

INSTRUCTION

No.1382 dated 08/02/2001

“On the procedure to be followed by the State’s Police to facilitate the Pre-screening of Detained Foreigners”

Based on the Article no. 102 point 4 of the Constitution, aiming for timely response and the unification of the State’s Police actions in their contacts with foreigners who enter irregularly to the Republic of Albania,

I instruct:

1. At the moment that the State’s Police detain foreigners, shall immediately inform the Chief of the Commissariat, in his absence the Chief of the Order Police, on:

- The number of detained foreigners
- Place and date of detention,
- Presumed citizenship and ethnic group if possible,
- The detainees’ gender, and
- Their identification documents, if available

2. The Chief of the Commissariat, in his absence the Chief of the Order Police, notifies immediately the pre-screening team Focal Point to the telephone number (4) 250-206, (4) 250-207 or 038-202-9907, or to the fax number (4) 228-492. If the above is not possible, the OSCE Field Station of the respective prefecture shall be notified.

The State’s Police notification to the above-mentioned offices shall contain:

- The number of the detained foreign citizens,
- Place and date of detention,
- Presumed citizenship and ethnic group if possible,
- The detainees’ gender, and
- Their identification documents, if available.

3. Upon confirmation of one of the offices referred to in point 3 of this instruction, the pre-screening team is expected in the place of the detention of the foreigners within 24 hours from the moment in which the notification was made. This team will interview the foreigners in order to identify those who request asylum and those who are trafficked women against their will and wish to return to their countries of origin.

The Officer of the State Police precinct where the pre-screening takes place requests from its members an identification card issued by the Ministry of Public Order as well as identity documents issued by the respective authorities of OFR, UNHCR, IOM or ICMC.

4. The Officers of the State Police co-operate with the pre-screening team while it conducts its interviewing work at the detention places.

5. The foreigners who, following the interviews of the pre-screening team, request asylum or who are trafficked women against their will and express their intention to return to their countries of origin, are left by the State Police under the responsibility of the pre-screening team. This team will transport them to the asylum seekers' centre or the shelter for trafficked women, no longer than 10 hours after the interviews have been finalised.

6. The Officers of the State Police of the Ministry of Public Order, the Police Directorates in their respective Districts and the Police Commissariats shall be informed on this instruction.

For information this instruction will be sent to the Office for Refugees, UNHCR, IOM, ICMC, and OSCE.

7. Following the interviews, the leader of the pre-screening team will provide in writing the outcome of the interviews to the Head of the Police Commissariat or the Officer-in-Charge in which asylum seekers and/or trafficked women willing to return to their countries are identified.

8. The General Directorate of the Police, the Police Directorates in their respective Districts and the Police Commissariats will control the implementation of this Instruction.

9. This Instruction enters into force in 30 days.

MINISTER

ILIR GJONI