

CHAPTER

24

JUSTICE, FREEDOM, SECURITY







# Albania's Scorecard On Progress And Level Of Preparation Regarding EU Accession During 2023-2024

This study was conducted by the European Movement in Albania (EMA) in the framework of the project "National Resource Centre for Civil Society in Albania", with the financial support of the European Union through the Delegation of the European Union in Albania. The information and views expressed in this document are those of the author and do not necessarily reflect the official opinion of the European Union.

The National Resource Centre for Civil Society in Albania (NRC) is an initiative of Partners Albania, implemented in partnership with the Albanian Center for Population and Development (ACPD) and the European Movement in Albania (EMA).

November 2024, Tirana





## Albania's Scorecard On Progress And Level Of Preparation Regarding EU Accession During 2023 - 2024

BASED ON THE ASSESSMENTS OF THE EUROPEAN COMMISSION 2023 AND 2024 COUNTRY
REPORTS

#### Context

The European Commission (EC) monitors Albania's progress and level of preparation in meeting EU membership requirements on an annual basis. The country is working on the transposition of the Acquis according to the National Plan on European Integration (NPEI), which serves as a tool for fulfilling the obligations arising from the Stabilization and Association Agreement (SAA). The First Intergovernmental Conference held on July 19, 2022, marked a major milestone for Albania, symbolizing a key technical step in the EU integration process. This conference set the stage for the European Commission's approval of the negotiation framework and initiated the groundwork for the screening process. With the screening process completed in November 2023, Albania reached another significant achievement on October 16, 2024, by officially opening negotiations for Cluster 1 – Fundamentals.

This Scorecard on Albania's Progress and Level of Preparation towards EU membership takes as its starting point the situation described in the EC 2023 Country Report and reflects the development throughout the reporting period crystallized in the EC 2024 Country Report. It aims to display in a more simplified way 1) the Political Criteria 2) Chapter 23 (Judiciary and Fundamental Rights) and 3) Chapter 24 (Justice, Freedom and Security).

The Scorecard presents an assessment concerning the main fields of each chapter. The evaluation includes an elaboration on progress and preparation in each area, as well as a graded assessment (where 10 is the highest grade and 4 the lowest), taking into account the terminology used in each case in the European Commission Reports for progress and level of preparation.

Furthermore, it considers the frequency and the relevance of the issue (new legal initiatives or strategies are generally viewed as more important than routine trainings). Particular attention has been drawn to the evaluation of the implementation of the legislation as one of the most important problems that our country faces. The methodology applied by EMA constitutes a snapshot of several components that shape a subfield, field and then chapter.

TERMINOLOGY USED FOR PROGRESS:	GRADE
Backsliding	4
No progress	5
Limited Progress	6
Some progress	7
Good Progress	8-9
Very good progress	10

TERMINOLOGY USED FOR PREPARATION	GRADE
n/a	n/a
Early stage	5
Some level of preparation	6
Some level / moderately prepared	7
Moderately prepared	8
Good level of preparation	9
Well-advanced	10

#### How Should We Read This Scorecard?

Albania's Scorecard presents grades for each area analyzed by the European Commission for the preparation level and progress made regarding the European integration process for the reporting period covered by the reports of 2023 and 2024 The evaluation was carried out taking into account several criteria such as:

- Assessment of the fulfillment of requirements and obligations arising from the process concerning the legislation drafting framework;
- Reviewing whether the recommendations of the previous year were taken into consideration;

This document's main objective is to offer civil society actors, academics, governmental bodies, students, businesses and other interested citizens a clear and accurate reading, beyond the political debates, of Albania's progress in all areas that are part of the Copenhagen Criteria for EU membership.

### SCORECARD FOR CHAPTER 24: JUSTICE, FREEDOM, SECURITY

CHAPTER 24	EC REPORT 2023	EC REPORT 2024	CHANGE
Fight against organised crime and money laundering	Preparation – Grade: 8  The country has some level of preparation in aligning with the EU acquis on fight against organized crime. The strategic framework consists of the 2021-2025 strategy against organised and serious crimes. While Albania has a comprehensive legal framework for confiscating criminal proceeds, an asset recovery office has not yet been created, as required by the Law on the administration of seized and confiscated assets from 2019, and is now long overdue. In February 2023, the action plan for 2023-2025 was adopted. Law enforcement authorities need to be more proactive and systematic in addressing organised crime. The number of databases to which the SPO and NBI have direct access has increased. On money laundering, both the centralised bank account register and the beneficial ownership (BO) register are in place. The BO register is now almost fully populated, comprising 99% of businesses and 94% of NGOs. Since July 2022, sanctions are in place for subjects who fail to comply with BO registration obligations. Financial investigations do not systematically accompany criminal proceedings from the beginning, and their effectiveness remains limited. The financial investigation techniques of the police and prosecutors still need improvement. There is no strategic or systematic approach to identifying and confiscating criminal assets. Albania needs to step up the implementation of the anti-mafia law on the preventive seizure and confiscation of assets, to freeze assets related to criminal activities and promote their social reuse. The cooperation between the Albanian Security Academy and the EU Agency for Law Enforcement Training (CEPOL) is well established, but the revision of the Working Arrangement has been appointed.	Preparation – Grade: 8  Albania is between having some and a moderate level of preparation in aligning with the EU acquis in the area of fight against organized crime. Albania is partially aligned with the EU acquis in the field of the fight against organised crime. Implementation of the 2021–2025 strategy against organised and serious crimes and the 2023–2025 action plan is ongoing. A draft law on the establishment of an Asset Recovery Office has been through public consultation in March 2023. The Law should be adopted without delay, and should also taking into account the latest EU directive on asset recovery and confiscation. The number of databases to which the SPO and NBI have direct access has increased; they now include customs, social insurance and tax databases. Financial investigations do not systematically accompany criminal proceedings from the beginning, and their effectiveness remains limited. There is no strategic or systematic approach to identifying and confiscating criminal assets that are abroad or unreachable. Albania needs to increase use of preventive seizure and confiscation of assets as a preventive measure, including non-conviction-based confiscation and thirdparty confiscation. The police and prosecutors' financial investigation techniques needs to be improved.  Cooperation between Albania and the European Union Agency for Law Enforcement Training (CEPOL) continues, but Albania should make more use of it. The revision of the Security Academy agreement with CEPOL is ongoing. Albania remains an active participant in the European Multidisciplinary Platform against Criminal Threats (EMPACT) with 115 operational actions carried out in 2023 (119 in 2022). The country was an action leader in two of the actions and co-leader in an additional two.	O
Fight against organised crime and money laundering	Progress – Grade: 8.5  Some progress was made in meeting last year's recommendations. The legal framework was further aligned with the EU acquis, especially in the field of antimoney laundering. The 60 investigators of the National Bureau of Investigation (NBI) and several special prosecutors attended trainings with assistance from international actors (mainly the EU and USA). Some progress was made on the seizure and confiscation of assets linked to organised crime. Albania pursued its efforts to improve its track record on fighting organised crime. There was progress in the implementation of the recommendations of the FATF and FATF assessed that the country has substantially completed its 2020–2023 action plan. FATF decided to delist Albania's in October 2023. FATF is concerned on Albania's plans for the adoption and implementation of a voluntary tax compliance law, including a criminal amnesty. Albania should ensure that any future VTC law complies with the EU Acquis and international standards. The track record on money-laundering and high-level corruption cases remains insufficient. The ASP's witness protection programme has worked satisfactorily.	Progress – Grade: 8.5  Some progress was made in the fight against organised crime. Albania has continued to work on aligning its legal framework on organised crime with the EU acquis. Albania continued to strengthen the fight against money laundering. In December 2023, an inter-agency working group was set up to draft the 2024-2030 National Strategy for the prevention of against money laundering and terrorism financing, which was approved in July 2024. The High Prosecutorial Council (HPC) appointed in March 2024 and July 2024 additional prosecutors to SPAK, which now has all of its 20 special prosecutors. The financial investigation unit of the Special Prosecution Office (SPO) started operations after the recruitment of 12 investigators in 2023. The establishment of the Judicial Police Services in the National Bureau of Investigation (NBI) is pending the appointment of the NBI Deputy Director. Asset seizures drastically fell in 2023. Albania reported about EUR 21 million worth of seized assets (compared with EUR 46 million in 2022). Asset confiscation increased in 2023 to EUR 11 million, compared with EUR 5.8 million in 2022. In the first seven months of 2024, Albania reported close to EUR 16 million worth of confiscated assets. The piloted reuse of confiscated assets for social purposes has been largely ineffective, as the state agency fails to allocate suitable assets, and social enterprises do not receive meaningful tax benefits. The number of SIENA users increased, and the Financial Intelligence Unit obtained access to SIENA, meeting an outstanding recommendation. Albania actively participated in the INTERPOL I-24/7 system with 26.7% more joint operations compared with 2022.	0

CHAPTER 24	EC REPORT 2023	EC REPORT 2024	CHANGE
Fight against drugs	Preparation—Grade: 5.5  Albania still does not have a dedicated National Drugs Strategy. Several security aspects are covered by the 2021–2025 National Strategy against Organised Crime. Albania adopted a law on controlling the cultivation and processing of the cannabis plant and the production of its by-products for medical and industrial purposes in August 2023. Albania should continue to consult the EU on the envisaged implementing legislation and ensure that mechanisms are in place to effectively prevent cannabis from being diverted to unintended use. The lack of safe and secure storage for seized drugs and drug precursors prior to destruction remains a concern. Albania needs to establish the legal base for an appropriate process for the destruction of precursors and the practice of keeping only a small sample as material evidence for court proceedings (instead of the entire quantity seized). Albania remains the only country in the region that allows monitoring by another country	Preparation - Grade: 6  Albania is partially aligned with EU acquis in the field of drugs. Albania does not have a dedicated national drugs strategy. Security aspects are covered by the strategy against organised crime and serious crimes (2021-2025) and its action plans. Drug demand and harm reduction are mainly addressed in the National Health Strategy 2021-2030 and a dedicated Action Plan 2023-2026. Action plans on the prevention and suppression of the criminal activity of cultivating narcotic plants are developed by the ASP. The latest one was adopted in January 2024. On the legal cultivation of cannabis for medical and industrial purposes, Albania adopted three pieces of the required implementing legislation and appointed the Director-General of the National Cannabis Control Agency. Albania needs to ensure that mechanisms are in place to effectively prevent cannabis from being diverted to unintended use. Improved results in identifying and destroying plants show an increased operational capacity of the ASP to fight illegal cannabis cultivation. International police and judicial cooperation are well established. Albania is involved in the EMPACT priorities.	+0.5
Fight against drugs	Progress- Grade: 6.5  The establishment of a National Drugs Observatory is still pending. Although there is a national early warning system (NEWS) coordinator, there is still no operational NEWS and it should be made operational without delay. Albania's law enforcement authorities have maintained a good level of cooperation with their counterparts in EU Member States in tackling the trafficking of narcotics. Drug trafficking is the most common form of serious criminal offence in Albania, even if the number of identified cases has slightly decreased. The ASP continued monitoring by drones. The amount of cocaine seized declined from 725 kg in 2021 to 578 kg in 2022, which remains a very significant amount.	Progress – Grade: 7  Albania has not yet set up a national drugs observatory and a national early warning system on the detection of new psychoactive substances. These are crucial prerequisites for an evidencebased and effective policy on drugs. The Law on narcotic drugs and psychotropic substances was amended in December 2023. Airborne remote sensing to detect and monitor cannabis plantations continues with Italian assistance. There has been a decreasing trend in the detection of drug trafficking crimes, which has led to a reduction in the amount of confiscated drugs destroyed.	+0.5

facilities for unaccompanied minors, except in for the

Erseka temporary social reception centre. Since 2018, refugee status has only been granted to one person by

Albania.

Action Plan on the WB presented in December 2022

and therefore contributed to the management of the

mixed migration flows towards the EU.

Network.

CHAPTER 24	EC REPORT 2023	EC REPORT 2024	CHANGE
Cybercrime and counter terrorism	Preparation – Grade: 8  Albania has a comprehensive legal framework for preventing and combatting the financing of terrorism and is fairly advanced in aligning with the EU acquis. It is a party to all of the Council of Europe counterterrorism conventions. In July 2022, Albania was victim to a large-scale cyberattack, which led to the temporary disruption of most online public services. Capacities for investigating and prosecuting crimes against children through internet need to be strengthened. The ASP's cybercrime unit has a central forensic laboratory but should increase its capacity. Albania should continue to focus on the disengagement, reintegration and rehabilitation of returnees from Syria. The CVE Coordination Centre and the ASP's Counterterrorism Directorate have led the interinstitutional work in an effective and professional manner	Preparation - Grade: 7.5  Albania's legal framework in the field of terrorism is partially aligned with the EU acquis. Albania also needs to align its legislation on explosive precursors with the EU acquis. It has a comprehensive legal framework for preventing and combating the financing of terrorism. Policy is guided by the strategy for the prevention of violent extremism and the fight against terrorism (2023–2025) and two related action plans. The government has not allocated sufficient funds to implement them. Yet needs to improve its ability to monitor and combat the financing of terrorism, including through non-profit organisations. The level of preparation in protecting critical infrastructure remains low. The fight against terrorism is satisfactory overall. Albania must develop its capacity to investigate cybercrime to meet the EU's 2022-2025 priorities for EMPACT. Albania has a national coordinator for countering violent extremism. Yet, frequent leadership changes and high staff turnover hamper its effectiveness. The rehabilitation and reintegration of the family members of foreign terrorist fighters repatriated from Syria is being handled effectively. Authorities should reduce their reliance on donor-funded activities, and an adequate budget for this work should be allocated to ensure sustainability.	-0.5
Cybercrime and counter terrorism	Progress – Grade: 7.5  Based on the National Cyber Security Strategy 2020–2025, new legal and sub-legal acts on cybercrime have yet to be adopted. Legislative amendments to criminalise all forms of online child sexual abuse have yet to be adopted. Albania is party to the Budapest Convention on Cybercrime and in February 2023 signed the Second Additional Protocol to the Convention. In March 2022, the government adopted a new cross-sectoral strategy for 2023–2025 and two action plans to prevent violent extremism and fight terrorism. The funds to implement the action plans need to be budgeted. It has made good progress in implementing the bilateral arrangement with the EU on operationalising the Joint Action Plan on counter-terrorism. A revised bilateral arrangement was signed in December 2022 and is being implemented. Work has advanced on creating a mechanism for joint national threat assessments. Albania should make more proactive use of the capabilities of the Europol European Counter Terrorism Centre. It actively participated in the implementation of the Western Balkan counter-terrorism initiative. Regional cooperation and the exchange of sensitive information with international partners remains satisfactory.	Progress – Grade: 7  As part of the National Cybersecurity Strategy, a new action plan for 2024–2025 and new legal acts and implementing legislation on cybercrime have yet to be adopted. The criminalisation of all forms of online child sexual abuse is pending. Albania has made progress in implementing the 2023–2025 strategy to prevent violent extremism and fight terrorism. Albania continues to implement the Joint Action Plan on Counter-Terrorism for the Western Balkans. No tangible progress has been made in creating an interinstitutional working group or body to deliver joint national threat assessments and create a threat-level grading system. Online radicalisation, radicalisation in prisons and terrorist content online remain major challenges. There has also been an increase in attempts by foreign entities to influence religious communities in Albania in recent years. On a regional level, Albania has established in 2023 a regional referral mechanism responsible to identify and refer cases of radicalisation to the CVE Centre. ASP referred 8 cases of criminal offences with terrorist intent in 2023, and at least 13 cases in the course 2024. The government is continuing its efforts to repatriate the remaining women and children from the camps in Syria.	-0.5

CHAPTER 24	EC REPORT 2023	EC REPORT 2024	CHANGE
Judicial Cooperation	Preparation – Grade: 8.5  Albania should finalise the internal procedures for acceding to the 2005 Hague Convention on Choice of Court Agreements and the 2007 Protocol on the Law Applicable to Maintenance Obligations. The setting-up of joint investigation teams has been facilitated by EU financial support. It should further improve international cooperation. The Albanian liaison prosecutor was appointed to Eurojust in January 2021 and helped to facilitate judicial cooperation. The continuity of this engagement was ensured in June 2023 when the mandate was extended.	Preparation - Grade: 9  In February 2024, Albania signed the 2005 Hague Convention on Choice of Court Agreements and the 2007 Protocol on the Law Applicable to Maintenance Obligations. Judicial cooperation in civil and criminal matters is broadly satisfactory. Albania ratified both instruments in June 2024. Cooperation with the European Public Prosecutor's Office (EPPO) is fully in place.	+0.5
Judicial Cooperation	Progress – Grade: 10  Albania actively participates with two representatives in the Eurojust regional project WB CRIM JUST). This has led to greater interaction between prosecutors in the Western Balkans with the aim of coordinating their investigations. With EU assistance, in 2022 Albania doubled its participation in joint investigative teams (JITs). In 2022, the Albanian Liaison Office to Eurojust registered 38 cases at the request of the Albanian authorities, which represents an 81% increase compared with 2021. Among non-EU countries, Albania had the fourth highest number of Eurojust cases in 2022. Cooperation agreements between the European Public Prosecution Office (EPPO) and the General Prosecution Office and SPAK were signed respectively (July 2022, June 2023) to facilitate cooperation in criminal matters and the exchange of information.	Progress – Grade: 10  Judicial cooperation increased between 2021 and 2023 in both civil and criminal matters. The increase is for both outgoing and incoming requests. Two representatives maintained Albania's active participation in the Eurojust regional project WB CRIM JUST. This has led to greater interaction between Western Balkans prosecutors in coordinating their investigations. The number of joint investigation teams increased to 22 (19 in 2023). Most of the teams (13) continue to work in the field of narcotics.	MAX