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A presentation by

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The Albanian Customs Legislation is composed of two fundamental acts, the Customs Code of the Republic of Albania and the Implementing Provisions of the Customs Code.

According to the Customs Code, Article 11, Albanian Customs has the power **to prohibit or restrict the import/export of specific goods with dangerous use.**

**Goods exported or attempted to be exported in opposition to a prohibition or restriction, are liable to penalty foreseen in article 256 of Customs Code.**

**The lack of a fundamental law with a detailed list of goods that are imported or exported creates supervision difficulty on import/ export of licensed goods.** For the moment these procedures are administered manually. Copy of license is part of documentation required as obligatory.

The Ministry of Defense has prepared a draft-law on the export controls, but it is expected to be sent for approval to the Parliament. Actually the Ministry of Defense is the competent institution for surveying the dual use of goods, whereas the legal framework for defining the customs competencies in this field is not yet in force.

As a whole, the Albanian legislation is in line with the standards of the UN 1998's convention "Against illicit traffic in narcotic drugs and psychotropic substances". Licensing procedures for the import/ export of these substances are in use.

*The legal framework for export control:*

**Law No. 8965 dated 07/11/2002**

"On the adherence of the Republic of Albania to the "Convention of the United States on psychotropic substances"

**Government Decision Nr. 853, dated 17/12/2004**

"On the procedure for granting the import - export permit and producing the pyrotechnic substances and fire-works for civil use".

**Law No. 9480, dated 16.02.2006**

"On the adherence of the Republic of Albania to the Copenhagen amendment to the Montreal Protocol "On the ozone depleting substances".

**Law No. 9484 dated 02/03/2006**

"On the adherence of the Republic of Albania to the London amendment, annex II, of the Montreal Protocol "On the ozone depleting substances".

### Organizational structure and infrastructure

The Albanian Customs is using ASYCUDA++ automated declaration system that permits the control of the license for specific goods, import/ export of goods.

A system of detectors, capable of detecting radioactive substances, has been installed in two Customs Houses, in the one of Mother Teresa Airport and the one of Port of Durres.

In our administration does not yet exist any specific national strategy concerning the implementation of **risk analysis** for security and defense purposes, but there exist some risk profiles about the supervision of the dangerous substances and those of dual use.

Under the assistance of EU-CAFAO, Albania is working to implement the SEMS system. In a first stage, the exchange of information is realized through Mother Teresa Airport (Albania) and Prishtina Airport (Kosovo). In a second stage it is aimed that the exchange of data through SEMS is expanded throughout the entire border crossing points.

Taking into account the directions of the EU, the Directorate General of Customs has established an **anti-trafficking unit**. Its work is in full compliance with the Albanian Customs Legislation and follows the steps of its counterpart units of the EU Member States.

Even though newly established, there have been continuous efforts to improve the efficiency of this unit, as one of the most important sectors of the investigative department in Albanian Customs Service. In cooperation with the state police, narcotics, stolen goods and weaponry have been confiscated by this sector.

This re-organization of the anti-trafficking structures in ACS made possible the improvement of their activity, which in turn is contributing to the improvement of the performance, image and has brought a new atmosphere of cooperation of customs with the business.

### International Cooperation

Concerning the **international cooperation**, as related to the subject, the following could be mentioned:

- Negotiation of new bilateral customs agreements and protocols;
- Being active and constructive in regional and international structures, such as WCO, RILO, SECI, BSEC, different CARDS financed Programs/ projects
- Being involved in international networks for the electronic exchange of customs intelligence (such as SEMS).

The Albanian Customs Administration has been a key actor in the compilation of the National Strategy on the Integrated Border Management (IBM) and its Action Plan, in cooperation with the other three agencies that operate in the border: Border and Migration Police, Phyto-Sanitary and Veterinary Service, and with the precious assistance of the EU-CAFAO and PAMECA.

The IBM strategy handles the cooperation Intra-Service, Inter-Agency and International.

The IBM strategy and the action plan have been sent for approval to the Council of the Ministers, and while waiting for this decision, the four agencies have been gathered and taken a decision to carry preliminary measures.