



ANNEX C1: Twinning Fiche

Project title: Support to the Albanian Customs Administration in relation to the implementation of the EU Customs Code and increase of operational capacities in the area of counterfeit goods.

Beneficiary administration: Albanian Customs Administration

Twining Reference: AL 17 IPA FI 02 20

Publication notice reference: The publication notice reference will be completed by the European Commission

EU funded project

TWINNING TOOL

List of abbreviations and acronyms

ACA	Albanian Customs Administration
AW	ASYCUDA World
DCM	Decision of the Council of Ministers
EU	European Union
IPA	Instrument for Pre-Accession Assistance
IPR	Intellectual Property Rights
IT	Information Technology
MFE	Ministry of Finance and Economy
NAIS	National Agency of Information Society (<i>AKSHI</i>)
NCTS	New Computerised Transit System
PL	Project Leader
PSC	Project Steering Committee
RTA	Resident Twinning Advisor
SEED	Systematic Electronic Exchange of Data

1. Basic Information

1.1 Programme

IPA 2017 Action Programme for Albania - Indirect management with ex-ante control; IPA 2017/040-209.01/AL/EU Integration Facility.

For UK applicants: Please be aware that following the entry into force of the EU-UK Withdrawal Agreement¹ on 1 February 2020 and in particular Articles 127(6), 137 and 138, the references to natural or legal persons residing or established in a Member State of the European Union are to be understood as including natural or legal persons residing or established in the United Kingdom. UK residents and entities are therefore eligible to participate under this call.

1.2 Twinning Sector

Finance, Internal market and Economic criteria – FI

1.3 EU funded budget

400,000 Euro

2. Objectives

2.1 Overall Objective(s):

To provide support and contribute in strengthening the administrative and institutional capacities of the Albanian Customs Administration.

2.2 Specific objective:

The project aims to assist the Albanian Customs Administration (ACA) in aligning tertiary legislation and guidelines with the *Union acquis* and best practices and to assist in the increase of operational capacities in the area of counterfeit goods.

2.3 The elements targeted in strategic documents i.e. National Development Plan/Cooperation agreement/Association Agreement/Sector reform strategy and related Action Plans

The **Indicative Strategy Paper for Albania 2014–2020** approved on 18.08.2014, related to the sector Democracy and Governance, states: “*Further strengthening of the taxation and customs administrations, in particular on implementation and enforcement of legislation, will be supported in particular on implementation and enforcement of legislation, together with the Information Technology (IT) interconnectivity and interoperability with EU systems*”.

Regarding customs, the **Progress Report 2019** states that in the coming year, the country should in particular:

- approve legal provisions and develop New Computerized Transit System (NCTS) –;
- advance the registration of authorized economic operators;

¹ *Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community.*

→ pursue the fight against smuggling, imports of counterfeit products and corruption.

The new **Strategy for Public Finance Management 2019-2022**, approved by Decision of the Council of Ministers (DCM) No.824, date 18.12.2019, including the Specific Objective 3: Revenue Mobilisation, 3.3 “Customs Management” with output 3.3.1 performance indicator: *Regulatory framework is further aligned with the Union acquis*; and output 3.3.2 performance indicator: *Measures to fight counterfeiting and fraud are developed and implemented*.

The Albanian Customs Administration has its own **Business Strategy 2018-2021**, approved by Ministry of Finance and Economy by document no.12942/1 Prot., date 24.01.2018.

The ACA Business Strategy 2018-2021 is built up upon specific strategic objectives and their implementation measures among which are: *Strategic objective 1*. “further alignment of legislation with the *Union acquis* of the field (including Instructions and Guidelines, development and implementation of a post clearance and audit strategy)”; *Strategic objective 2*. “The implementation of the service oriented Administration and Enhancement of cooperation”; *Strategic objective 5*: “Improvement the professionalism and quality of work of employees”(training strategy...)”; *Strategic objective 6*. “The improvement of the IT Systems and Platforms, modern working methods including paperless environment”

ACA has also prepared the **Strategic Implementation Plan of Albanian Customs Administration for 2018-2020**, approved by order of Director General of Customs no.81, date 17.12.2018, a plan which is based on the Business Strategy of ACA. This Plan is based on the pillars of the ACA Business Strategy, developing them further.

This Twinning fiche is in accordance with the Strategic Objectives of this Action Plan.

According to the **National Strategy of Intellectual Property 2016 -2020** the installation of the full version of INES + software is defined as a challenge.

3. Description

3.1 Background and justification

The Albanian Customs Administration consists of the General Directorate of Customs and the Customs Branches. It depends from the Ministry of Finance and Economy and is under its supervision. The General Directorate of Customs has as its mission the safety of markets and the population (consumer protection, environmental protection, and protection of national borders) through efficient customs supervision and cooperation within and outside the country; excise and duties collection; establishment of favourable conditions for business development through the application of modern methods of work.

Customs authorities are responsible for performing all the actions specified in the customs legislation for goods entering or leaving the customs territory of Albania, prevention, verification and fight against smuggling activities, infringements and illicit trafficking of prohibited goods, identification and verification of customs offenses, preparation and signing of agreements and international conventions in the field of customs, supervision and control of goods subject to the supervision and control of customs authorities, etc.

The Albanian Customs Administration has made progress in approximating Customs legislation with the *Union acquis*. The Law No.102/2014, on “Customs Code of the Republic of Albania” was approved on 31.07.2014. This Law is partially aligned with the Regulation of the European Parliament and Council No.952/2013 “Union Customs Code” and is partially aligned with some other acts of EU. The New Customs Code, is fully in force and its implementing provisions are adopted by DCM no. 651, dated 10.11.2017 "On implementing provisions of law no. 102/2014, "Customs Code of the Republic of Albania".

The new customs code brings: modernisation of customs legislation and procedures, increased clarification and unification of procedures by sanctioning the right to be heard, simplified or facilitated customs rules and procedures with the aim of increasing the efficiency of customs transactions, further steps towards a paperless environment and support for faster customs procedures for trustworthy economic operators that respect the law. The Albanian Customs Administration updated the goods nomenclature in line with the 2016 version of EU Combined Nomenclature. The preferential tariffs are included in the Asycuda System. Certain acts are approved concerning the marking and monitoring of fuels, prohibition of waste's importation, domestic security policies in Customs IT System.

Through the DCM no.1090, dated 28.12.2015 “On Intellectual Property Rights Protection in customs” are partially approximated the Regulation No. 608/2013 of the European Parliament and the Council of Europe of 12th June 2013, concerning the implementation in customs of intellectual property rights and the repealing of the Council Regulation (CE) No. 1383/2003, as well as the Commission Regulation No. 135/2013, of 4th December 2013, “On setting the forms provided for in Regulation No. 608/2013, by unifying intellectual property rights protection procedures in the Albanian Customs with those of European Union. These provisions are now included in the DCM No. 651, dated 10.11.2017 "On implementing provisions of law no. 102/2014, dated 31.07.2014 "Customs Code of the Republic of Albania".

The General Directorate of Customs consists of 1,102 employees at both levels, at central and local ones. At Central level the General Directorate of Customs consists of 464 employees and is organised as follows:

- Office of the General Director;
- Administrative Department;
- Technical Department of Excise and Customs Procedures;
- Analysis and Post Clearance Department;
- Law Enforcement Department;
- Some Directorates are directly depended under the Director General.

For more information refer to the attached Organigram.

In the local level the General Directorate of Customs is organised in 17 Custom Houses that depend directly under the General Director. Customs Houses can be organised, depending on the functions they perform and the volume of work, in these sectors: Sector / Office of Administration Service, Sector / Office of Customs Supervision, Sector / Office of Customs Operations, Sector / Office of Security Control.

All member States are part of the EU Customs Union and follow the same customs rules and procedures. This requires legislative alignment, adequate implementing and enforcement capacity and access to the common computerised customs systems.

This Twinning fiche intends to support the Albanian Customs Administration and Customs Houses on new legislative instructions and practices regarding implementation of the “New Albanian Customs Code”. It will also provide assistance to implement the electronic system INES + based on the Implementing Provisions of the “New Albanian Customs Code”. The users of this System will be the physical control customs officers at each customs branch as well as structures of Law Enforcement Department (Directorates of Investigation, Information, Risk Analyses, Monitoring and Anti-contraband).

With a Decision of Council of Ministers No. 673, dt. 22.11.2017 is set up the National Agency of Information Society (NAIS- AKSHI) as changed with the DCM No.36 dt. 24.1.2018 and DCM no.448 dt 26.07.2018. This Agency is a Public Central Institution under jurisdiction of the Prime Minister. This Agency (NAIS-AKSHI) now provides the electronic services to the Albanian Customs Administration and also manages its electronic system ASYCUDA World (AW), provided by UNCTAD.

INES + software will be operated by the Intellectual Property Rights (IPR) protection office in ACA. The main aim of this component in the Twinning project is to put in operation the system INES + and prepare a plan in the headquarters and in all the custom house.

3.2 Ongoing reforms

Commitments in the area of customs are taken in accordance with the obligations arising from the Stabilisation and Association Agreement. The Inter-institutional Working Group for European Integration in charge of Chapter 29 (Customs) is led by the Ministry of Finance and Economy. Some of the mid-term priorities for the Albanian Customs Administration are:

- To further align the Albanian legislation on customs with the *Union acquis*;
- Implementation of the Business Strategy 2018 - 2020 by meeting the main objectives as follows:
 - Further development of procedures and processes to increase collection of duties
 - Implementation of service by focusing on administration and enhancing cooperation
 - Contribution to security and defence
 - Improvement and modernisation of the organisation
 - Improvement of professionalism and quality of work of the employees
 - Improvement of IT systems and platforms
- Follow-up of the Working Plan for the Improvement and Development of Customs Information Systems in implementation of the Customs Code and Implementing Provisions.

3.3 Linked activities

Albania has its own Public Administration Reform Strategy since 2015 and extended its duration to 2022. Its Action Plans covers the period 2018-2022. An important role in this document is given to

the quality of legislation, which should be clearly defined and regulated, enabling alignment of the Albanian legislation with Union *acquis*.

The project will:

- Assure continuity of the work commenced with the Twinning Project under IPA 2008 annual programme: “*Support to the alignment of Customs Procedures with EU Standards*”. Under this *Project-Component 1: Harmonisation of Legislation, Procedures and Practices* the new Customs Code was drafted in line with the new Modernised Community Customs Code and support was provided in drafting of the Implementing Provisions to the new Customs Code. The present Twinning project will follow with providing assistance in aligning tertiary legislation and guidelines in order to facilitate the proper implementation of renewed legislation.
- Support and complement the IPA 2011 Project: “*Technical Assistance to ACA for Strengthening the Capacities in the field of Risk Analysis and Risk Management, the Post Clearance Control, the Intellectual Property Rights and the Customs Chemical Laboratory*”. In the frame of this project among others, it was approved the Action Plan for the protection of the Intellectual Property Rights. The implementation of recommendations from Twinning experts is ongoing.
- Follow the modernisation of ACA Twinning projects related to Integrated Tariff Management System (ITMS) and New Computerised Transit System (NCTS) towards compatibility and interoperability of the Albanian Customs Information systems with the related EU Customs IT systems.
- Provide input (regarding INES + integration) to any future follow up action of Systematic Electronic Exchange of Data (SEED)+. The SEED system is built-up through several EC funded projects, since May 2008. The last approved one is “SEED+” which is planned to start implementation during the second quarter of 2020. It will provide (among others) the IT tools that will support implementation of CEFTA Additional Protocol 5 but relating INES + (as well as other SEED modules) will remain as in the actual version.
- Comply with the *Customs Business Strategy 2018 – 2021* and *Strategic Implementation Plan 2018 to 2020* for the Albanian Customs Administration, especially regarding ***Strategic Objective 1: Further development of procedures and processes to enhance collection of duties*** and ***Strategic Objective 6: Improvement of IT systems and platforms***.

3.4 List of applicable *Union acquis*/standards/norms

- Regulation of the European Parliament and Council No.952/2013 “Union Customs Code”;
- Regulation No. 608/2013 of the European Parliament and the Council of Europe of 12th June 2013, concerning customs enforcement of intellectual property rights and repealing Council Regulation (EC) No 1383/2003;
- Commission Implementing Regulation (EU) 2018/582 of 12 April 2018 amending Implementing Regulation (EU) No 1352/2013 establishing the forms provided for in Regulation (EU) No 608/2013 of the European Parliament and of the Council concerning customs enforcement of intellectual property rights.

3.5 Components and results per component

The project consists of two components and will aim to achieve the following results:

Component 1 Tertiary legislation and guidelines aligned with the *Union acquis* and best practices in relation to the EU Customs Code.

Results

1.1 Albanian customs regulations are prepared in an inclusive and evidence-based process, on the basis of impact assessments and internal and external stakeholder consultations. They are approximated to Union standards on Customs Code as follows:

- Tertiary legal acts deriving from the Implementation of Pan-Euro-Med Convention on Rules of Origin prepared;
- Guidelines or manuals for special procedures (i.e. manual on customs procedures before the goods arrive and before the goods leave the customs territory, guidelines for Free Zones, guideline on temporary storage, manual on transit and customs status of goods, manual for outward processing procedure etc) prepared;
- Manuals/Guidelines on Customs Debts and Guarantees prepared;
- Manual/guideline regarding procedures on customs facilities and simplifications prepared.
- Manuals related to Risk Analysis procedures in Excise and Post clearance Controls prepared;

1.2 Relevant staff is trained and ready to manage the Customs Code as follows:

- Increased operational capacities on Inventory of Sub-legal Measures and Action Plan of project activities;
- Training Strategy document for new employees and Customs Administration staff drafted in coordination with Albanian School of Public Administration / Tax and Customs Administration Training Center or other relevant coordinating unit in the Ministry of Finance and Economy for training to ensure consistency in capacity-building strategy;
- Increased operational capacities to correctly implement the sub-legal acts for staff of central administration and custom houses, (i.e. on Inward processing procedure, in particular with regard to equivalent goods and the retroactive effect, Destruction and extinction of goods, etc).

Component 2 System is in place to allow future interlinking with Asycuda World and EU-IT systems on counterfeit goods

Results

2.1 The electronic system INES + installed and operational;

2.2 Relevant staff trained to operate the system;

2.3 Operational capacity is improved in the following areas:

- Increased operational capacity (of the customs IPR Protection Directorate) and positive control over IT developments and projects (systems, infrastructure and services);
- Increased operational capacity on the EU customs IT system for the counterfeited goods for customs IPR Protection Directorate);

2.4 Roadmap for interoperability drafted.

3.6 Means/input from the EU Member State Partner Administration(s)*

3.6.1 Profile and tasks of the PL:

The project is envisaged to provide exchange of experience and know-how with an EU MS Institution with good practice in the above stated project activities.

This project requires a Project Leader who will be responsible for the overall coordination of the project activities. The Project Leader is expected to closely work with the Resident Twinning Advisor (RTA) and the short-term experts as well as with the counterpart of the Albanian Custom Administration (Beneficiary Institution).

Profile:

- University degree in economics, law, finance or other relevant field; or equivalent professional experience of 8 years in public administration;
- Proven contractual relation to a public administration or mandated body;
- At least 3 years working experience in activities linked to the scope of this project (customs administration modernisation);
- Managerial experience will be considered an asset;
- Previous experience in project management with similar nature will be considered as an asset;
- Fluency in English;
- Computer literacy.

Tasks:

- Overall project co-ordination and monitoring;
- Provide strategic advice on high level regarding reforms supported by the Twinning Project;
- Monitor and steer the project implementation, including coordination and direction of the MS TW partner, and develop corrective measures if and when needed;
- Supervision of the implementation of the project in coordination with the Project Leader counterpart;
- Mobilizing short-term experts;
- Communicate with the beneficiary and EU Delegation to Albania;
- Closely work with the RTA and the short term experts;
- Guarantee from the MS administration side, the successful implementation of the project;
- Ensure the backstopping functions and financial management;
- Participate in quarterly meetings of the Project Steering Committee with the Beneficiary Country PL;
- Participate in preparation of the initial and subsequent work plans;
- Prepare and sign the interim and final reports;
- Undertaking all activities specified in the project and achieving the mandatory results.

3.6.2 Profile and tasks of the RTA:

This project requires a Resident Twinning Advisor (RTA) as well as medium/short term experts will implement the project. The RTA has the responsibility to guide the work of the team and collaborate closely with the beneficiary counterpart. Considering the size of this Project it is necessary that the RTA carries out some expert tasks, in one of the components of this Project.

The medium/short term experts will work in close cooperation with the RTA in order to meet the specific objectives as set out above. The RTA will cooperate primarily with the staff of the beneficiary.

Profile of the RTA:

- University degree in economics, finance, law or other relevant field; or equivalent professional experience of 8 years in public administration;
- Be fully conversant with relevant EU legislation in the area concerned with proven knowledge of conceptual / systemic issues and practical experience from an executive position (preferably with Legal background);
- Must have at least three years of experience in activities related to the implementation of the *Union acquis* in the area covered by the Twinning Project Fiche
- Public speaking, presentation and communication skills;
- Fluency in English
- Computer literacy.

Tasks:

The RTA will be responsible for the following key activities:

- Daily supervision, monitoring and on-site coordination of the implementation of all activities that fall within the Twinning project, including proposing and implementing corrective measures if and when needed;
- Provide technical advice and assistance to the administration or other public sector bodies in the Beneficiary Country in the context of a predetermined work-plan;
- Developing and maintaining a close and permanent professional relationship with the leadership and staff of the beneficiary institution;
- Keep the Beneficiary project leader (PL) informed about the implementation and reports regularly to the Member State PL;
- Coordination of the activities of the team members in line with the agreed work programs to enable timely completion of project outputs;
- Preparation of projects progress reports;
- Permanent contact with the beneficiary RTA Counterpart;
- Liaison with Central Finance and Contracting Unit (CFCU) and EU Task Manager;
- Liaison with other relevant projects;
- Ensuring, along with the counterparts, smooth correlation between the activities, deadlines and the envisaged results in the Work Plan;
- Ensuring, along with the counterparts, timely and correct implementation of the activities as outlined in the initial and subsequent work plans;
- Preparation of the materials and documentation for regular monitoring and reporting;
- Preparation of side letters;
- Maintaining a close and permanent professional relationship with the Project Leader (reporting);

- Together with the Project Leader, to nominate, mobilise and supervise the Short-Term experts;
- Coordinates and plans the implementation of activities and achievement of mandatory results.

3.6.3 Profile and tasks of Component Leaders:

Considering the size of this assignment/contract there will be no need for component leaders.

3.6.4 Profile and tasks of other short-term experts:

Short-term experts will provide support to the Beneficiary administration and shall assist the PL and the RTA in delivering the activities within the project. Tasks for short-term expert(s) will be elaborated by Project Leader/RTA and the beneficiary counterpart at the work plan preparation stage.

Profile for short-term experts under Component 1 and Component 2

- University degree in economics, finance, law or other relevant field; or equivalent professional experience of 8 years in public administration;
- Minimum 3 years of experience at expert level in the required field according to the contract;
- Fluency in English;
- Computer literacy.

Tasks:

- Undertaking all activities and achieving mandatory results;
- Conducting analysis on the area of the project components;

4. Budget

The budget for the project is EUR 400 000 which will be covered by IPA contribution, in line with the Twinning Manual.

5. Implementation Arrangements

5.1 Implementing Agency responsible for tendering, contracting and accounting

General Directorate for Financing and Contracting of EU, World Bank and Other Donor Funds/
Central Finance and Contracting Unit, Albania, Ministry of Finance and Economy

Ms. Veronika Korkaj

General Director

"Dëshmorët e Kombit" Blvd. No.3, Tirana – Albania

Delegation of the European Union to Albania

The Project Manager at the EU Delegation

Ms. Sybille Schmidt

5.2 Institutional framework

The direct beneficiary of this Twinning will be Directorate General of Customs of Albania under the Ministry of Finance and Economy. Organisational Chart of Directorate General of Customs (Annex 4).

Directorates within Directorate General of Customs which are involved and benefiting from the Project are Legal Directorate, all Custom Houses, Protection of Intellectual Property Rights Directorate and Management of Human Resources Directorate.

The officers of the Directorates of Directorate General of Customs, responsible for implementing their project activities, will conduct the necessary work for carrying out the project through its different processes.

Custom officers will also be involved by project (especially on training sessions). It will provide them with legislation and therefore they should have a positive attitude.

5.3 Counterparts in the Beneficiary administration

The PL and RTA counterparts will be staff of the Beneficiary administration and will be actively involved in the management and coordination of the project.

5.3.1 Contact person: Ms. Mirela MEKO

Director of the Department of Foreign Relations and European Integration, General Directorate of Customs

5.3.2 PL counterpart: Ms. Monika DUSHKU

Deputy General Director, Administrative Department, General Directorate of Customs

5.3.3 RTA counterpart: Mr. Altin BOZGO

Head of Legislation Sector, Legal Directorate, General Directorate of Customs

6. Duration of the project

Duration of the implementation period: 12 months. The execution period will end 3 months after the implementation period of the Action (work plan), which will take 12 months.

7. Management and reporting

7.1 Language

The official language of the project is the one used as contract language under the instrument (English / French). All formal communications regarding the project, including interim and final reports, shall be produced in the language of the contract.

7.2 Project Steering Committee

A project steering committee (PSC) shall oversee the implementation of the project. The main duties of the PSC include verification of the progress and achievements via-à-vis the mandatory

results/outputs chain (from mandatory results/outputs per component to impact), ensuring good coordination among the actors, finalising the interim reports and discuss the updated work plan. Other details concerning the establishment and functioning of the PSC are described in the Twinning Manual.

7.3 Reporting

All reports shall have a narrative section and a financial section. They shall include as a minimum the information detailed in section 5.5.2 (interim reports) and 5.5.3 (final report) of the Twinning Manual. Reports need to go beyond activities and inputs. Two types of reports are foreseen in the framework of Twinning: interim quarterly reports and final report. An interim quarterly report shall be presented for discussion at each meeting of the PSC. The narrative part shall primarily take stock of the progress and achievements *vis-à-vis* the mandatory results and provide precise recommendations and corrective measures to be decided by in order to ensure the further progress.

8. Sustainability

The projects comply with EU norms and standards.

The Twinning project will provide concrete assistance and knowledge transfer to the Customs officials in the area of implementation of customs legislation and interconnectivity in the field of IPR. So, this project will increase the efficiency and effectiveness of custom operations.

The beneficiary is aware of the obligations arising from this project and taking in consideration the experiences so far with projects funded by EU, will dedicate all the necessary budgetary and staff resources to ensure the smooth implementation of the project, aiming at the sustainability of results.

9. Crosscutting issues (*equal opportunity, environment, climate etc...*)

Equal access in compliance with the constitutional principle of equality will be guaranteed for participation in this project. The selection of the training participants in this Twinning programme will be made on non-discriminatory criteria regarding to men, women, administration staff, members of parliament, majority and opposition participation.

The project has no evident effect on the environment.

10. Conditionality and sequencing

10.1 Conditionality

- Customs Administration allocates the sufficient institutional and human resources to co-operate with project experts;
- Good co-operation with stakeholders;
- Government fully dedicated to accelerate the process of aligning customs legislation with EU standards;

The Beneficiary furthermore shall:

- a) Support the RTA with office accommodation, trainings rooms and logistical assistance, for details please refer to point 5.13 of the Twinning Manual at the following address:
https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/twinning_manual_2017_-_update_2018.pdf

- b) Ensure that appropriate staff is made available to work with the EU Twinning partner(s). Counterparts for each of the objectives will be appointed to facilitate the implementation of the respective activities of the Twinning project;
- c) Be responsible for providing the EU experts with legislation and any other documents necessary for the implementation of the project;
- d) Ensure that staff trained under this project is encouraged to increase its capacity according to the tasks specified in the job description and to its promotion based on the merit. In this context a data base of what training was provided to which person should be maintained by the implementing partner for future monitoring.
- e) Provide all possible assistance to solve any unforeseen problem that the EU Twinning partner(s) may face;

Equally, the Twinning team, as led by the Twinning Resident Adviser must ensure full collaboration with the counterparts of the institution. Communications should be open and consistent. The Twinning team must carry out activities in the interest of the institution, and maintain its involvement at all stages of activities.

10.2 Sequencing

Key milestones after the Signature of the Twinning Contract will be:

- Preparing and approving of the Twinning Work Plan within the first 2 months;
- Component 1 and Component 2 will start the implementation in parallel;
- End of the implementation period.

11. Indicators for performance measurement

The indicators are as follows:

Component 1:

- Detailed Inventory of Sub-legal Measures required and Action Plan of project activities, prepared.
- Tertiary legal acts for the Implementation of Pan-Euro-Med Convention on Rules of Origin, in place by the end of contract;
- Guidelines or manuals for special procedures (manual on customs procedures before the goods arrive and before the goods leave the customs territory, guidelines for Free Zones, guideline on temporary storage, manual on transit and customs status of goods, manual for outward processing procedure etc);
- Manuals/Guidelines on Customs Debts and Guarantees;
- Manual/guideline regarding procedures on customs facilities and simplifications;
- Manuals related to Risk Analysis procedures in Excise and Post clearance Controls;
- A Training Strategy document for new employees and Custom Administration staff;
- Technical Department staff of the central administration and custom houses trained to correctly implement sub-legal acts (e.g. on Inward processing procedures, in particular with regard to equivalent goods and the retroactive effect, destruction and extinction of goods, etc);

- Capacities of approximately 7 customs law staff increased in defining and writing third level acts.

Component 2:

- The electronic system INES+ installed and operational
- 9 system users enabled to manage and utilise the system;
- Approximately 85 staff in the headquarter and custom offices (customs IPR Protection Directorate) trained on the EU customs IT system for the counterfeited goods.
- One roadmap for interoperability.

12. Facilities available

The Albanian Customs Administration will make available to the RTA and his/her assistants the office space, hard and software, international telephone line, office supplies. Will provide support to the RTA with trainings rooms and logistical assistance.

List of Annexes:

1. The Simplified Logical framework matrix as per Annex C1a
2. List of relevant Laws and Regulations
3. Reference to relevant Government Strategic plans and studies (may include Institution Development Plan, Business plans, Sector studies etc.)
4. Organisational Chart of Directorate General of Customs of Albania

ANNEXES TO PROJECT FICHE

1. The Simplified Logical framework matrix as per Annex C1a

	Description	Indicators (with relevant baseline and target data)	Sources of verification	Risks	Assumptions (external to project)
Overall Objective	To provide support and contribute in strengthening the administrative and institutional capacities of the Albanian Customs Administration	Positive assessment by the EU and SAA committee.	EU Progress Report		
Specific (Project) Objective(s)	The project aims to assist the Albanian Customs Administration (ACA) in aligning tertiary legislation and guidelines with the <i>Union acquis</i> and best practices and to assist in the increase of operational capacities in the area counterfeit goods	Tertiary legislation and guidelines aligned with the Union <i>acquis</i> and their best practices Customs operational capacities in the area of protection of intellectual property rights regarding counterfeit goods, improved.	1. Annual report of ACA 2. Twinning reports 3. Monitoring reports 4. Annual Report Ministry of Finance 5. Information set for media and roundtables.	Delays in the process of implementing the approximation of customs legislation with EU standards.	Continued commitment of Government of Albania to the, efficiency and accountability of the Albanian Customs Administration.
Mandatory results/outputs by components	<p><u>Component 1</u> Tertiary legislation and guidelines aligned with the <i>Union acquis</i> and best practices in relation to the EU Customs Code.</p> <p>1.1 Albanian regulations (mainly in the field of customs procedures, origin, control, risk analyses and training) are approximated to EU standards on Custom Code as follows:</p> <ul style="list-style-type: none"> Tertiary legal acts deriving from the Implementation of Pan-Euro-Med Convention on Rules of Origin prepared; 	<ul style="list-style-type: none"> Detailed Inventory of Sub-legal Measures required and Action Plan of project activities, prepared. Tertiary legal acts for the Implementation of Pan-Euro-Med Convention on Rules of Origin, in place by the end of contract; Guidelines or manuals for special procedures (manual on customs procedures before the goods arrive and before the goods leave the customs territory, guidelines for Free Zones, guideline on temporary storage, manual on transit and customs status of goods, manual for outward processing procedure etc); Manuals/Guidelines on Customs Debts and Guarantees; 	<ul style="list-style-type: none"> EC reports; Copies of drafted documents; Periodic Project Implementation reports to Director General of Albanian Custom Administration; Seminars/ Workshops reports and evaluations; Questionnaire with participants of activities; 	<p>Non conducting periodic review of working methods, procedures, capacity and follow-up will impact to reach the results;</p> <p>Lack of staff /frequent staff turnover can impact their ability to adequately implement the</p>	<ul style="list-style-type: none"> Continuous review and alignment of implementation methods and understanding throughout organisation of requirements for the <i>Union acquis</i>, will take place; -Adequate staff is available within Albanian Customs Administration;

	<ul style="list-style-type: none"> • Guidelines or manuals for special procedures (i.e manual on customs procedures before the goods arrive and before the goods leave the customs territory, guidelines for Free Zones, guideline on temporary storage, manual on transit and customs status of goods, manual for outward processing procedure etc) prepared; • Manuals/Guidelines on Customs Debts and Guarantees prepared; • Manual/guideline regarding procedures on customs facilities and simplifications prepared. • Manuals related to Risk Analysis procedures in Excise and Post clearance Controls prepared; <p>1.2 Relevant staff is trained and ready to manage the Customs Code as follows:</p> <ul style="list-style-type: none"> • Increased operational capacities on Inventory of Sub-legal Measures and Action Plan of project activities; • Training Strategy document for new employees and Custom Administration staff drafted; • Increased operational capacities to correctly 	<ul style="list-style-type: none"> • Manual/guideline regarding procedures on customs facilities and simplifications; • Manuals related to Risk Analysis procedures in Excise and Post clearance Controls; • A Training Strategy document for new employees and Custom Administration staff; • Technical Department staff of the central administration and custom houses trained to correctly implement sub-legal acts (e.g. on Inward processing procedures, in particular with regard to equivalent goods and the retroactive effect, destruction and extinction of goods, etc) • capacities of approximately 7 customs law staff increased in defining and writing third level acts. 		legislation/ IT system.	-Limited staff turnover.
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	<p>implement the sub-legal acts for staff of central administration and custom houses, (i.e on Inward processing procedure, in particular with regard to equivalent goods and the retroactive effect, Destruction and extinction of goods, etc).</p> <p><u>Component 2</u></p> <p>System is in place to allow future interlinking with Asycuda World and EU-IT systems on counterfeit goods</p> <p>2.1 The electronic system INES+ installed and operational;</p> <p>2.2 Relevant staff trained to operate the system;</p> <p>2.3 Operational capacity is improved in the following areas:</p> <ul style="list-style-type: none"> • Increased operational capacity (of the customs IPR Protection Directorate) and positive control over IT developments and projects (systems, infrastructure and services); • Increased operational capacity on the EU customs IT system for the counterfeited goods for customs IPR Protection Directorate); <p>2.4 Roadmap for interoperability drafted.</p>	<ul style="list-style-type: none"> • The electronic system INES+ installed and operational • 9 system users enabled to manage and utilise the system; • Approximately 85 staff in the headquarter and custom offices (customs IPR Protection Directorate) trained on the EU customs IT system for the counterfeited goods. • One roadmap for interoperability 			
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2. List of relevant Laws and Regulations

Inventory of Existing Legal Measures

<i>Union acquis</i>	Albanian Legislation	Main Institution	Level of approx. (full/partial ly/non-compliance)	Date of adaption (Albanian Legislation)	Entry into force (Albanian Legislation)
Regulation No.952/2013, dated 09 October 2013 “Union Customs Code”.	Law No.102/2014, dated on 31.07.2014 “Customs Code of the Republic of Albania”	Ministry of Finance and Economy (MFE)	Partial	31.07.2014	Some articles have entered in force 15 days after publication in the Official some on 1 st January 2015 and the rest on 1 st June 2017
Regulation No.1186/2009, dated 16.11.2009, on exemptions from customs duties.	Law No.102/2014, dated on 31.07.2014 “Customs Code of the Republic of Albania”	MFE	Partial	31.07.2014	articles for exemptions from customs duties have entered in force on 1 st January 2015
Directive 2007/74/EC, dated 20.12.2007.	Law No.102/2014, dated on 31.07.2014 “Customs Code of the Republic of Albania”	MFE	Partial	31.07.2014	articles for exemptions from customs duties have entered in force on 1 st January 2015
Regulation 2658/87/EEC	Law No. 9461, dated 21.12.2005 “On Goods Nomenclature and Customs Tariff”, amended	MFE	Partial	21.12.2005	01.01.2006
EU Regulation that amends Annex I of the EU Regulation (EEC) No.2658/87. (Commission Implementing Regulation (EU) 2017/1925 in EU Official Journal L 282 of 31 October 2017)	DCM No. 799, dated 28.12.2017 “On adoption and official publication of Combined Nomenclature of Goods 2018”	MFE	Partial	29.12.2017	1.01.2018

Directive 2008/118/EC on excise	Law No 61/2012, dated 24.05.2012 “On excises in the Republic of Albania”, as amended	MFE	Partial	24.05.2012	01.10. 2012
Directive 2003/96/EC, dated 27.10.2003	Law No 61/2012, dated 24.05.2012 “On excises in the Republic of Albania”, as amended	MFE	Partial	24.05.2012	01.10. 2012
Directive 92/83/EEC, dated 19.10.1992	Law No. 61/2012, dated 24.05.2012 “On excises in the Republic of Albania”, as amended	MFE	Partial	24.05.2012	01.10. 2012
Directive 92/84/EEC, dated 19.10.1992	Law No. 61/2012, dated 24.05.2012 “On excises in the Republic of Albania”, as amended	MFE	Partial	24.05.2012	01.10. 2012
Directive 92/12/EEC, dated 25.02.1992	Law No. 61/2012, dated 24.05.2012 “On excises in the Republic of Albania”, as amended	MFE	Partial	24.05.2012	01.10. 2012
Decision 428/2006/EC, dated 22.06.2006	Law No. 61/2012, dated 24.05.2012 “On excises in the Republic of Albania”, as amended	MFE	Partial	24.05.2012	01.10. 2012
Regulation 2008/450/EC	Law No. 61/2012, dated 24.05.2012 “On excises in the Republic of Albania”, as amended	MFE	Partial	24.05.2012	01.10. 2012
EU Commission Regulation No 2015/2446 of 28th of July 2015, as regards the detailed rules concerning certain provisions of the Customs Code of the European Union Nr. 952/2013	Decision of the Council of Ministers No. 651, dated 10.11.2017, "On Implementing Provisions of the Customs Code",	MFE	Partial	10.11.2017	2.12.2017
Commission Implementing Regulation (EU) 2015/2447 of 24th of November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013;	Decision of the Council of Ministers No. 651, dated 10.11.2017, "On Implementing Provisions of the Customs Code",	MFE	Partial	13.04.1999	28.04.1999
Regulation No.608/2013 and Regulation No.1352/2013	Decision of the Council of Ministers Nr. 651, dated 10.11.2017, "On Implementing Provisions of the Customs Code" article 364-392” on IPR protection in customs”	MFE	Partial	28.12.2015	13.01.2016
Delegated Commission Regulation No 341/2015, which meets the requirements for the provisions of the Customs Code of the Union, where the respective electronic systems are not yet operational;	Decision of the Council of Ministers Nr. 651, dated 10.11.2017, "On Implementing Provisions of the Customs Code",	MFE	Partial	10.11.2017	2.12.2017

Commission Regulation (EU) No 113/2010 of 9 February 2010 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards trade coverage, definition of the data, compilation of statistics on trade by business characteristics and by invoicing currency, and specific goods or movements;	Decision of the Council of Ministers Nr. 651, dated 10.11.2017, "On Implementing Provisions of the Customs Code",	MFE	Partial	10.11.2017	2.12.2017
Regulation no. 608/2013 and Regulation no. 1352/2013	Decision of the Council of Ministers Nr. 651, dated 10.11.2017, "On Implementing Provisions of the Customs Code" article 364-392" On the Protection of Intellectual Property Rights at Customs".	MFE	Partial	28.12.2015	13.01.2016 (now included in DCM No. 651 dated 10.11.2017)
Commission Implementing Regulation (EU) No 1352/2013 of 4 December 2013 establishing the forms provided for in Regulation (EU) No 608/2013 of the European Parliament and of the Council concerning customs enforcement of intellectual property rights;	Decision of the Council of Ministers Nr. 651, dated 10.11.2017, "On Implementing Provisions of the Customs Code" article 364-392" On the Protection of Intellectual Property Rights at Customs".	MFE	Partial	28.12.2015	13.01.2016 (now included in DCM No. 651 dated 10.11.2017)
Regulation (EC) No 1186/2009	DCM No. 651, dated 10.11.2017 "On implementing provisions of law no.102/2014, dated 31.07.2014 "Customs Code of the Republic of Albania",	MF	Partial	29.12.2014	1.01.2015
Directive 2007/74/EC	DCM No. 651, dated 10.11.2017 "On implementing provisions of law No.102/2014, dated 31.07.2014 "Customs Code of the Republic of Albania".	MF	Partial	29.12.2014	1.01.2015

3. Reference to relevant Government Strategic plans and studies (may include Institution Development Plan, Business plans, Sector studies etc.)

CUSTOMS SYSTEM

Existing policy framework

Title	Main Institution	Referring period
Strategy for Public Finance Management 2019 - 2022	MFE	2019-2022
Strategy for Public Finance Management 2014 - 2020	MFE	2014 – 2020
Business Strategy of Albanian Customs Administration	MFE	2018 – 2020
Strategy of Information Technology	ACA	2013 - 2017
Inter-sector strategy of fight against the organised crime, illicit trafficking and terrorism 2013 – 2020	Ministry of Interior, Ministry of Justice, Ministry of Finance and Economy, Ministry of Defence, General Prosecutor Office and State Information Service	Inter-sector Strategy 2013 – 2020
Strategy on Integrated Border Management	Ministry of Interior, Ministry of Finance and Economy, Ministry of Agriculture and Water Administration, Ministry of Health, Ministry of Transport and Infrastructure, Ministry of Urban Development and Tourism, Ministry of Foreign Affairs, Ministry of Defence, Ministry of Social Welfare and Youth, Ministry of Education, Ministry of Culture, Ministry of Integration, Ministry of Economic Development, Trade and Entrepreneurship, Ministry of Environment, Ministry of Energy and Industry and State Information Service	2014 – 2020
Inter-sector Strategy against Corruption for the period 2015-2020	Ministry of State for Local Issues and National Coordinator against Corruption (responsible institutions more institutions are involved even Customs)	2015 – 2020
National Strategy on Waste Management and National Plan on Waste Management	Ministries and other central institutions	2010 – 2025

4. Organisational Chart of Directorate General of Customs of Albania

