

REPUBLIC OF ALBANIA
MINISTRY OF INTERIOR
MINISTER

No. 2827 prot.

Tirana, on 03.06.2021

INSTRUCTION

No. 245, dated 03.06.2021

“ON

**RULES AND PROCEDURES FOR OBTAINING AND VERIFYING INFORMATION ON
ASYLUM SEEKERS AND REFUGEES FROM COUNTRY-OF-ORIGIN STATEMENTS”**

Pursuant to paragraph 4 of article 102 of the Constitution of the Republic of Albania, law No. 9887, dated 10.03.2008, “On personal data protection”, as amended, paragraph 3, of article 94, of law No. 10/2021 “On Asylum in the Republic of Albania”,

I H E R E B Y I N S T R U C T :

1. The authority responsible for asylum and refugees shall, for the purposes of conducting interviews and making a final decision, collect and process the personal information of the international protection applicant.
2. The authority responsible for asylum and refugees shall verify the data collected during the international protection application and interview with state institutions and national and international organizations with regards to the overall situation present in the international protection applicant country of origin, and when necessary, the countries the applicant has transited through.
3. The authority responsible for asylum and refugees shall request information from the International Cooperation and Coordination Directorate at the State Police to verify the international protection applicant and/or beneficiary statements. The International Cooperation and Coordination Directorate at the State Police shall, upon verification, provide the information to the authority responsible for asylum and refugees, within 5 business days, so that it may be addressed, and decisions may be made pursuant to the provisions of law No. 10/2021 “On Asylum in the Republic of Albania”.
4. The authority responsible for asylum and refugees shall request information from the Generation Border and Migration Directorate at the State Police Directorate, within the area of responsibility of this directorate, for the purposes of verifying the international protection applicant statements regarding the countries through which they transited. Upon verifying the information, this directorate shall provide it to the authority responsible for asylum and refugees within 10

business days from the request date.

5. The authority responsible for asylum and refugees, shall request information from the State Informative Service for the purposes of collecting and verifying international protection applicant, refugee and persons under subsidiary protection data and statements. Upon verifying the information, the State Informative Service shall provide the information to the authority responsible for asylum and refugees within 5 business days, so that the latter may address and make relevant decisions pursuant to the provisions of law No. 10/2021, “On Asylum in the Republic of Albania”.
6. The cooperation related to information exchange may also be in effect with counterpart authorities, which express their consent on specific or general matters.
7. The authority responsible for asylum and refugees may not provide any information to any potential actors persecuting or seriously threatening the applicant, regarding the application for international protection or the fact that such application has been filed, or any other information that would threaten the physical integrity of the applicant, his/her family members and the safety of other family members still residing in the country of origin.
8. Without prejudice to the provision in paragraph 7, consideration may be given to requesting or sharing information on persons applying for international or temporary protection, with the country where the applicant has applied or has transited before entering the territory of the Republic of Albania, for the purposes of securing information to verify or accurately determine that:
 - a) the applicant has provided the relevant authorities with truthful information;
 - b) the life of the applicant is in serious risk in the country of origin;
 - c) the applicant does not represent a risk to public order and national security.
9. The authority responsible for asylum and refugees may exchange the following data with foreign law enforcement agencies:
 - a) personal information (name, last name, date and place of birth, gender, citizenship, last known address in the country of origin or transit) of the person in question, and when necessary, personal information of his/her close relatives that have been provided by the applicant him/her self;
 - b) data regarding identity documentation provided by the applicant him/her self;
 - c) fingerprints and photographs;
 - ç) other documents provided by the applicant;
 - d) data regarding the judicial record, as far as this is relevant to preserving public order and safety, and as far as the individual in question is not put at risk. This verification shall apply to any applicant, except children under the age of 12 (twelve).
10. Fingerprints and photographs that are administered by the State Police in the foreign national’s database, shall be made available to the Authority responsible for asylum and refugees upon request of the latter.
11. The information regarding his/her classification may be requested or provided by official letter.
12. The information collected shall be administered in the personal international protection applicant

or beneficiary file.

13. The rules and procedure for collecting and verifying information and statements on the international protection applicant from the country of origin, provided for in this instruction, shall be implemented for persons that have been granted the temporary protection status, whenever this is possible.
14. The Instruction of the minister of Internal Affairs No. 645, dated 14.12.2015, "On rules and procedures for obtaining and confirming information and statements on asylum seekers and refugees from country of origin", is hereby abrogated.
15. The authority responsible for asylum and refugees and the State Police Directorate shall be charged with the implementation of this instruction.

This instruction shall become effective upon publication in the Official Gazette

MINISTER

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Signature

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