

REPUBLIC OF ALBANIA
COUNCIL OF MINISTERS

DECISION

No. 630, dated 27.10.2021

ON THE ORGANIZATION AND OPERATION OF THE RECEPTION CENTER FOR ASYLUM

Pursuant to article 100 of the Constitution and paragraph 2, article 44 of law No. 10/2021 “On asylum in the Republic of Albania” and upon the proposal of the minister of Interior, the Council of Ministers

HAS DECIDED:

CHAPTER I
GENERAL PROVISIONS

1. The organization and operation of the Reception Center for Asylum (hereinafter “RCA”) as a budgetary legal person subordinate to the minister responsible for asylum matters (hereinafter the “minister”), seated in Tirana.

2. The Reception Center for Asylum shall be funded by the state budget and other legitimate sources. The center budget shall be part of the budget for the ministry responsible for asylum matters.

3. The Reception Center for Asylum shall have the mission to ensure the collective reception and accommodation of international protection applicants.

CHAPTER II
FUNCTIONAL RESPONSIBILITIES OF THE RECEPTION CENTER FOR ASYLUM

The Reception Center for Asylum shall have the following responsibilities:

- a) organizing activities to ensure the collective reception of international protection applicants;
- b) organizing activities to ensure that adequate living standards are provided to international protection applicants;
- c) organizing activities to ensure the delivery of pedagogic and education programs and free legal counseling to international protection applicants.

CHAPTER III
ORGANIZATION AND OPERATION OF THE RECEPTION CENTER FOR ASYLUM

1. The Reception Center for Asylum shall be organized at the central level and shall cover the entire territory of the Republic of Albania.

2. The Reception Center for Asylum shall be led by the center director, who shall organize and lead its activity and shall report to the minister. The center director shall represent the center in relations with third parties.

3. The RCA director shall be appointed, released or discharged by the minister. The RCA director should meet the following requirements:

- a) being of Albanian citizenship;
- b) having complete capacity to act;

- c) not being convicted by a final court decision for a criminal offense;
- ç) holding a “scientific masters” or “professional masters” degree gained upon conclusion of second cycle studies of 120 credits and normal duration of 2 academic years, or equivalent, in social sciences, pursuant to the legislation on higher education;
- d) having no less than 5 (five) years of professional experience in the profession;
- dh) not being subject to dismissal under a disciplinary measure, which has not lapsed according to applicable legislation.

4. The RCA director shall be released from duty when:

- a) he/she resigns;
- b) reaches the age of retirement;
- c) the fact of incapability to perform his/her duties is verified;
- ç) is in a situation of continued conflict of interest.

5. The RCA director shall be discharged when:

- a) he/she is convicted by a final court decision of intentional criminal offenses or misdemeanors;
- b) he/she has committed serious violations while on duty;
- c) he/she is handed a final court decision of restriction or stripping of ability to act.

6. The RCA director shall perform the following duties:

- a) defining annual center objectives, in line with the strategic objectives adopted by the minister and developing the institutional annual work plan;
- b) leading the budget planning and annual work reporting processes;
- c) reporting periodically, and as requested, to the minister on the conditions of international protection applicants accommodated at the center and on center activity;
- ç) leading efforts for the development of the regulation defining RCA internal working methods and personnel conduct, and/or relevant changes thereto, and submitting these documents to the minister for approval;
- d) developing special job position requirements for the recruitment of RCA civil servants/employees and appointing civil servants and staff, pursuant to the Labor Code of the Republic of Albania;
- dh) authorizing the dissemination of public information;
- e) issuing internal acts for administrative, financial and human resources management, and other binding internal acts for RCA staff, regarding the performance of the institutional functions;
- ë) entering cooperation agreements with counterpart organizations and various foreign organizations, pursuant to legal provisions;
- f) performing any other duties required by the applicable legislation and the minister.

7. The Reception Center for Asylum shall perform the following duties in the framework of the competences provided for by law:

- a) taking relevant measures for the accommodation of international protection applicants pursuant to the provisions of law No. 10/2021 “On asylum in the Republic of Albania”;
- b) taking relevant measures for ensuring adequate living standards for international protection applicants to ensure their physical and mental health, including necessary healthcare and mental healthcare when required;
- c) cooperating with state or private, domestic or foreign entities and counterpart organizations and various international organizations to effectively resolve issues and undertake other activities to perform the duties provided for in law No. 10/2021 “On asylum in the Republic of Albania”;
- ç) taking necessary measures for the development of pedagogical and educational programs and for providing free legal aid, pursuant to national practices;
- d) informing the authority responsible for asylum and refugees about international protection applicant entry, leave or accommodation procedures in place, pursuant to the provisions of law No. 10/2021 “On asylum in the Republic of Albania”;
- dh) informing international protection applicants on their rights and obligations to be observed

during their stay;

e) taking relevant measures to ensure that minors have access to leisure activities, including activities adequate for their age.

8. The employment relations of the director, the civil servants, and employees of the RCA shall be regulated pursuant to the provisions of the Labor Code.

9. The regulation providing for RCA internal working methods and personnel conduct, and/or relevant changes thereto shall be approved by the minister upon proposal of the center director.

10. The RCA structure and organizational chart shall be approved by order of the Prime Minister, according to applicable legislation provisions on the state administration organization and functioning.

11. The Reception Center for Asylum shall have its own official emblem, logo and seal. The center emblem shall be composed of the emblem of the Republic of Albania and the writings: "Republic of Albania, Ministry of Interior, Reception Center for Asylum".

12. The Reception Center for Asylum seal shall be shaped and contain the items provided by the decision of the Council of Ministers on official seals production, administration, control and storage rules. The seals shall be produced, administered and stored in accordance with the legislation in force.

CHAPTER IV TRANSITIONAL AND FINAL PROVISIONS

1. Decision No. 332, dated 4.5.2016 of the Council of Ministers "On the organization and operation of the National Reception Center for Asylum Seekers", shall be hereby abrogated.

2. The Ministry of Interior and the Reception Center for Asylum shall be charged with the implementation of this decision.

This decision shall enter into effect following its publication in the Official Gazette.

THE PRIME MINISTER
Edi Rama