

IPA 2008 National Programme for Albania
Support to the Penitentiary Infrastructure

1. Basic information

- 1.1 CRIS Number:** 2008/020-116
1.2 Title: Support to the Penitentiary Infrastructure
1.3 Sector: 01.24
1.4 Location: Tirana, Albania

Implementing arrangements:

- 1.5 Contracting Authority (EC):** Delegation of the European Commission to Albania
1.6 Implementing Agency: Delegation of the European Commission to Albania on behalf of the Albanian Government
1.7 Beneficiary (including details of project manager): Ministry of Justice of the Republic of Albania;

Project Manager: Fatos Bundo, Head of Project Implementation Unit (PIU)

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1.8 Overall cost (VAT excluded): 6.5 million Euros

1.9 EU contribution: 5.5 million Euros

1.10 Final date for contracting:

Three years following the date of the conclusion of the Financing Agreement.

1.11 Final date for execution of contracts:

Two years following the end date of contracting. These dates apply also to national co-financing.

1.12 Final date for disbursements:

One year following the end date for the execution of contracts.

2. Overall Objective and Project Purpose

2.1 Overall Objective:

The overall objective is strengthening of the capacity of Albanian Judicial and Penitentiary system, in accordance with EU and international standards.

2.2 Project purpose:

This project will serve to further improve the existing capacities of the penitentiary and pre-trial detention facilities in Albania. After completion of detailed design and costs estimations of six pre-trial detention centres in Albania foreseen under CARDS 2005 programme, IPA's assistance will help to finalize the construction works of detention and pre-detention of Shkodra and/or Berat, and/or any other equivalent centre according to the Master Plan priorities, including the provision of furniture and equipment, in accordance with EU and international standards. The project will consequently enhance the situation in the detention facilities in the country and the Penitentiary system in general through decreasing the overcrowding of pre-trial detention facilities (new

detention centres built) and improving detainees' living conditions (improved respect for human rights and the rights of detainees).

2.3 Link with AP/NPAA / EP/ SAA

The judicial sector remains a high priority for Albanian Government which is committed to further improvements in basic judicial infrastructure so as to ensure efficiency of its actions and donor support for JHA reform. The proposed Project will support the attainment of the objectives outlined by the Ministry of Justice (2004 Master Plan) to improve the pre-trial system in Albania. Pre-trial detention centres will be built in each prefecture in the country (12 pre-trial centres).

The **Stabilisation and Association Agreement (SAA)** between the Government of Albania and the European Community has been signed in July 2006. In Article 78 "Reinforcement of institutions and rule of law" Parties cooperation on justice and home affairs shall attach particular importance to the consolidation of the rule of law, and the reinforcement of institutions at all levels in the areas of administration in general and law enforcement and the administration of justice in particular. Cooperation shall notably aim at strengthening the independence of the judiciary and improving its efficiency, improving the functioning of the police and other law enforcement bodies, providing adequate training and fighting corruption and organised crime.

The project will assist to achieve the priorities included in the proposal of the European Commission dated 06.11.2007 for a Council Decision on the principles, priorities and conditions contained in the **European Partnership (EP)** with Albania repealing Decision 2006/54/EC. The European Partnership outlines as the short-term priority the need that all law enforcement bodies are aware of their human rights obligations and implement them rigorously in accordance with the code of ethics for the prisons system and with international conventions ratified by Albania, in particular the European Convention on Human Right, as well as ensure that the relevant international conventions are observed in establishing and running new penitentiary facilities. As medium term priority, the Albanian Government should ensure that detainees and prisoners on remand are treated in accordance with international standards and should guarantee that human dignity and personal safety are respected in detention centers, prisons and mental institutions, in accordance with international conventions.

2.4 Link with MIPD

The Multi-annual Indicative Planning Document underlines the need for improvements in the penitentiary system. This project's goals comply with two priorities set out by the MIPD:

- "Support to the Police Reform to assist Albania to gain a police force which is operating in an *efficient and sustainable structure*, capable of fulfilling its role in the enforcement of the Rule of Law"; and
- *Support to the Reform of the Judicial System* with the overall strategic objective of an independent, reliable and efficient functioning judiciary that guarantees the rule of law.

Furthermore, the MIPD stipulates that some of the programmes which should be implemented ought to include: "*Provision of the conditions for adequate staffing, infrastructure and equipment to the Judiciary*. Support to the High Council of Justice will continue. *Institution and capacity building for the Ministry of Justice, subordinated and*

other independent institutions. Assistance to the penitentiary system. Strengthening the prosecution.”

2.5 Link with National Development Plan

N/A

2.6 Link with national / sectoral investment plans

The 2004 Master Plan for the pre-trial detention system in Albania, financed under CARDS 2001. The proposed project will contribute to the attainment of objectives outlined by the Ministry of Justice (2004 Master Plan) to improve the pre-trial and detention system in Albania. Pre-trial detention centres will be built in each prefecture in the country (12 pre-trial centres).

3. Description of project

3.1 Background and justification:

Albania has achieved significant progress regarding enhancing human capacities in the prison system area through obligatory training courses on human rights for judges, prosecutors, police officers and prison personnel. These issues have been included on the School of Magistrates curriculum. The European Commission Progress Report underlines several achievements as regarding the legal and prison monitoring aspects. It further calls for more attention on improving conditions in prisons and detention centres as well as for human and material resources available for prison management.

Plans for new detention facilities are at slow pace, according to the Report. “The Ministry of Justice has abandoned a plan to establish a new juvenile detention centre in Pogradec, instead opting for Kavaja, near Tirana, where the centre would be more accessible to family members.” The largest problem encountered is the lack of facilities for detention, especially outside Tirana. As a result, all pre-trial detainees are confined together with convicted prisoners under the authority of the police. Furthermore, Albanian prisoners abroad cannot be accommodated due to the same lack of capacities.

Building new prisons and pre-trial detention centres according to the Master Plan for Judicial Infrastructure is advancing slowly. Implementation of the Master Plan for the pre-trial detention system is behind schedule. 80 convicted prisoners are still being held in police detention facilities. A new pre-trial detention regulation is a step forward but does not meet international practice, which requires that the pre-trial detention regulation should be made into a law.”

Accordingly, the Multi-Annual Indicative Programme underlines the need for “investment support to upgrade the existing infrastructure”. The main problem to be addressed by this project is the lack of adequate pre-trial facilities in Albania and inadequate conditions of pre-trial detainees. In order to overcome this situation, the Ministry of Justice, through the assistance of CARDS 2001, has prepared a Master Plan for the Albanian pre-trial detention system. The Master Plan lists the main problems in this field which include:

- All pre-trial detention facilities are overcrowded by up to 100% (the prisoner capacity amount to 825 persons and the actual number of detainees is 1631);
- Most of the pre-trial detention facilities are in a desolate condition and dilapidated;
- All cells are overcrowded;

- There are no windows in most cells;
- There are cells with no toilets and running water;
- There is no cell furniture.

This project will partially address the outlined objectives by building detention and pre-detention centre in Shkodra and/or Berat.

3.2 Assessment of project impact, catalytic effect, sustainability and cross border impact (where applicable)

The project will significantly contribute towards a more efficient functioning of the Penitentiary system in Albania thus ensuring:

- Improved respect for human rights and the rights of detainees;
- Improved living conditions for pre-trial detainees and detainees;
- Reduction of overcrowding in pre-trial detention centres;
- One detention and pre-trial detention centre constructed.

Adoption and application of the European *acquis* in the field of justice is an essential element of the Albanian Stabilization and Association Process. IPA will contribute towards increased efficiency of the penitentiary system through improving the living conditions of detainees in Albanian pre trial detention facilities. Such initiative will therefore assist Albania in its efforts to meet European standards in this area.

JHA reform will continue to be a main priority for the Albania, and the Albanian Government will ensure the budgeting, staffing and maintenance of the pre-trial detention centres.

3.3 Results and measurable indicators:

Result 1: The pre-trial detention and detention centre in Shkodra and/or Berat being constructed, furnished and equipped properly, as well as the supervision of the building works carried out.

Indicator - Pre-trial and detention facilities in Shkodra will be in use and fully operational.

Result 2: This project will improve the current situation in Albanian penitentiary system through improving capacities of pre-trial detention facilities. Reduction of overcrowding in pre-trial and detention centres and significant improvement of the living conditions and rights of pre-trial detainees

Indicator - The existing concerns regarding the overcrowding of pre-trial detention facilities will be satisfactorily addressed and positive reports on pre-trial detainees' rights and living conditions.

3.4 Activities:

Activity 1: The building works of pre-trial and detention facilities in Shkodra and/or in Berat will be carried out through two contracts:

The Contract 1.1 for construction works of a new pre-trial and detention facility in Shkodra and/or in Berat financed by EC Contribution.

The Contract 1.2 for connection of the new constructed pre – trial and detention centre with the main network utilities (water, electricity, sewerage) which will be financed by the national contribution.

Activity 2: Activity of Supervision of works for construction of a new pre-trial detention facility in Shkodra and/or Berat.

The contract 2.1 for the supervision of the constructions works in Shkodra and/or in Berat will be financed by EC Contribution

Activity 3: The new detention centres' furnishing and equipment will involve:

2 Supply Contracts for furnishing the detention centre in Shkodra and/or Berat.

Contract 3.1 will be financed by the EC Contribution.

Contract 3.2 will be financed by the national contribution.

3.5 Conditionality and sequencing:

The beneficiary institutions are committed to cooperate with the implementing agency and to administer the implementation of this project. Albanian institutions have already taken measures in order to avoid any barriers jeopardizing this undertaking as well as providing land use and construction permits. Upon the preparation of the terms of reference exact sequencing will be available. In addition the conditions mentioned in IPA 2007 (project fiche no3) on strengthening the capacity of the Project Implementation Unit as well the condition of two other institutions financed by the Government should be met completely.

3.6 Linked activities

Previous investments under the CARDS programme focus on upgrading the penitentiary prisons of Fushë Kruja and Korça. The Commission has granted support to Albania under CARDS 2001 for the implementation of a project aiming to improve the Penitentiary system in the country, focusing on creating a Master Plan for the pre-trial detention system (implemented through twinning with the Austrian Ministry of Justice). The EU support has been available in this field (penitentiary infrastructures) also through the PHARE Programmes. In this direction, it is worth mentioning the following projects:

- The Detail Design and the Construction of Fushe Kruja Prison, respectively under PHARE 1998 and CARDS 2001
- The completion of Lezha Prison and the support with equipment and furniture to this prison carried out under PHARE 1999.
- The Design and the first phase of the Construction of Korça prison, to be implemented respectively under PHARE 2000 and CARDS 2002, are particularly important. Furthermore, CARDS 2004 will provide support for the completion of construction works initiated under the project “Construction of Korça prison – 1st phase” (CARDS 2002).

- Under CARDS 2003 the Commission is implementing a project on the Vlorë Pre-trial detention centre which also comprises support for equipment and furniture.
- Under PHARE 2000, the Commission funded a project to prepare the Master Plan for Judiciary to determine the priorities for interventions within the judicial infrastructure system. Previous Investment under the CARDS programme focuses on upgrading the penitentiary and court infrastructure new court of appeal of Vlorë and Korçë, Serious Crimes Court.
- Under IPA 2007, through an amount of a total of €10 million, the issue of the pre-trial detention facilities overcrowding and improve pre-trial detainees' rights and living conditions has been addressed as well. The project will support the construction of two pre-trial detention centres, in Fier and Elbasan, in accordance with the 2004 Ministry of Justice Master Plan for the pre-trial detention system, including the provision of furniture and equipment.

The proposed project to be financed under IPA 2008, is a continuation of the so far efforts and it will further upgrade the involvement of other donors.

It must be noted that the construction of a pre-trial detention centre lasts up to two years. The Master Plan (financed under CARDS 2001) notes that it is not economical to refurbish the current facilities and recommends building new pre-trial detention centres. It therefore suggests that 12 new pre-trial detention facilities should be constructed in 12 locations (according to the distribution of population and regional distributions of detainees). Among these 12 locations the Ministry of Justice has identified Shkodër pre-trial and detention centre – as being the main priority to be addressed via this project.

3.7 Lessons learned

The European Commission remains committed to assist Albanian Government in its efforts to improve JHA infrastructure. Nevertheless, in a number of cases detention facilities' projects have had to be abandoned due to different reasons such as land ownership disputes. Such experiences must not be repeated. Therefore, the pre-condition for this project is that the Albanian government will ensure the availability of land for the construction of the pre-trial detention centre (free of land ownership disputes).

4. Indicative Budget (amounts in €)

			SOURCES OF FUNDING									
			TOTAL EXP.RE	IPA COMMUNITY CONTRIBUTION		NATIONAL CONTRIBUTION					PRIVATE CONTRIBUTION	
ACTIVITIES	IB (1)	INV (1)	EUR (a)=(b)+(c)+(d)	EUR (b)	%(2)	Total EUR (c)=(x)+(y)+(z)	% (2)	Central EUR (x)	Regional/Local EUR (y)	IFIs EUR (z)	EUR (d)	% (2)
Activity 1 Building Works for PTD Centre			5.150.000	4.650.000	90.3 %	500.000	9.7%					
contract 1.1 Works Contract for Shkodra PTD Centre	–	X		4.650.000								–
contract 1.2 Works Contract for Utility Connections	–	X				500.000						–
Activity 2 Supervision of works for construction of Pre trial detention Centre			350.000	350.000	100%							
contract 2.1	–	X		350.000								–
Activity 3 Supply and installation of the Furniture and equipment of PTD Centres			1.000.000	500.000	50%	500.000	50%					
contract 3.1 Supply and Installation of the Furniture and equipment of PTD Centres		X		500.000								
contract 3.2 Supply and Installation of the Furniture and equipment of PTD Centres		X				500.000						
TOTAL IB												
TOTAL INV			6.500.000	5.500.000	84.6%	1.000.000	15.4%					
TOTAL PROJECT			6.500.000	5.500.000	84.6%	1.000.000	15.4%					

NOTE: DO NOT MIX IB AND INV IN THE SAME ACTIVITY ROW. USE SEPARATE ROW

Amounts net of VAT

(1) In the Activity row use "X" to identify whether IB or INV

(2) Expressed in % of the **Total** Expenditure (column (a))

5. Indicative Implementation Schedule (periods broken down per quarter)

Contracts	Start of Tendering	Signature of contract	Project Completion
Contract 1.1	1 st Q. 2009	2 nd Q. 2009	2 nd Q. 2012
Contract 1.2	3 rd Q. 2010	1 st Q. 2011	3 rd Q. 2011
Contract 2.1	1 st Q. 2009	2 nd Q. 2009	2 nd Q. 2012
Contract 3.1	3 rd Q. 2010	4 th Q. 2010	2 nd Q. 2011
Contract 3.2	3 rd Q. 2010	4 th Q. 2010	2 nd Q. 2011

All projects should in principle be ready for tendering in the 1st Quarter following the signature of the FA

Project duration include approximately 2 years for construction and 1 year Defects Liability Period.

Contracts 1.2 and 3.2 will be covered by the National contribution for the project.

6. Cross cutting issues (where applicable)

6.1 Equal Opportunity

During the implementation of the project equal opportunities within the General Directorate of Prisons will be guaranteed.

6.2 Environment

Throughout the building works interventions environmental and natural resources will be preserved. Nevertheless, the project is not expected to have an adverse impact on the environment. During the design stage a EIA report will be provided.

6.3 Minorities

During the implementation of the project respect for minority rights within the General Directorate of Prisons will be guaranteed.

ANNEXES

- Annex 1 - Log frame in Standard Format
- Annex 2 - Amounts contracted and Disbursed per Quarter over the full duration of Project
- Annex 3 - Description of Institutional Framework
- Annex 4 - Reference to laws, regulations and strategic documents:
- Annex 5 - Details per EU funded contract (*) where applicable:

ANNEX 1
Logical framework matrix in standard format

LOGFRAME PLANNING MATRIX FOR Project Fiche		Support to the Penitentiary Infrastructure	
		Contracting period) expires December 2010	Disbursement period expires 2nd quarter 2011
		Total budget : 6.5 Million Euros	IPA budget: 5.5 Million Euros
Overall objective	Objectively verifiable indicators	Sources of Verification	
Strengthening the capacity of Albanian Judicial and Penitentiary system, in accordance with EU and international standards	The overall situation with the detention facilities (pre-trial included); the number of pre-trial facilities in Albania	Internal evaluations of the Ministry of Justice EC country reports Reports of different CSOs involved in human rights in Albania	The main assumptions are that JHA reform continues to be a main priority for the Albanian Government, and that the Albanian Government ensures the budgeting, staffing and maintenance of the courts and pre-trial detention centres
Project purpose	Objectively verifiable indicators	Sources of Verification	Assumptions
Enhance the situation in the detention facilities in the country and the Penitentiary system in general through decreasing the overcrowding of pre-trial and detention facilities (new detention center built in Shkodra and improving detainees' living conditions and rights	Capacity of the new pre-trial and detention facilities in Shkodra Quality of the new detention facilities	Supervision of works for the new pre-trial detention facilities Ministry of Justice internal evaluation	Eventual land ownership disputes have been adequately addressed by the Government
Results	Objectively verifiable indicators	Sources of Verification	Assumptions
Pre-trial and detention facilities in Shkodra will be constructed and fully operational resulting with significant improvement of the conditions of pre-trial detainees.	Capacity and quality of pre-trial detention facilities in Shkodra This project's impact on the overall detention system in	Internal evaluations of the Ministry of Justice EC country reports Supervision of works for the new pre-trial detention facilities	Possible delays in the implementation of the construction works would be adequately addressed.

Reduction of overcrowding in pre-trial and detention centers	the country (regarding overcrowded pre-trial detention centers and detainees' living condition & respect for human rights)	Reports of different CSOs involved in human rights in Albania	
Activities	Means	Costs	Assumptions
The project consists of construction works of pre-trial and detention center Shkodra their furnishing and equipment, as well as supervision of the aforementioned work.	The beneficiary institutions are committed to cooperate with the implementing agency and to administer the implementation of this project.	A total indicative budget of 5.5 Million Euros under IPA is hence set.	Albanian institutions have already taken measures in order to avoid any barriers jeopardizing this undertaking

Pre conditions

ANNEX II
Amounts (in €) Contracted and disbursed by quarter for the project

Contracted	Q1 2009	Q2 2009	Q3 2009	Q4 2009	Q1 2010	Q2 2010	Q3 2010	Q4 2010	Q1 2011	Q2 2011	Q3 2011	Q4 2011	Q1 2012	Q2 2012	Q3 2012	Q4 2012
Contract 1.1		4,650,000														
Contract 2.1		350,000														
Contract 3.1							500,000									
Cumulated		5,000,000					5,500,000									
Disbursed																
Contract 1.1			460,000	400,000	480,000	500,000	500,000	530,000	550,000	550,000	447,500				232,500	
Contract 2.1			70,000		80,000		80,000		80,000		30,000				10,000	
Contract 3.1								300,000			200,000					
Cumulated			530,000	930,000	1,490,000	1,990,000	2,570,000	3,400,000	4,030,000	4,580,000	5,257,500				5,500,000	

ANNEX 3

Description of Institutional Framework

In the framework of guaranteeing basic and fundamental rights for all individuals, and in particular the rights and freedoms of convicted criminals, the Albanian Government considers the creation of appropriate conditions for the rigorous implementation of all existing legal framework obligations, as a priority commitment. The Government requires that all law enforcement agencies ensure the human treatment of detainees, and the transformation of criminal punishment into a re-education/correctional opportunity.

Given that the prison legal framework is being approximated to international standards in the penitentiary field, another important objective for the Government is the implementation of international recommendations, regulations and other acts for both the prison and detention systems, as well as all SAA obligations.

The flexibility of all above-mentioned acts increases the likelihood of improving their practical implementation in the prison service, just as in Europe, where they have become both a symbol and an incentive for the improvement of general standards and humanitarian and progressive treatment regimes. This guarantees that a prison verdict will be implemented impartially without discrimination due to religion, race, color, gender, political or economic beliefs, and so on.

In addition, another priority for the Albanian Government is to resolve the problem of overcrowding in prisons, whilst rigorously implementing the Council of Europe's recommendations. The necessary conditions have been put in place for the implementation of various projects funded by the CARDS programme for the construction of prisons and the reconstruction of existing ones.

In order to meet the obligations deriving from the legislation into force, the structures responsible for observing the respect of human rights, namely the prison system, are as follows:

- a) General Directorate of Prisons is an institution, which comes under the Ministry of Justice by way of Law No. 8678, dated 14.05.2001 "On the Organization and Functioning of the Ministry of Justice" amended by Law No. 9112 dated 24.07.2003. It monitors the organization and functioning of the detention system, the execution of criminal verdicts, the prison term, and so on.
- b) The Ministry of the Interior is in charge of the respect of the rights of detainees and persons arrested in flagrante (48 hours), who are kept at Police Commissariats.
- c) The General Prosecution is responsible for the execution of penal decisions and treatment of request and complaints by the detainees, for the cases of maltreatment of prisoners by Prison Police or Police whilst in detention, etc.

ANNEX 4

Reference to laws, regulations and strategic documents

Reference to relevant laws and regulations:

- Law No.8678 dated 14.05.2001 “On the Organisation and Functioning of the Ministry of Justice”, amended by Law No.9112 dated 24.07.2003;
- Law No.8331 dated 21.04.1998 “On the Enforcement of Criminal Case Decisions”;
- Law No.8137 dated 31.07.1996 “On the Ratification of the European Convention for the Protection of Fundamental Rights and Freedoms”;
- Law No.8328 dated 16.04.1998 “On the Rights and Treatment of Prisoners”, amended;
- Law No.8321 dated 02.04.1998 “On Prison Police”;
- Law No.9375 dated 21.04.2005 “On various Addenda and Amendments to Law No.8321 dated 02.04.1998 “On Prison Police”;
- Law No.9397 dated 12.05.2005 "On the Internal Control Service in the Prison System”.

Reference to Stabilization and Association Agreement

The Stabilisation and Association Agreement (SAA) between the Government of Albania and the European Community has been signed in July 2006. Article 78 “Reinforcement of institutions and rule of law” states that:

Article 78

“Reinforcement of institutions and rule of law”

Parties cooperation on justice and home affairs shall attach particular importance to the consolidation of the rule of law, and the reinforcement of institutions at all levels in the areas of administration in general and law enforcement and the administration of justice in particular. Cooperation shall notably aim at strengthening the independence of the judiciary and improving its efficiency, improving the functioning of the police and other law enforcement bodies, providing adequate training and fighting corruption and organised crime.

Reference to European Partnership

The project will assist to achieve the priorities included in the proposal of the European Commission dated 06.11.2007 for a Council Decision on the principles, priorities and conditions contained in the European Partnership (EP) with Albania repealing Decision 2006/54/EC. The European Partnership outlines the following short and mid term priorities:

Short – term priorities:

- Ensure that all law enforcement bodies are aware of their human rights obligations and implement them rigorously in accordance with the code of ethics for the prisons system and with international conventions ratified by Albania, in particular the European Convention on Human Rights.
- Ensure that the relevant international conventions are observed in establishing and running new penitentiary facilities.

Medium – term priorities:

- Ensure that detainees and prisoners on remand are treated in accordance with international standards.

- Guarantee that human dignity and personal safety are respected in detention centres, prisons and mental institutions, in accordance with international conventions.

Reference to MIPD

The Multi-annual Indicative Planning Document underlines the need for improvements in the penitentiary system. This project's goals comply with two priorities set out by the MIPD:

- “Support to the Police Reform to assist Albania to gain a police force which is operating in an *efficient and sustainable structure*, capable of fulfilling its role in the enforcement of the Rule of Law”; and
- *Support to the Reform of the Judicial System* with the overall strategic objective of an independent, reliable and efficient functioning judiciary that guarantees the rule of law.

Furthermore, the MIPD stipulates that some of the programmes which should be implemented ought to include: “*Provision of the conditions for adequate staffing, infrastructure and equipment to the Judiciary. Support to the High Council of Justice will continue. Institution and capacity building for the Ministry of Justice, subordinated and other independent institutions. Assistance to the penitentiary system. Strengthening the prosecution.*”

Reference to national investment plan

The 2004 Master Plan for the pre-trial detention system in Albania, financed under CARDS 2001. The proposed project will contribute to the attainment of objectives outlined by the Ministry of Justice (2004 Master Plan) to improve the pre-trial and detention system in Albania. Pre-trial detention centers will be built in each prefecture in the country (12 pre-trial centers).

Annex 5

Details per EU funded contract (*) where applicable

For *TA contracts*: account of tasks expected from the contractor

N/A

For *twinning covenants*: account of tasks expected from the team leader, resident twinning advisor and short term experts

N/A

For *grants schemes*: account of components of the schemes

N/A

For *investment contracts*: reference list of feasibility study as well as technical specifications and cost price schedule + section to be filled in on investment criteria (**)

The 2004 Master Plan has foreseen the establishment of 12 pre-trial detention centres in each prefecture of the country. Possible delays in the implementation of the construction / rehabilitation works is a risk to be taken into consideration. The main assumptions are that JHA reform continues to be a main priority for the Albanian Government, and that the Albanian Government ensures the budgeting, staffing and maintenance of the courts and pre-trial detention centers. Eventual land ownership disputes have been adequately addressed by the Government and therefore the project will not encounter problems with such issues.

As part of this project proposal it is foreseen the funding of the furniture and equipment of the new pre –trial detention center that is going to be built in Gjirokastra. The quantity and type of this furniture and equipment will vary from the project design, and they will range from office to prison cell's furniture and equipment.

For *works contracts*: reference list of feasibility study for the *constructing works* part of the contract as well as a section on investment criteria (**); account of services to be carried out for the *service part* of the contract

The feasibility studies/ construction project designs for this pre trial detention are financed by a previous CARDS 2005 project designated for improving the pre-trial detention centres infrastructure. This CARDS 2005 project financed the completion of construction project designs for pre trial detention centers, among which is the Gjirokastra one, by the end of 2007.

(*) non standard aspects (in case of derogation to PRAG) also to be specified

(**) section on investment criteria (applicable to all infrastructure contracts and constructing works)

- Rate of return
N/A.
- Co financing

83 % of project cost will be fully covered by EU funds. Albanian Government will cover the 13 % as well as the VAT related expenses (currently at the level 20% of the investment) for this project

- Compliance with state aids provisions

N/A

- Ownership of assets (current and after project completion)

Albanian Government, Ministry of Justice, General Directorate of Pris

