants is in line with the EU *acquis* including the fully respecting fundamental rights. The integrated radar system for the surveillance of the 'blue' border is not fully operational as blue borders with Montenegro and North Macedonia (corresponding with Shkodra and Ohrid Lakes) are not covered by any radar or surveillance technologies. These blue borders are partially corresponding to migration route through Albania according to ASP reports and can also be used for any kind of illegal trafficking, therefore there is a need to further modernise border infrastructure and improve surveillance. Lastly the establishment of a risk-analysis system based on the Common Integrated Risk Analysis model (CIRAM) developed by Frontex is required.

The Action will target the Albanian State Police (ASP) which is a subordinated body of the Ministry of Interior (MoI). The main counterparts are the ASP Directorate General's Departments of Criminal Police, Public Safety and International relations, the Anti-Terror Directorate, the Security Academy and Special Operation Forces (SOF). With regards to the fight against Cybercrime, the main operational body is ASP/ Cybercrime Unit, established in 2020 and has a total staff of 10 experts. The Cybercrime Unit, due to the modest number of operators, is not organised in a substructure that organises the staff in sectors dedicated to specific investigative / technological sectors.

The main institutions responsible for the fight against environmental crime are the ASP, National Territorial Defence Inspectorate-IKMT/MoI, the National Agency for Protected Areas, the National Environmental Agency as the main institution responsible for biodiversity monitoring and assessment and licensing of activities occurring in natural areas, and Municipalities. The Action will target IKMT/MoI but shall ensure complementarity and coordination between all stakeholders. The IKMT/MoI has been established for the enforcement of the legislation on planning and protection of territory, environment, and forests. The IKMT performs its duties through its 12 directorates in each region of the country. Since January 2020, the scope of its activity and functions has been expanded, adding to the protection of the territory from illegal construction, the protection of the environment, mainly of water, land, and forests, with an emphasis on forests. The Department of Border and Migration in the ASP General Directorate and the Directorate of Anti-Trafficking and Migration at the Ministry of Interior are the main actor in the field of migration.

Police and prosecutors must work together to improve effectiveness in the investigations and the prosecution. To ensure the accountability of the criminal justice system and promote more proactive investigation, assistance will be provided also to the General Prosecution Office and the Special Anti-Corruption and Organised Crime Structure (SPAK) - comprising the Special Prosecution Office (SPO) and the National Bureau of Investigation (NBI) - in charge for the investigation and prosecution of high level



corruption cases, organised crime and terrorist offences and offences by high-level officials in accordance with Article 135 paragraph 2 of the Constitution. The programme will provide assistance both at central and local level to promote a more permeated action against crime.

**Area of support # 2: Ministry of Interior's capacity in planning, implementation and monitoring of ICT investments were strengthened.**

PAMECA V assessment report about technological needs and gaps of ASP Criminal Police Department, identifies the need for more investments, supply and trainings regarding capacities and infrastructures involved in Information and Communication Technology (ICT) including investigation (crime scene, forensic and cybercrime investigations and to identify the potential criminal offenders or perpetrators), and inter ASP offices/units' communication and data management. Even though there is a good understanding of the needs, the Ministry of Interior (MoI) is lacking a proper planning document on the ICT related investments and operational expenses in a sustainable and longer term prospective. Strategic thinking and systematic approach to investments need to be promoted against the ad-hoc and emergency actions on ICT acquisition, thus avoiding lack of interoperability, shutdown of services and cost overruns for the authorities. Majority of devices (servers) in the existing ASP Data Centre are more than 6 years old and most of them use windows server operating systems of 2003 and 2008, which are no longer supported by Microsoft company. However, ASP is in the process of relocation and migrating to a new Data Centre and is making some significant investment in this regard, which will resolve the issues faced by the Data Centre currently. Despite this, ASP lacks a Data Disaster Recovery Centre as required under international standards in the area, in order to ensure continuity of business at least for so called critical services within ASP.

The proposed Action shall support the Ministry of Interior (MoI) as the central state institution for policy making, overall budget planning, including horizontal type of ICT investments. The Ministry is responsible for the policy area of public order, security, fight against organised crime and migration. The Action will target the Albanian State Police (ASP) which is a subordinated body of the MoI.

### **3. DESCRIPTION OF THE ACTION**

#### **3.1. Intervention Logic**

The Overall Objective (Impact) of this action is to further strengthen the Albanian authorities' capacities in implementing national strategies aiming to fight organised crime and irregular migration.

The Specific Objectives (Outcomes) of this action are as follows:

- 1 Albanian law enforcement system is more effective in preventing and fighting organised crime and irregular migration, including in the framework of EMPACT.
- 2 Ministry of Interior's capacity in planning, implementation and monitoring of ICT investments is strengthened

The Outputs to be delivered by this action contributing to the corresponding Specific Objectives (Outcomes) are:

*Contributing to Outcome 1 (or Specific Objective 1):*

- 1.1 National Law Enforcement System is reinforced, allowing ASP, NBI and Prosecutors to carry out proactive investigations against organised crime, illicit crime proceeds/asset recovery proceedings and fight against drugs.
- 1.2 Capacities to prevent, investigate and prosecute environmental crimes and cyber-criminal activities are increased.
- 1.3 Policies on Migration and border surveillance are implemented in line with EU requirements including improved referral and protection practices of vulnerable persons.

*Contributing to Outcome 2 (or Specific Objective 2):*

- 2.1 Policy document and plan for sustainable investment on Information and Communication Technologies (ICT) and maintenance is implemented.
- 2.2 New critical ICT infrastructure on data management is in operation.

#### **3.2. Indicative Activities**

*Activities related to Outputs 1.1-1.2-1.3:*

The list of activities is indicative and will be adapted to promote cost-efficiency in the achievement of the project outcomes.

- Capacity and needs assessments for the definition of the most appropriate assistance in line with national strategies.
- Review and updating of relevant legal framework, national strategies, and contingency plans in line with EU standards.
- Awareness campaigns.
- Support in drafting methodologies/manuals and Standard Operating Procedures (SoPs).
- Theoretical and on the job training, mentoring and exchange of experience with EU Member States in relevant areas.
- Support to operational joint exercises, including practical exercises for Special Operation Forces.

*Activities related to Output 2.1 -2.2:*

- Assistance in the preparation of policy document and plan for sustainable investment on Information and Communication Technologies (ICT) and maintenance.
- Procurement of supplies in line with project priorities and identified needs.

### 3.3. Mainstreaming

**Gender equality and empowerment of women and girls:** As per OECD Gender DAC codes identified in section 1.1, this action is labelled as G1. This implies that the Action shall support gender equality and women's and girl's empowerment under all activities, thus allowing the professional development of women in this sector, in line with the objectives of the EU Gender Equality Strategy 2020-2025<sup>8</sup> and with the EU Gender Action Plan III for external actions (2021-2025)<sup>9</sup>. Gender imbalances within the Albanian society are a key determinant of the trafficking of women and girl minors<sup>10</sup> and inequalities, gender bias and stereotypes result in the unequal access of women and men to justice. The active involvement of professionalised female police in dealing with and providing support to the women and girls who are victims of the trafficking of human beings is essential to ensure security and support for these victims. There is a rising number of claims from victims of domestic violence. Women are also more likely to be at risk of human trafficking. Women survivors of domestic and sexual violence and human trafficking are one of the main groups to benefit from the free legal aid system and expanded protection measures for victims of crime under the Code on Criminal Procedures. Statistics show that the majority of those benefiting from legal aid are women. These aspects shall be considered under all outputs and in particular, the Action shall ensure equal access to training and other activities for women.

**Human Rights:** The Action follows a human-rights based approach, considering special individual needs of different groups being victims of organised crime and trafficking in human beings, migrants or socially vulnerable groups, juvenile offenders, or victims. It shall seek to strengthen the implementation of the legal provisions in practice through increasing of the capacity of law enforcement and prosecution and other officials dealing with these groups by establishing of an efficient and sustainable system for detection and protection of vulnerable groups in risk of trafficking and subject to illegal migration. Specially tailored trainings will include cultural and vulnerability sensitisation modules. Moreover, the action will pay special attention to mitigate potential risk coming from abuse of power and excessive force by the ASP and other Law Enforcement Agencies (LEA) during operations, therefore trainings and awareness activities will be carried out with regards to the promotion of human rights.

**Disaster risk mitigation (Environment and Climate change):** The possibility of climate change as a consequence or even a cause of criminal events such as illegal dumping (often, with a cross-border dimension) is increasingly recognised within the developing climate change criminology discipline. Illegal dumping has become a profitable business activity for international organised crime, thus falling under the definition of Article 83 of the Treaty on the Functioning of the European Union and a subject for judicial cooperation across EU Member States in criminal matters. Through its component on fight against environmental crime, the Action addresses important environmental challenges regarding burning forests, illegal deforestation and illegal dumping including in waters, and in general irresponsible behaviour (such as burning forests) provoking environmental harm that must be brought to justice. By addressing the lack of capacities in the judiciary which impact negatively on the environment and the efforts to limit climate change, especially the unsustainable extraction/use of natural resources and the increasing pollution (air, solid waste, etc.), this Action shall reinforce the overall capacities of the judiciary chain to process environmental cases, and support environment and climate change principles in policy making and public administration. This will enable the

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<sup>8</sup> [EUR-Lex - 52020DC0152 - EN - EUR-Lex \(europa.eu\)](https://eur-lex.europa.eu/lexuris/ui/entry.do?uri=CELEX:52020DC0152:EN:EUR-Lex)

<sup>9</sup> [https://ec.europa.eu/commission/presscorner/detail/en/IP\\_20\\_2184](https://ec.europa.eu/commission/presscorner/detail/en/IP_20_2184)

<sup>10</sup> Country Policy and Information Note Albania: Trafficking of women for sexual exploitation Version 9.0, UK Home Office, June 2020 [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/896134/Albania - Trafficking - CPIN - v9.0 June 2020 .pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/896134/Albania_-_Trafficking_-_CPIN_-_v9.0_June_2020_.pdf)

proper implementation of legislation and sentencing of those causing harm to the environment, thus having a direct impact on protecting the environment.

**Other considerations:** It has been recognised that the Roma and Egyptian population are more vulnerable to trafficking due to a combination of factors, including poverty, insecure accommodation, and a low level of education. Victims of trafficking tend to be aged 18 to 25; amongst minors, girls aged 14 to 18 are most likely to be targeted. The cooperation of the civil society in awareness raising actions on the phenomenon of trafficking, forms of trafficking, ways, and indicators for identifying possible victims of trafficking, assistance, and reporting is crucial and shall be actively pursued under this Action. The fight against crime requires a systematic engagement with the Civil Society that is often the voluntary guardian of vulnerable natural sites as well as a provider of support for the victims of specific crime against human beings.

### 3.4. Risks and Lessons Learned

Category	Risks	Likelihood (High/Medium/Low)	Impact (High/Medium/Low)	Mitigating measures
3-to people and the organisation	Risk 1. Insufficient human capacity in the ASP / Investigation units may limit the adequate absorption of the capacity building activities under this action.	M	M	Workload analysis and monitoring of the staffing process in ASP are conducted on a yearly basis. Retention/recruitment policy is further enhanced. Specialised staff is assigned and on the job training on new technologies and maintenance are delivered on a yearly basis.
2-to planning, processes and systems;	Risk 2. Incomprehensive budget planning, insufficient human resources capacities and adequate allocation of resources may lead to limited sustainability in the maintenance of the new technology.	M	M	Improve planning in the Medium-Term Budget Programmes linked to ASP, particularly for equipment and technologies. Provision of sufficient number of adequate and qualified staff for management of assets.
2-to planning, processes and systems;3	Risk 3. Weak coordination mechanism among different agencies (at central and local level) may hamper joint investigation and inspection missions in countering environmental illegal activities.	M	M	Procedure for inter-institutional coordination/communication is approved, monitored, and improvements identified and enacted.

**Lessons Learned:** The most significant, cross-cutting lesson learned through the implementation of previous financial assistance is that full engagement of the stakeholders and strong coordination, monitoring and follow-up need to be ensured by the lead Beneficiary institutions to maximise the benefits of the assistance. The Ministry of Interior has received consistent support through IPA II (2014-2020); the IPA 2018 action is providing support with i) Border controls to fight cross border organised crime and drugs trafficking; ii) Financial investigations and asset recovery and, iii) Services deliveries to communities vulnerable to cannabis

cultivation and trafficking. Further support is needed to build on the results achieved, and fill the technological gap being assessed by the ongoing the PAMECA V, IPA 2015. Lessons learnt and recommendations from PAMECA V, IPA 2015: the planned extension of the emergency number 112 outside Tirana was not possible since the ASP did not carry out the preparatory work for the establishment of the 112 operation rooms in six different regions. This lack of engagement meant that PAMECA was not able to procure the equipment to finalise the operation rooms for all Local Police Directorates. Moreover, the IPA 2018 action “EU Support for Rule of Law” showed that ownership of individual projects by the end beneficiaries is important and for infrastructure works and supplies, adequate and continuous maintenance is required. Capacities need to be strengthened and sufficient financial allocations provided through the MTBP for maintaining all tools and equipment being deployed. This action will therefore address these issues by engaging MoI/ASP in the joint planning with the upcoming TAs to better coordinate sequencing of actions and raise awareness among all department involved about their inputs /commitment much before implementation. It will allow to take measures in solving delays and problems that may be encountered during the programming, tendering, implementation, and monitoring phases.

During initial planning of activities, the action will closely consider the complementary and sequencing on IPA 2020 action, particularly providing follow up technical assistance to the law enforcement Agencies, and fill any gap with regards to budget planning, institutional coordination, human resources development.

IPA III 2021 regional programming in border security and migration management will complement bilateral support.

In terms of IPA cross-border cooperation and IPA multi-country programmes, there is a need to build strong, practice-oriented cooperation in the Western Balkans region and with the EU on issues such as: information exchange; strategic and operational cooperation, including support for joint analysis by ensuring that the national SOCTA valuably feeds into the EU SOCTA by Europol and hand-on expertise on cross-border cooperation with an attention on Mutual Legal Assistance, cross-border investigations and Joint Investigation Teams; networking, exchange of best practice and joint capacity building; and regional coordination. The action will aim to implement the knowledge transfer component during the entire project lifecycle, including the exchanging experience with EU Member states and neighbour countries.

Lessons learnt and recommendations from the SANCAS (Cooperation with Albanian Authorities aimed at countering illicit cannabis cultivation) project, IPA 2015: in some cases, the opportunity for assistance was not fully exploited; it was not possible to procure the geo-data laboratory for air surveillance and the component for the Joint Investigation Team was not fully exploited by Albania through a lack of pro-active engagement. In this respect, the Action will assure the commitment of the Albanian stakeholders to gain all benefits from the cooperation with other entities as well as ensuring full use of the assistance offered.

**3.5. Indicative Logical Framework Matrix**

Results	Results chain: Main expected results	Indicators	Baselines	Target	Sources of data	Assumptions
<b>Impact</b>	Albanian authorities' capacities in implementing national strategies aiming to fight organised crime and irregular migration are reinforced.	Progress made towards meeting the accession criteria, fight against corruption and organised crime).	Level of alignment with EU policies and legislation in the areas covered by the action (Updates as of 2020)	Progress is explicitly stated (2025)	Commission Report on Albania European Commission (Proposed IPA III KPIs)	<i>Not applicable</i>
<b>Outcome 1</b>	Albanian law enforcement system is more effective in preventing and fighting organised crime, and irregular migration, including in the framework of EMPACT.	1. Number of law enforcement operations against organised criminal groups. 2. Number of cases initiated by PO under Art. 333 CC (Criminal Organisations). 3. Number of penal cases referred to the prosecution office against organised crime, including environmental crime, Cyber-Crime. 4. % of citizens who trust the Albanian State Police & other LEAs.	1. 10 Police Operations. (2019) 2. 53% (2017) 3. 239 (2020) 4. 60% (2020)	1. 27 Police Operations (2025) 2. 57% (2025) 3. 50% (2025) 4. 63% (2025)	1. ASP annual reports 2. MoJ Reports 3. ASP annual reports 4. ASP annual reports	Strong and continuous police/prosecutor cooperation is in place involving all other relevant agencies.
<b>Outcome 2</b>	Ministry of Interior's capacity in planning, implementation and monitoring of ICT investments is strengthened.	1. % of new ICT investments and related maintenance expenses aligned with MoI/ASP policy documents / investment plans on ICT infrastructure.	1. N/A	1. 100% (2025)	1. MoI MTBP Annual Reports	Sufficient national funding; availability of human resources.

<b>Output 1 related to Outcome 1</b>	1.1 National Law Enforcement System is reinforced, allowing ASP, NBI and Prosecutors to carry out proactive investigations against organised crime, illicit crime proceeds/asset recovery proceedings and fight against drugs.	1.1.1 Number of total investigation files conducted through use of lawfully collected digital evidence. 1.1.2 Number of practical exercises and trainings on covert entry, infiltration, undercover operation for Special Operation Forces (SOF). 1.1.3 % of seized narcotic plants, psychotropic substances, and precursors destroyed according to approved guidelines/instructions.	1.1.1 60 (2020) 1.1.2 5 (2020) 1.1.3 N/A	1.1.1 Incr ease by 30 % (2025) 1.1.2 15 (2025) 1.1.3 100% (2025)	1.1.1 ASP annual reports 1.1.2 ASP annual reports  ASP annual reports / Action implementation report	Adequate funds are allocated in the Medium-Term Budget Programme for ASP, for investigation operations and maintenance of ASP equipment and other assets. -The staff of ASP's investigation teams are adequately equipped and trained.
<b>Output 2 related to Outcome 1</b>	1.2 Capacities to prevent, investigate and prosecute environmental crimes and cyber-criminal activities are increased.	1.2.1 Number of inspections on environmental crimes. 1.2.2 Number of cyber threats under investigation.	1.2.1 5800 inspections (2019) 1.2.2 372 (2020)	1.2.1 By 2025, an increase of 30% 1.2.2 By 2025, an increase of 50%	1.2.1 MoI / IKMT annual report / Action implementation report 1.2.2 ASP annual reports / Action implementation report	



<b>Output 3 related to Outcome 1</b>	1.3 Policies on Migration and border surveillance are implemented in line with EU requirements including improved referral and protection practices of vulnerable persons.	1.3.1 Number of irregular immigrants (including number of vulnerable person) identified in the border and referred 1.3.2 Updated National Contingency Plan on Migration  1.3.3 National Coordination Center operations	1.3.1 18'835 (# of vulnerable person - 2020 level) (2020)  1.3.2 N/A  1.3.3 N/A	1.3.1 Increased number is shown (2025)  1.3.2 The plan is annually updated  1.3.3 NC C properly equipped (2025)	1.3.1 ASP annual reports 1.3.2 EC Albania Report. 1.3.3 ASP annual reports; Commission Report on Albania. 1.3.4 ASP annual reports; Commission Report on Albania.	Adequate funds are allocated in the Medium-Term Budget Programme for ASP/ Border Police. ASP's staff is sufficiently trained on the use of Radars and border surveillance techniques and protocols.
<b>Output 1 related to Outcome 2</b>	2.1 Policy document and plan for sustainable investment on Information and Communication Technologies (ICT) and maintenance is implemented.	2.1.1 Document and Plan approved as per DCM / Minister Order.	2.1.1 N/A	2.1.1 Approved & Implemented (2024)	2.1.1 Official Gazette; MoI policy monitoring report.	Inter-institutional cooperation with AKSHI is in place.
<b>Output 2 related to Outcome 2</b>	2.2 New critical ICT infrastructure on data management is in operation.	2.2.1 Data disaster recovery centre. 2.2.2 Document management system (DMS) for ASP.	2.2.1 N/A  2.2.2 N/A	2.2.1 Data Disaster Recovery center in operation. 2.2.2 DMS in operation (2025)	2.2.1 ASP annual reports; Commission Report on Albania; Development Partners reports. 2.2.2 ASP annual reports; Commission Report on Albania; Development Partners reports-	Supporting utilities, infrastructure and hosting venue are available. Dedicated trained support staff is assigned.

## **4. IMPLEMENTATION ARRANGEMENTS**

### **4.1. Financing Agreement**

In order to implement this action, it is envisaged to conclude a financing agreement with the Republic of Albania.

### **4.2. Indicative Implementation Period**

The indicative operational implementation period of this action, during which the activities described in section 3 will be carried out and the corresponding contracts and agreements implemented, is 72 months from the date of entry into force of the financing agreement.

Extensions of the implementation period may be agreed by the Commission's responsible authorising officer by amending this Financing Decision and the relevant contracts and agreements.

### **4.3. Methods of implementation**

The Commission will ensure that the EU appropriate rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and compliance of the action with EU restrictive measures<sup>11</sup>.

#### **4.3.1. Indirect Management with a Member State Organisation and/or international organisation a pillar-assessed entity**

The action may be implemented in indirect management with entities that have been pillar-assessed or are currently undergoing an ex-ante assessment including the complementary pillar assessment, which will be selected by the Commission's services using the following criteria:

- (i) Mandate of the entity which should be able to ensure peer-to-peer mentoring in relevant areas of fight against organised crime and/or migration management;
- (ii) Demonstrated experience in police and judicial cooperation particularly between the European Union and Albania;
- (iii) Solid operational and technical expertise in the fight against organised crime in relevant areas (drugs, cybercrime, trafficking, environmental crimes, etc.) and migration management;
- (iv) Impact, results, leverage effect of cooperation with other entities/donors supporting Albania in the fight against organised crime and migration management
- (v) Proved country experience
- (vi) Logistical & management capacities, including at the local level;
- (vii) Reduced transaction costs level by the entity

The entrusted entities shall be responsible for carrying out all the tasks relating to the implementation, including Budget Implementation Tasks. In particular, the entrusted entities shall be responsible for managing calls for tenders, call for proposals, contracting, implementation, managing payments, information and visibility, monitoring and reporting of IPA III activities, and the evaluation thereof whenever relevant, in accordance with the principle of sound financial management, and for ensuring the legality and regularity of the expenditure incurred in the implementation of the programme.

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<sup>11</sup> [www.sanctionsmap.eu](http://www.sanctionsmap.eu) Please note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy between the published legal acts and the updates on the website it is the OJ version that prevails.

### **4.3.2. Changes from indirect to direct management (and vice versa) mode due to exceptional circumstances (one alternative second option)**

Where the above mentioned management modality cannot be implemented due to circumstances outside of the Commission's control, the alternative implementation modality shall be direct management (grants).

A direct award is possible if the reasons for the exception from a call are applicable. Namely Article 195 (f) FR allows the direct award for activities with specific characteristics that require a particular type of body on account of its technical competence, its high degree of specialisation or its administrative powers, on condition that the activities concerned do not fall within the scope of a call for proposals; where the particular type of body is a Member State, the grant may also be awarded without a call for proposals to the body designated by the Member State, under its responsibility, for the purpose of implementing the action.

Under the responsibility of the Commission's authorising officer responsible, the grant may be awarded without a call for proposals to an entity selected using the following criteria: (i) mandate of the entity; (ii) experience of the entity in particular in the context of implementation of EU assistance to Law Enforcement Agencies in Albania; (iii) technical expertise, logistical & management capacities of the entity, including at the local level; (iv) impact, results, leverage effect of cooperation with other entities/donors in Albania.

Under the responsibility of the Commission's authorising officer responsible, the recourse to an award of a grant without a call for proposals is justified because the action has specific characteristics requiring a specific type of beneficiary for its technical competence, specialisation and administrative power.

#### **(a) Purpose of the grant(s)**

The grant(s) will contribute to achieving the expected outcomes of the programme.

#### **(b) Type of applicants targeted**

The potential applicants for funding are legal entities; local authorities, public bodies, international organisations, or NGOs; with specific technical knowledge, logistic and management capacities to achieve the expected outcomes.

#### **(c) Justification of a direct grant**

The main aim of the assistance is to provide up-to-date training to Law Enforcement Agencies to fight serious organised crime and irregular migration while reinforcing the institutional capacity of the Ministry of Interior. To promote long-term sustainability, support should be implemented through peer-to-peer assistance from EU Member States law enforcement agencies or specialised international organisations given the high level of technicalities and specialisation in the implementation of critical activities such as training on modern technologies of investigations including in the darknet, special operations, joint investigations teams, border surveillance, international police and judicial cooperation, etc. Moreover, the implementation of the assistance needs to promote an adequate level of confidentiality and favour the mobilisation of security cleared experts to ensure efficient mentoring and transfer of skills.

### **4.4. Scope of geographical eligibility for procurement and grants**

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply, subject to the following provisions.

The Commission's authorising officer responsible may extend the geographical eligibility on the basis of urgency or of unavailability of services in the markets of the countries or territories concerned, or in other duly substantiated cases where application of the eligibility rules would make the realisation of this action impossible or exceedingly difficult (Article 28(10) NDICI-Global Europe Regulation).

## 4.5. Indicative Budget

<b>Indicative Budget components</b>	<b>EU contribution (amount in EUR)</b>
<p><b>1. Outputs 1.1, 1.2, 2.1, 2.2 composed of:</b></p> <p><b>Outcome 1:</b> Albanian law enforcement system is more effective in preventing and fighting organised crime and irregular migration, including in the framework of EMPACT.  <b>Outcome 2:</b> Ministry of Interior’s capacity in planning, implementation and monitoring of ICT investments is strengthened</p>	
Indirect Management with entrusted entities to be selected – cf section 4.3.1	9 700 000
<p><b>2. Output 1.3 composed of:</b></p> <p><b>Outcome 1:</b> Albanian law enforcement system is more effective in preventing and fighting organised crime, and irregular migration, including in the framework of EMPACT.</p>	
Indirect Management with entrusted entities to be selected – cf section 4.3.1	5 200 000
Evaluation – cf. section 5.2	will be covered by another Decision
Audit – cf. section 5.3	will be covered by another Decision
Communication and visibility – cf. section 6	will be covered by another Decision
Contingencies	N.A.
<b>Totals</b>	<b>14 900 000</b>

## 4.6. Organisational Set-up and Responsibilities

The Action will rely on a variety of partners such as national authorities and law enforcement agencies, local government units, Member State agencies and organisations.

A Project Steering Committee (PSC) will be established for the Action that will steer implementation. The PSC shall involve representatives from the main stakeholders, including the National IPA Coordinator (NIPAC) and EUD, and CFCU in case of indirect management. The PSC shall closely monitor the fulfilment of the contract objective and the Action results. The key Beneficiaries of the Action shall be represented in the relevant steering structures.

For overall policy and assistance coordination, the Government of Albania has an inter-institutional and operational organisational structure in place for managing the implementation of a broad sectoral/cross-sectoral approach. The Integrated Policy Management Groups (IPMGs) and subordinated Thematic groups (TGs) provide for cooperation at technical level including with development partners, within the specific sectors of the respective priority area. Specific coordination for the component on fight against environmental crime will be ensured with municipalities and other implementing partners, to ensure policy dialogue and knowledge management between the central and sub-national levels of government.

As part of its prerogative of budget implementation and to safeguard the financial interests of the Union, the Commission may participate in the above governance structures set up for governing the implementation of the action.

#### **4.7. Pre-conditions**

- Analysis and definition of the most appropriate investigation tools and scope is carried out. Assessment of various approaches to the implementation of the tool and legislative basis for its use is concluded.
- A thorough analysis at the national and district level about environmental crimes in Albania is prepared and communicated.
- Establishment of an inventory of all capacities of the system in terms of human resources and equipment for environmental protection and monitoring/inspection and provision of a roadmap for an integrated system on fighting environmental crime.
- Revision of the cybersecurity law completed and timely update of the strategy and action plan.
- The regulation and inclusion of the procedure for the destruction of narcotics in the Inter-Institutional Strategic Document "National Plan on Drug Control for the years 2019-2023" are adopted.
- Revision of the Joint Instruction on handling of seized narcotic plants and narcotic or psychotropic substances and precursors and to address the problems with the storage and destruction process of seized drugs is carried out.
- The list of substances classified as drugs, precursors and psychotropic substances is updated and adopted.

### **5. PERFORMANCE MEASUREMENT**

#### **5.1. Monitoring and Reporting**

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process, and part of the implementing partner's responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (Outputs and direct Outcomes) as measured by corresponding indicators, using as reference the logframe matrix (for project modality) and the partner's strategy, policy or reform action plan list (for budget support). The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

Roles and responsibilities for data collection, analysis and monitoring:

- The Action will be subject to monitoring from the EU Delegation in Albania, in line with the European Commission rules and procedures set in the Financing Agreement.
- The beneficiaries of this Action will establish, in agreement with the EU Delegation, the means used for the collecting, processing and reporting of the relevant data. Ideally, the data collection system(s) established shall comprehensively ensure at all stages the timely availability of the information necessary for monitoring and reviewing progress and determining whether the commitments made have been fulfilled.
- Progress in the achievement of the outputs and outcomes will regularly be monitored by the Ministry of Interior and reported to the National IPA Coordinator (NIPAC), the relevant Sectoral Monitoring Committees and the IPA Monitoring Committee. The MoI shall have the overall responsibility for collecting the data concerning the indicators and targets, and report in a timely fashion to the NIPAC.

#### **5.2. Evaluation**

Having regard to the importance of the action, a final evaluation will be carried out for this action or its components via independent consultants.

It will be carried out for accountability and learning purposes at various levels (including for policy revision). The Commission shall inform the implementing partner at least one month in advance of the dates foreseen for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports shall be shared with the partner country and other key stakeholders. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner country, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

Evaluation services may be contracted under a framework contract.

### **5.3. Audit and Verifications**

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audit or verification assignments for one or several contracts or agreements.

## **6. COMMUNICATION AND VISIBILITY**

Visibility of EU funding and communication about objectives and impact of Actions are a legal obligation for all Actions funded by the EU, as set out in the EU communication and visibility requirements in force.

In particular, the recipients of EU funding shall acknowledge the origin of the EU funding and ensure its proper visibility by:

- providing a statement highlighting the support received from the EU in a visible manner on all documents and communication material relating to the implementation of the funds, including on an official website and social media accounts, where these exist; and
- promoting the actions and their results by providing coherent, effective and proportionate targeted information to multiple audiences, including the media.

Visibility and communication measures shall be implemented, as relevant, by the national administrations (for instance, concerning the reforms linked to EU budget support), entrusted entities, contractors and grant beneficiaries. Appropriate contractual obligations shall be included, respectively, in financing agreements, delegation agreements, and procurement and grant contracts.

The measures shall be based on a specific Communication and Visibility Plan, established and implemented in line with the EU communication and visibility requirements in force. The plan shall include, inter alia, a communication narrative and master messages for the Action, customised for the various target audiences (stakeholders, civil society, general public, etc.)

Visibility and communication measures specific to this Action shall be complementary to the broader communication activities implemented directly by the European Commission services and/or the EU Delegation. The European Commission and the EU Delegation should be fully informed of the planning and implementation of the specific visibility and communication activities, notably with respect to the communication narrative and master messages.

## **7. SUSTAINABILITY**

Full ownership of the justice and rule of law reform process by the Albanian institutions, based on a coherent strategy which aligns to the EU *acquis* and international good practice, is a cornerstone of the sustainability of the assistance provided. Consequently, special attention shall be paid to ensure ownership of the national stakeholders when the development of policy documents and procedures is supported. Sustainability also

relies on the existence and retention of qualified human resources. Capacity building under this Action shall be carried out by or in collaboration with the Security Academy and the Albanian School for Public Administration and will focus on ensuring full empowerment of the above institutions for delivering and updating curricula and retaining the knowledge and capacities.

Furthermore, the sustainability of this intervention depends on political, financial, and structural factors. Criminality is a cross-cutting threat to the achievement of core and essential development objectives. It undermines key institutions, damages the environment, and distorts or impedes economic growth. Consequently, an additional factor of paramount importance for ensuring sustainability of this Action is the further development of the cooperation framework between the Albanian authorities and law enforcement agencies for improving the analytical use of multi-data sources, pooling resources, and technologies, and building on joint activities which shall also reinforce operational capacities. Bearing in mind the transnational dimension of organised crime which calls for international cooperation in the area of internal security and law enforcement cooperation, the Action shall strengthen the cooperation of Albanian law enforcement agencies with their counterparts in EU Member States, including the cooperation of the Albanian State Police with Interpol and Europol.

Financial sustainability of the reform requires proper costing and budgeting to support new recruitment, salaries and maintenance costs for new IT systems and infrastructure, and investments in new infrastructure and/or rehabilitation of existing premises as well as their maintenance. Full commitment of Albanian institutions in ensuring the proper human resources and financial means through proper planning of the Medium-Term Budget Programme is needed to ensure full sustainability of the reform.