

NATIONAL STRATEGIC DOCUMENT

“For the Investigation of Financial Crimes”

Prepared by:

General Prosecutor’s Office

General Directorate of State Police – Ministry of Interior

General Directorate for the Prevention of Money Laundering – Ministry of Finance

General Directorate of Customs – Ministry of Finance

General Directorate of Taxation – Ministry of Finance

Bank of Albania

State Informative Service

With the support of:

CARDS-Twinning Project with the German Federal Criminal Office (BKA):

“Tackling money laundering and financial crime”

Tiranë
September 2009

The drafting of this strategic document, is based on a number of studies in the economic crimes domain, international standards and best practices of the European Union countries and beyond.

The identification of priorities as well as medium and long term strategic goals against economic and financial crimes for the years to come has been made possible through cooperation and consultation among law enforcement agencies, Albanian state institutions and the civil society.

CONTENT

ABBREVIATIONS	4
FOREWORD	5
STRATEGIC FACTORS	6
CHAPTER 1	8
VISION	8
PRINCIPLES AND STANDARDS	8
STRATEGIC OBJECTIVES.....	9
CHAPTER II - INSTITUTIONAL FRAMEWORK	10
GENERAL PROSECUTOR’S OFFICE.....	10
MINISTRY OF JUSTICE	11
CENTRAL OFFICE FOR THE REGISTRATION OF IMMOVABLE PROPETRY	11
GENERAL DIRECTORATE FOR THE PREVENTION OF MONEY LAUNDERING.....	11
GENERAL CUSTOMS DIRECTORATE	13
GENERAL DIRECTORATE OF TAXATION	13
AGENCY FOR THE ADMINISTRATION OF THE SEIZED AND CONFISCATED ASSETS (AASCA).....	14
GENERAL DIRECTORATE OF STATE POLICE	15
STATE INFORMATION SERVICE.....	16
HIGH INSPECTORATE FOR THE DECLARATION AND CONTROL OF ASSETS	16
BANK OF ALBANIA	17
FINANCIAL SUPERVISION AUTHORITY	18
CHAPTER III	20
INTER-INSTITUTIONAL COOPERATION AND COORDINATION	20
INTERNATIONAL COOPERATION	20
<i>INTERPOL</i>	20
<i>EUROPOL</i>	20
<i>MONEYVAL COMMITTEE</i>	21
<i>EGMONT GROUP</i>	21
<i>GROUP OF COUNTRIES AGAINST CORRUPTION (GRECO)</i>	21
<i>SOUTHEAST EUROPEAN COOPERATIVE INITIATIVE (SECI)</i>	22
REGIONAL COOPERATION	22
CHAPTER IV	23
RESOURCES AND THE IMPLEMENTATION OF THE STRATEGY AND ITS ACTION PLAN	23
RESOURCES	23
IMPLEMENTATION TIMELINE	23
REFERRING DOCUMENTS	23
CHAPTER IV – ACTION PLAN	25

ABREVIATIONS

AASCA	Agency for the Administration of Seized and Confiscated Assets
ASP	Albanian State Police (General Directorate of State Police)
BoA	Bank of Albania
CCMLA	Committee for the Coordination of the Fight Against Money Laundering
CORIP	Central Office for the Registration of Immovable Property
CPAI	Certified Public Accountants Institute
EGMONT	International Financial Intelligence Network
EU	European Union
FATF	Financial Action Task Force
FSA	Financial Supervision Authority
GCD	General Directorate of Customs
GDPML	General Directorate for the Prevention of Money Laundering
GDT	General Directorate of Taxation
GPO	General Prosecutor's Office
HIDAA	High Inspectorate for the Declaration and Auditing of Asset
JIU	Joint Investigation Unit
MONEYVAL	Committee of Experts for the Evaluation of Measures against Money Laundering and Financing of Terrorism
NGO	Non Governmental Organization
NPO	Non Profit Organization
OSCE	Organization for Security and Cooperation in Europe
SAA	Stabilization and Association Agreement
SIS	State Intelligence Service
SSA	Supreme State Audit

FOREWORD

From the early nineties onward, Albania had to confront numerous challenges, during the transition from a dictatorship to a democratic system. The fight against organized crime, corruption as well as economic and financial crime have been some of them.

The gradual integration of Albania in the international community and the euro-atlantic alliances, and the ever evolving relations with them, enhancement of international integration of capital, globalization of the commercial and financial system, intensification of the international trade, development and perfection of information technology, free movement of people, goods and equipment beside the positive developments and progress do create risks and possibilities for money laundering and terrorism financing related activities.

The financial crime, money laundering (one of the typical forms of economic and financial crime defined as “complex process of disguising the origin of the property obtained illegally”) and the financing of terrorism is a threat to peace and freedom worldwide.

They severely impair the economic and political stability as well as the progress of democratic countries, consolidation of rule of law, the democratic system in the Republic of Albania, free market competitiveness as well as the stability of the country in general. They cause distortions in the supply and demand levels as well as macroeconomic equilibriums, bring about instability and adversely affect the currency exchange market.

The Albanian Government will continue to work closely with international partners to further reform the current legislation for the fight of the economic crime in all its forms and money laundering as well as terrorism financing in particular. The strategy will evolve based on the changes that take place in the economic and financial crime.

The national strategic document for the investigation of financial crime in the Republic of Albania represents the entire means and instruments of the government that ensure the security of the citizens, society and the Albanian state from external and internal threats. It aims at coping with the current and emerging challenges, by taking into consideration the economic situation in the country, region and beyond, as well as the available resources and capabilities in the country.

STRATEGIC FACTORS

The formulation of this strategic document is based on a thoughtful analysis of the following factors;

- Organized crime activities, the risks that they represent for the Albanian economy, modus operandi, their specific knowledge and forms of organization.
- Capacities and means that are available to state institutions, (human resources as well as mechanisms of internal control)
- The actual environment in which those two groups of factors interact.

Based on historical data the main categories of the penal offenses that contain considerable elements of economic and financial crimes are related to;

- Narcotic's and weapons trafficking;
- Trafficking of human beings and prostitution;
- Smuggling, tax evasion, corruption, fraud etc;

Through the money laundering process the organized crime groups seek to convert the incomes derived from crime into property that will serve to further enhance the criminal element within the society.

State institutions face several weaknesses in their efforts against economic and financial crime that are related to limited human and logistic resources, as well as insufficient training of the experts that undertake financial investigations.

The motivation of employees and experts in assuring crime detection has been one of the weaknesses in the crime detection domain. This has been addressed through the various measures undertaken by the government such as salary increases, bonuses and creating institutions that through their status do provide protection for the rights of specialists, allowing for added advancement possibilities.

In order to be effective in tackling economic and financial crime phenomenon, which evolves constantly, a good grasp of accounting, banking, credit institutions and auditing is required.

The establishment of joint teams composed of experts from various fields in the state institutions and their cooperation will lead to higher effectiveness in confronting the fight against economic and financial crime.

The lack of cooperation and coordination has also been one of the weak points of the Albanian institutions, which continue to operate strictly within their institutions without getting actively involved in joint activities with other institutions.

The lack of digitized archives and databases and their inaccessibility by partner institutions has also been identified as a shortcoming. The progress achieved to this end, is apparent in some law enforcement. The establishment and availability of these databases to intelligence and law enforcement agencies is imperative.

CHAPTER 1

VISION

The National Strategic Document for the Investigation of Financial Crime in the Republic of Albania seeks to actively and continuously fight the economic and financial crime, money laundering and financing of terrorism, that severely impair the political and economic stability in the country, national security in general, democracy and the rule of law.

PRINCIPLES AND STANDARDS

This document seeks to create a long term strategic platform and establish a sustainable equilibrium among effective prevention of crime and investigations in the economic and financial domain.

The National Strategic Document for the Investigation of Financial Crime is based on the following principles:

- Effectiveness – by maintaining and strengthening the control systems;
- Proportionality – by means of concentrating the efforts in areas of priority;
- Commitment/broad based inclusion – continuous and effective communication with state institutions, law enforcement agencies and civil society;

The State institutions involved in the implementation of this strategy will establish standards based on reverence for values such as: Integrity, Commitment and Professionalism.

STRATEGIC OBJECTIVES

The medium and long term objectives of the National Strategic Document for the investigation of financial crime are:

- ✓ Formulation and harmonization of the legislation with the international standards and recommendations of the international organizations.
- ✓ Further enhancement of the effectiveness of the control and oversight in the money laundering and financing of terrorism area.
- ✓ Increase the professional level and human capabilities of the state institutions involved in the investigation of financial crime.
- ✓ Effective evidencing and documentation of the financial crime investigation
- ✓ Enhance inter-institutional and international cooperation
- ✓ Enhancement of the public's awareness regarding the importance of the fight against financial crime as well as the role of the institutions.
- ✓ Strengthening of the preventive capabilities of the Law Enforcement Agencies and the establishment of the appropriate mechanisms to this end.

CHAPTER II - INSTITUTIONAL FRAMEWORK

There are several institutions in the Republic of Albania that operate and are involved in the fight against the economic and financial crimes whose responsibilities, duties and legal framework are summarized hereunder.

GENERAL PROSECUTOR'S OFFICE

The Prosecutor's Office is a centralized constitutional institution (*sui generis*) that operates in accordance with the organization of the judicial system. The Constitution of the Republic of Albania states that the General Prosecutor is independent and empowered to pursue penal proceedings and represent state's case in court.

The General Prosecutor is nominated by the President of the Republic with the approval of the parliament, while prosecutors are nominated by the President of the Republic based on the proposals of the General Prosecutor.

The General Prosecutor approves the structure personnel and functioning guidelines for prosecutors in First Instance Courts, Courts of Appeal as well as General Prosecutor's Office. It does also issue orders and guidelines for the implementation of duties by the prosecutors.

In 2004 the Prosecution of the Serious Crimes was created in order to investigate penal offences committed by structured groups and criminal organizations. In 2007, the Joint Investigation Unit was created in Tirana's Prosecutor's Office, as a specialized structure for the investigation of economic and financial crime, corruption, money laundering and the financing of terrorism. Six additional units similar to the initial one were created in Durrës, Shkodër, Vlorë, Fier, Gjirokastër and Korçë. They count among their members' officers of the Judicial Police, State Police, Customs and Tax authorities as well as contact points in HIDAA, SSA, GDPML and SIS.

MINISTRY OF JUSTICE

The Justice Ministry operates in accordance with the Constitution and law no. 8678, 14.05.2001 "On the organization and functioning of the Justice Ministry" and bylaws enacted accordingly. It is empowered and has the responsibility to conceptualize and apply general state policy related to justice matters.

In order to materialize those constitutional legal obligations, the Justice Ministry formulates and follows policies, writes laws and bylaws, extends legal assistance through opposition to legal initiatives undertaken by other institutions as well as participation in ad hoc working groups.

The Justice Ministry exercises also the necessary prerogatives related to judicial system, the system for the execution of penal and civil rulings, the system for the independent legal professions, international cooperation regarding civil and penal matters, other areas of justice under its jurisdiction, as well as the cooperation, coordination, harmonizing and reforming of the Albanian legislation in general. The Ministry of Justice has also an important role in the drafting of legislation against financial crime as well as the increase of the number of money laundering suspicious activity reports filed by notaries.

CENTRAL OFFICE FOR THE REGISTRATION OF IMMOVABLE PROPERTY

The Central Office for the Registration of Immovable Property is an institution within the Ministry of Justice that performs its activity in accordance with law no.7843, 13.07.1994 "On the registration of real estate", law no.8678, 14.05.2001 "On the organization and functioning of the Ministry of Justice", amended as well as a number of laws and bylaws devised in the framework of the real estate registration process.

GENERAL DIRECTORATE FOR THE PREVENTION OF MONEY LAUNDERING

The General Directorate for the Prevention of Money Laundering (GDPML), is the Financial Intelligence Unit and its mission is the prevention of "money laundering" and

fight against the terrorism financing, through collection, verification, evaluation, control, dissemination of information to law enforcement agencies, safeguarding of the information obtained from obliged entities, suspension and freezing of transactions aiming at preventing the transfer, conversion or change of ownership of the property and products generated from criminal activities.

GDPML cooperates with other law enforcement institutions such as Interior Ministry, General Prosecutor's Office, State Information Service as well as international partner institutions, prepares cooperation and mutual assistance programs aiming at prevention of money laundering, with other countries, based on ratified international conventions.

The Albanian Government pursuant to obligations of article 4 and 82 of SAA is totally committed to strengthening the authority engaged in the fight against laundering of money originating from illegal trafficking and terrorism as well as decriminalize the economic activity in the country. This will contribute towards the increase of the credibility in the economic and legal system in the country.

Particular attention will be paid to strengthening of capacities in this area in order to achieve real and tangible results. To ensure the fulfillment of the these obligations the Albanian government will encourage the regional cooperation and nurture good relations with neighbors through development of projects with mutual interest, with regard to issues particularly relevant to money laundering. The Albanian government will also cooperate with other countries to prevent the use of their financial systems for the laundering of proceeds of criminal activity in general as well as their use as a conduit for financing of terrorism.

The legislative foundation for the prevention of money laundering comprises Law no.9917, 19.05.2008 "On the prevention of Money Laundering and fight against terrorism financing" and its pursuant bylaws;

In order to implement the standards and proper mechanisms, for the fight against money laundering and terrorism financing, the General Directorate for the Prevention of Money Laundering has signed memorandums of understanding with several law enforcement agencies in the country as well as with Financial Intelligence Units in other countries.

GENERAL DIRECTORATE OF CUSTOMS

General Customs Directorate is an administrative unit of the Ministry of Finance in the Republic of Albania. Competencies and responsibilities of the General Customs Directorate and its employees are defined in the Customs Code, existing administrative regulations and its internal guidelines.

In order to accomplish a better performance, vis a vis its defensive mission, the Albanian Customs Service has completed during 2008 the establishment of a new structure, which is entirely focused on security. This is the Anti-Trafficking Directorate which includes within its operational ambit the Money Laundering Prevention Section. This structure implements the existing legislative framework for the prevention of money laundering and cooperates closely with GDPML.

The work of Albanian Custom's Service with regard to money laundering prevention is mainly focused on monitoring and documentation of the cash movement, evidencing of cases of suspicious transactions as well as the accomplishment of cooperation with other law enforcement agencies.

The General Directorate of Customs has established functional cooperation relations with the General Directorate of Prevention of Money Laundering, General Directorate of Taxation, General Directorate of the State Police (border and migration), with the General Directorate of Highway Transportation and has signed with them Memorandums of Understanding. An optimal cooperation is accomplished also with the Prosecutor's Office and the officers of the judicial police within the General Directorate of Customs are members of the Task Force.

The General Directorate of Customs has signed memorandums of understanding with other state institutions such as the Financial Supervision Authority

GENERAL DIRECTORATE OF TAXATION

General Directorate of Taxation (GDT) is vested with the authority to apply tax legislation in the Republic of Albania. At the same time GDT has the authority to administer national taxes, and tariffs, as prescribed in the relevant laws.

The main goal of the General Taxation Directorate is to assist the taxpayers to pay their tax obligation in accordance with the existing tax legislation and to ensure that the income obtained through those obligations will be disbursed in the state budget while offering the taxpayers an efficient and effective system.

The tax administration cooperated closely with the Customs, the Treasury, Regional Transportation Directorate, Interior Ministry, Banks, the Chamber of Commerce, Business Associations, etc, as well as the partner administrations abroad etc.

The Directorate of Investigation and Internal Auditing (Anticorruption) created recently; aim at striking the economic crime and the phenomenon of corruption. The mission of the Tax Investigation Directorate is to pursue and implement the penal legislation in the domain of taxation, in order to encourage and carry out, directly or indirectly the fulfillment of obligations by taxpayers in accordance with the tax legislation.

AGENCY FOR THE ADMINISTRATION OF THE SEIZED AND CONFISCATED ASSETS (AASCA)

The Agency for the Administration of the Seized and Confiscated Assets is subordinated to the Minister of Finance

The main objectives of the activity of the Agency are:

- Administration of the seized confiscated assets pursuant to the decision of the Serious Crimes Court in accordance with law no. 9284, dated 30.09.2004 "On the prevention and suppression of organized crime";
- Administration of the seized confiscated assets pursuant to the law no. 9258, dated 15.07.2004 "On the measures against the financing of terrorism";
- The Agency exercises its activity in cooperation with institutions involved in the process of administration of the seized confiscated assets , such as the courts, prosecutor's office, banks, local government units as well as the local offices for the registration of the immovable properties, where the seized and confiscates assets are located. A civil confiscation intends the confiscation of

- assets that belong to persons suspected of participation in organized crime activities and their relatives or persons related to them.
- Based on article 39 of the law no. 9284, dated 30.09.2004, a special fund is established for the prevention of criminality and legal education, which is administered by the Minister of Finance, relying on the supporting documentation provided by the Advisory Committee on the Measures Against the Organized Crime.
 - The Agency is responsible for the verification and the preparation of the documentation regarding the requests for funding of projects from the special fund for the prevention of prevention of criminality as well as oversees their implementation.

GENERAL DIRECTORATE OF STATE POLICE

ASP is the most important institution to ensure order, the prevention and striking organized crime, to guarantee the integrity of the borders.

Law no. 9749, 04.06.2007 “On State Police” guarantees the career development and rights in the police as well as prescribes responsibilities among which the prevention, discovery and investigation of crime in line with the criminal code and criminal procedural code, penal offences and their authors.

The State Police is equipped with a number of legal and sublegal instruments regarding the organization of police surveillance, application of special investigating techniques, controls, confiscations, flagrant apprehensions, searches and other penal procedural actions attributed legally and delegated through the prosecutorial institutions. It is the state authority with human and technical capabilities for the implementation of the law.

The structures of the State Police are organized around the contemporary European concepts. This structure is made of several departments such as the Department of the Crime Investigation with its directorates; Department Against the Financial Crime; Department Against the Organized Crime; Department Against the Serious Crimes, Department for the Protection of Witnesses, Directorate for the Criminal Analysis, Interpol, Europol, Border and Migration Directorate as well as other supporting and special operation structures.

The Directorate Against the Financial Crime, which identifies, uncovers, prevents, strikes and investigates cases of financial crime, money laundering and financing of terrorism, identifies assets obtained through crime and acts to ensure their seizing and

confiscation and as such has special importance.

STATE INFORMATION SERVICE

State Informative Service (SIS) is a centrally operated institution under the guidance of Prime Minister. It is created based on the known principle that a country needs an effective, professional and able institutions that provide intelligence, in accordance with the legal obligation, to state agencies and institutions that serves the national security.

In order to fulfill this constitutional obligation and guarantee the national security as well as the political and economic interests, State Informative Service collects intelligence within Albania and outside.

State Informative Service does not carry out activities that have a police or military character. The activities of this institution are performed in accordance with the fundamental principles; legality, objectivity and secrecy. The organization of its internal structures are in compliance with the requirements for the fulfillment of its mission, especially that of the protection of national security.

Based on the tasks prescribed in the organic law of the State Informative Service as well as the bylaws against the organized crime and Albanian government's priorities, SIS is engaged in the prevention of the laundering of proceeds derived from organized crime and particularly in the fight against the financing of terrorism.

The accession and participation of Albania in the processes of the modern globalization, her active role in the regional and European level as well as the tackling of threats emerging though organized crime, trafficking and terrorism etc, are some of the challenges that the SIS together with other law enforcement agencies has to confront.

HIGH INSPECTORATE FOR THE DECLARATION AND CONTROL OF ASSETS

The High Inspectorate for the Declaration and Control of Assets became operational based on the law no. 9049, 10.4.2003 "On the declaration and control of assets, financial obligations of elected and public officials".

“The High Inspectorate” under the guidance of the General Inspector, administers the declaration of assets, financial obligations, conducts auditing controls directly, collects data, performs investigations and administrative inquiries regarding the declarations of persons that are legally obliged to disclose their private interests.

HIDAA cooperates with auditing as well as other institutions responsible for fighting corruption and economic crimes.

BANK OF ALBANIA

Bank of Albania is the central bank in the Republic of Albania. The economic, social and political developments since its establishment until now have increased and enhanced the functions performed by the Bank of Albania.

Article 161 of the Albanian Constitution as well as law no.8269, 27.12.1997 stipulates the status of the Bank of Albania, whereby objectives, tasks and relationship with the banking sector and government, organization and administration, ownership and capital, financial statements and profit distribution are clearly identified.

Bank of Albania operates with a wholly state owned capital and reports to Albanian Parliament. The bank is directed by a Supervisory Council, composed of nine members elected by the Parliament for a seven year period, having the right of re-election.

The Supervisory Council is chaired by the Governor, who acts as General Executive Director of the Bank of Albania and is responsible for the effective performance of its daily activity.

Bank of Albania is vested, within the competences stipulated in the law, with complete independence from other powers aiming at accomplishing the main objective of its activity, as well as performance of the assigned responsibilities. Every entity is expected to comply with the Bank’s independence, and refrain from seeking to exert influence on any of the members of the Supervisory Council, that could unduly affect obligations that the entity has towards the Bank or interfere with activities carried out by the Bank of Albania.

The Bank of Albania in its role as a monetary authority performs the following functions:

- Prepares, approves and implements countries' monetary policy, whose implementation is achieved through appropriate monetary instruments;
- Has exclusivity regarding the issuing and circulation of the national currency;
- Maintain and administer currency reserves of the Republic of Albania;
- Prepares, approves and implements the currency exchange regime and exchange rate policy;
- Licenses or revokes licenses regarding banking activity and oversees banking activity in order to ensure the stability of the banking system;
- Acts as a bank for commercial banks;
- Encourages the normal operation of the payment's system.

FINANCIAL SUPERVISION AUTHORITY

Financial Supervision Authority (FSA) was established based on law no.9572, 03.07.2006 "On the Financial Supervisory Authority" and constitutes a consolidated regulatory entity for the supervision of non-bank financial markets in the country. FSA is accountable to the Albanian Parliament.

FSA's primary mission is the protection of the consumer's and investor's interests, that goes hand in hand with the safety of the supervised entities, guaranteeing this way the fulfillment of the legal provisions.

The Financial Services Authority in fulfilling its legal responsibilities and competences is guided by the following principles;

- Protection of Consumer's Interests;
- Encourage the stability, transparency and credibility of the non bank financial markets;
- Ensure compliance with the law;

FAS's activity revolves around the main functions relevant to regulation and supervision of;

- Insurance market and its activity, including insurance, reinsurance, mediation activities and their relevant transactions;

- Stock market and its relevant activities, including the market activities of the entities involved in investment in shares;
- Supplementary pension's market and its activities, including all the activities for the insurance of supplementary pensions offered by private institutions;
- Other non bank financial activities, according to the legal stipulations made in the particular areas.

FSA's primary regulatory and supervisory responsibilities are set out in articles 2 and 13 of Law no. 9572, 03.07.2006 "On Financial Supervisory Authority" and partially in sector specific laws of the supervised entities.

FAS's board is the managing and decision making body and has seven members, three of them full time executive members. All the board members are appointed based on a mandate by the Albanian Parliament.

CHAPTER III

INTER-INSTITUTIONAL COOPERATION AND COORDINATION

To ensure the implementation of the objectives of this strategy and the enhancement of the effectiveness of the fight against economic and financial crime the strengthening and increase of cooperation among law enforcement agencies and state institutions such as: the Interior Ministry, GPO, GDT, GDC, GDPML, SIS, HIDAA and AAASC is of paramount importance.

The cooperation with the financial supervisory authorities such as: the Bank of Albania, Financial Supervisory Authority and groups of interest such as: Albanian Banker's Association, CPAI, Bar Association, National Chamber of Notaries etc, assumes an especially important role.

INTERNATIONAL COOPERATION

The economic and financial crimes continuously evolve and its transnational nature makes the enhancement of the cooperation with our partners and international organizations indispensable.

INTERPOL

Is an international organization of national police agencies and has currently 187 member states. Interpol was founded in 1923 and its mission is to facilitate the police cooperation at the international level as well as support all the organizations, authorities and agencies that strive to prevent and fight crime internationally.

EUROPOL

EUROPOL is the European Union's criminal intelligence agency. It became fully operational on 1 July 1999. The establishment of Europol was agreed to in the 1992 Maastricht Treaty. The agency is active in all European countries and coordinates the activities from its headquarters in The Hague.

EUROPOL's mission is to contribute in a significant way towards the fight against organized crime in the European Union. Albanian police cooperates closely and will intensify the level of exchange of information aiming at having a better grasp of the criminal groups operating outside the country in order to assure identification of financial streams of income at their disposal.

MONEYVAL COMMITTEE

Albania is since 1998, a member of the Committee of Experts for the Measures for the Prevention of Money Laundering and Financing of Terrorism in the Council of Europe. The Committee plays an important role towards the implementation of anti money laundering and financing of terrorism standards that are recognized internationally. Mutual evaluations of member states, based on the FATF and EU standards are undertaken periodically and important legal, financial and law enforcement recommendations that should be implemented by relevant state institutions are made.

EGMONT GROUP

EGMONT group is an important network of Financial Intelligence Units. The general Directorate for the Prevention of Money Laundering is a plenipotentiary member since 2003. EGMONT group is an important forum for the exchange of information and best practices among member states, as well as the enhancement of the level of implementation of the international standards for the prevention of money laundering and the financing of terrorism.

GROUP OF COUNTRIES AGAINST CORRUPTION (GRECO)

The Council of Europe has created a number of instruments aiming at fighting corruption in the public and private domain as well as indemnification for damages caused by corruption, the conduct of public officials and financing of political parties. Those instruments seek to improve state's capabilities in fighting corruption both at national and international level. GRECO carries out the evaluation and monitoring of the measures undertaken to this end by the countries of the Council of Europe.

SOUTHEAST EUROPEAN COOPERATIVE INITIATIVE (SECI)

Southeast European Cooperative Initiative (SECI) for the fight against the cross border crime is a group of Police and Custom's Authorities from thirteen Southeast European countries including Albania as a founding member. The operational results against the cross border organized crime of the SECI Center, have naturally led to the need for further development of this initiative to a higher organizational level. To this end an ad hoc working group finalized the draft convention SELEC (South Eastern Law Enforcement Convention). This document has been approved by the Joint Coordination Committee, SECI's highest decision making committee. Upon the ratification and entry into force of this document of the international law, SECI will turn into a international organization, and its new status will lead to enhanced capacities and performance in fighting the cross border crime.

REGIONAL COOPERATION

The cooperation with the countries in the region is vital for the development and strengthening of the financial crime investigation. The medium and long term strategy for the investigation of financial crime defines clear strategic objectives as well as activities for all the governmental institutions.

CHAPTER IV

RESOURCES AND THE IMPLEMENTATION OF THE STRATEGY AND ITS ACTION PLAN

The implementation of the medium and long term National Strategic Document for the Investigation of Financial Crime requires the engagement of several state institutions. The guidance and coordination during the entire implementation of this Strategic Document will be performed by an Inter-Institutional Technical Group and its composition will be determined by the Committee for the Coordination of the Fight Against Money Laundering which oversees its activity.

RESOURCES

The implementation of this strategy requires considerable human, technical, financial and logistical resources. All the institutions involved in the accomplishment of the medium and long term activities will identify and allocate relevant resources required for their timely implementation.

IMPLEMENTATION TIMELINE

The strategic objective and the activities set forth in the action plan will be implemented during the 2009-2015 timeline. The coordinating structure will continuously monitor the implementation and make proposals to bring the activities in line with the current situation and developments that are of higher priority during this period.

REFERRING DOCUMENTS

The documents listed hereunder have been used as a reference for the formulation of this strategy:

- Stabilization and Association Agreement;

- National Strategy for Integration and Development;
- National Security Strategy in the Republic of Albania;
- Albania's Third mutual evaluation report the Committee of Experts MONEYVAL of the Council of Europe;
- National Strategy for the Integrated Border Management and its Action-Plan;
- Cross Cutting strategy for the fight against the organized crime, trafficking and terrorism;
- National Anti-Narcotics Strategy 2004-2010 and its Action-Plan;
- National Strategy for the Fight Against Human Trafficking;
- Financial Investigations Manual compiled during CARPO project;
- Documents ,proposals and recommendations shared during the Twinning Project with the German Federal Criminal Office (BKA) "Tackling money laundering and financial crime"

The strategic document clearly defines the medium and long term objectives and at the same time delineates priorities and activities that will ensure their accomplishment.

CHAPTER IV – Action Plan

No.	Objective	Activities	Implementation period	Ministry of Justice	CORIP	GPO	State Police	GDPML	GDC	GDT	SIS	HIDAA	BoA	AASCA	FSA		
1	Formulation and harmonization of the legislation with the international standards and recommendations of the international organizations.	1.1 Approximation of the legislation on prevention of money laundering with the “Acquis Communautaire”	2011 - 2015	√	√	√	√	√*	√	√		√	√	√	√		
		1.2 Approximation of legislation concerning the administration of seized and confiscated assets with the “Acquis Communautaire”.	2009 - 2011	√*	√	√	√	√							√		
		1.3 Approximation of Albanian customs legislation with that of the European Community with reference to law implementation as well as the best practices, in order to achieve their unification.	2009 - 2011	√				√	√*								
		1.4 Approximation of penal legislation with “Acquis Communautaire” and international conventions	2009 - 2015	√*		√	√								√		

No.	Objective	Activities	Implementation period	Ministry of Justice	CORIP	GPO	State Police	GDPML	GDC	GDT	SIS	HIDAA	BoA	AASCA	FSA		
2	Further enhancement of the effectiveness of the control and oversight in the money laundering and financing of terrorism area.	2.1 Prepare an assessment of country's risks concerning money laundering vulnerabilities.	2009 - 2011			√	√	√*	√	√	√		√				
		2.2 Strengthen the supervision of payment's system through the training of the personnel involved in this process	2009 - 2011											√*			
		2.3 Identification, documentation and improvement of commercial entities auditing and investigation procedures	2009-2015							√	√*						
		2.4 Implementation of the program for the computerized selection of the commercial entities based on risk analysis	2009-2012							√	√*						
		2.5 Further reduction of cash usage in the economy through additional legal and operational developments.	2009 - 2015	√	√		√			√	√			√*			
		2.6 Formulate joint procedures concerning analysis and financial investigations.	2009-2012					√*	√	√	√	√			√		√
		2.7 Establish of a joint working for the prevention of financial crime in the banking sector.	2009 - 2011							√					√		

No.	Objective	Activities	Implementation period	Ministry of Justice	CORIP	GPO	State Police	GDPML	GDC	GDT	SIS	HIDAA	BoA	AASCA	FSA	
3	Increase the professional level and human capabilities of the state institutions involved in the investigation of financial crime.	3.1 Training of the personnel related to internal auditing procedures;	2009 -2011					√	√	√*						
		3.2 Provide Training of the personnel in order to create a cadre of prosecutors, investigators and financial experts and auditors.	2009 - 2011			√*	√	√	√	√	√	√				
		3.3 Formulate and implement annual training plans to allow for staff capacity building;	2009 - 2011			√	√	√	√	√	√		√			
		3.4 Prepare a manual for the management of human resources and implement a computer program for the digitized management of the personnel data	2009 - 2011			√	√	√	√	√				√		
		3.5 Training and certification of the forensic accounting and finance experts.	2009 - 2012					√*	√	√						

No.	Objective	Activities	Implementation period	Ministry of Justice	CORIP	GPO	State Police	GDPML	GDC	GDT	SIS	HIDAA	BoA	AASCA	FSA	
4	Effective evidencing and documentation of the financial crime investigation	4.1 Establish institutional databases for financial investigation cases;	2009 -2011			√*	√	√	√	√	√					
		4.2 Provide training for prosecutors and judges with regard to the best international practices concerning financial investigation;	2009-2012	√*		√										
		4.3 Create a database for the exchange among Albanian institutions of best practices in the financial investigation arena;	2009-2013			√	√	√	√*	√						
		4.4 Electronic and secure data exchange among the law enforcement agencies with regard to financial investigations issues.	2009-2014			√	√*	√	√	√						
		4.5 Continuous improvement of the collection, safeguarding, processing and standardizing of the statistical data regarding cases of financial crime and money laundering.	2009-2012			√	√	√*	√	√						

No.	Objective	Activities	Implementation period	Ministry of Justice	CORIP	GPO	State Police	GDPML	GDC	GDT	SIS	HIDAA	BoA	AASCA	FSA	
5	Enhance inter- and international cooperation	5.1 Signing of the inter-institutional protocols of cooperation and review the existing ones.	2009 -2012			√	√*	√	√	√	√	√		√		
		5.2 Continuous increase of the IT capacities and digitization of the databases and public registers of the state institutions.	2009 -2015	√	√	√	√	√	√	√		√		√		
		5.3 Accessibility of the databases and public registers of the state institutions through contact persons.	2009-2011	√	√	√	√	√*	√	√			√	√	√	√
		5.4 Enhance the cooperation with the international institutions.	2009 - 2015	√	√	√	√	√	√	√				√	√	
		5.5 Participation in the meetings of the EGMONT Group and the exchange of the best practices with our international partners.	2009 - 2015	√		√	√	√*							√	
		5.6 Participation in the plenary meetings of the Committee for the Evaluation of Measure Against Money Laundering and Financing of Terrorism.	2009 - 2015	√		√	√	√*							√	

No.	Objective	Activities	Implementation period	Ministry of Justice	CORIP	GPO	State Police	GDPML	GDC	GDT	SIS	HIDAA	BoA	AASCA	FSA	
6	Enhancement of the public's awareness regarding the importance of the fight against financial crime as well as the role of the institutions.	6.1 Media Publications in the area of combating financial crime.	2009 - 2015	√	√	√	√	√*	√	√		√	√	√	√	
		6.2 Implementation by supervisory authorities of international best practices regarding the reporting of suspicious transactions from the reporting entities.	2009 - 2011	√					√	√				√*		√
		6.3 Publication of manuals and joint studies with reference to financial crime, corruption and their negative effect on the society.	2009 - 2012	√	√	√	√	√*	√	√			√	√	√	√
		6.4 Devising institution specific concrete measures to acquaint the public with the legal and procedural developments in the field of investigations of financial crime.	2009 - 2011	√		√*	√	√	√	√				√		
		6.5 Enhance the accessibility of the sites of state institutions for the public as well as extend the information related to the investigation of financial crime.	2009 - 2011	√		√	√*	√	√	√				√		
		6.6 Cooperate in carrying out training activities for the prevention of financial crimes in general and money laundering/terrorism financing in particular;	2009 - 2012	√		√	√	√*	√	√				√		

No.	Objective	Activities	Implementation period	Ministry of Justice	CORIP	GPO	State Police	GDPML	GDC	GDT	SIS	HIDAA	BoA	AASCA	FSA	
7	Strengthening of the preventive capabilities of the Law Enforcement Agencies and the establishment of the appropriate mechanisms to this end.	7.1 Criminalize the possession of assets derived from crime that are unjustified and the implementation of concrete measures regarding the extended civil confiscation in conformity with third FATF recommendation and European best practices in this area.	2011 - 2014	√*		√	√									
		7.2 Creation of a unique Asset Recovery in the General Prosecutor's Office that will actively perform updated recording and follow up of the status of assets from the time they are frozen, seized and confiscated.	2010 - 2011	√		√*	√								√	
		7.3 Broadening the scope of the criminal offences that are subject to an obligatory extended confiscation.	2009 - 2013	√*		√										
		7.4 Creation of new mechanisms or development of the existing ones for financing the law enforcement agencies and remuneration of their employees from the revenues generated through confiscation of assets.	2010-2011	√		√*	√	√	√	√	√				√	

√ Participating institution √* Participating and Leading institution