

ANTI-TRAFFICS A PERMANENT FIGHT

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Recently¹ the head of government is running the fight against traffics and organized crime and this is a good omen and a powerful support for all the structures, which deal with fight against crime.²

To render this fight efficient, I think it is indispensable to concentrate this work on three main aspects:

1. In the legislative aspect
2. In the administrative aspect
3. In the informative-investigative aspect

1. In the legislative aspect

It is indispensable to shorten the terms for the completion of the necessary legal framework for the war against traffics, as envisaged under the national anti-traffic strategy.

I would mention the necessity of a rapid drafting and approval of the law for the protection of witnesses. The approval of this law would influence on the increase of the rate of the attack against organized crime in Albania.

Until the moment of drafting such a law, it is necessary to find “the intermediate ways” in order to face the actual situation of war against human beings traffic and especially women traffic for white slavery use. The establishment of centers in prefectures for traffic’ victims until gathering the evidences in court would fulfill this need.

The need to use such ways for the protection of witnesses will be indispensable even after the approval of the law for their protection, because the application of that law will have an economic bill, which will restrict its wide application.

These centers should be under the direct protection of police. Non-governmental organizations, which are interested in this problem, should manage these centers under the observation of “ombudsman” and organizations for the protection of human rights.

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² This material is published in the daily newspaper “Korrieri” on September 3, 2002

Police, prosecution and court should be interested in the same way, to secure the evidences in court. So, indispensable is the change of the temporal term, which is defined in the code of penal procedure for the security of evidences.

The Ministry of Public Order, Ministry of Justice and the General Prosecution of Republic should decree a common normative act up to the time that these changes are realized, in order not to impinge the work.

From the emergence of human being traffic, it took 10 years to be envisaged in the Penal Code as a crime figure. Consequences of legislation' deficiencies are so great that they need years to be mended.

The phenomenon "mafia" has won the right of citizenship in Balkan' countries. This phenomenon is not strange anymore in Albania. The drafting of an anti-mafia legal packet is necessary, in order to fight the phenomenon "mafia", which is the gist of organized crime.

We should not be retarded about this problem. The experience of other countries, especially the italian experience is appropriate and can be considered as the base for drafting the legal anti-mafia packet.

Indispensable is to put into execution the law on financial police, it must also be turned into an important agency for law enforcement.

The law for the prevention of money laundry is approved but it is to be said that structures, which deal with such a problem are still weak. Too much money circulates out of banks. Putting efficiently into execution the above law and finding the legal mechanisms for reducing the amount of money that circulates out of banks, would make the organized crime feel as "in a mined field".

Albania's adherence to International Conventions for the fight against crime would render us a credible partner of the international factor for war against crime, it would render Albania a place that the persons who are declared under warrant , shall not prefer.

2. In the administrative aspect

War against organized crime is not only the duty of law execution agencies, but it is also the duty of the whole state administration.

The correct execution of laws by each sector of state administration and the legal obligation to account in law execution agencies the cases of attempted corruption, corruption or the penetration of criminal individuals in state administration should become the norm for the democratic state.

We may consider the flourishing of stolen cars' traffic as an example, because of the implication of certain members of customs' administration in this traffic, which permits their intrusion in Albania, and because of the implication of members of Transport's administration, which legalize them.

In the actual phase of the war against crime, the co-ordination of work between police and different sectors of state administration such as: prefectures, communes and education administration (elected or appointed), would influence on the prevention of such phenomena: women traffic for white slavery use, the cultivation of narcotic plants, the receiving of stolen arms (from munitions depots in 1997), and the receiving of dinghies for clandestines' traffic, etc.

This co-ordination is indispensable and irreplaceable, especially during the phase of attack against human beings traffic and mostly of women traffic for white slavery use.

State administration is the one, which, in collaboration with non-governmental organizations and other institutions undertook the rehabilitation and integration of traffic victims, by drafting and executing social policies of employment, professional education, reduction of poverty and the increase of investments in the affected areas.

3. In the informative-investigating aspect.

This deals directly with the activity of police and other specialized agencies for law execution.

The establishment of anti-traffic structures in all law enforcement agencies indicates that state has taken the war against traffic in earnest.

Training and using efficiently these structures is indispensable. If it thought that the co-ordination of work is in its solving way with the regional countries from Anti-traffic Centers of Vlora, the co-ordination of work between the specialized Albanian agencies of law enforcement should be institutionalized.

It is time to establish an organism, which should have as a main mission, the co-ordination of work between specialized agencies of law enforcement, mostly for the war against crime and terrorism.

This organism should not parallelize any of law execution agencies, but it should be a consultant for each of them, mostly in the informative aspect.

It is indispensable that in addition to the completion of a legal packet on State Police reform, we should also re-examine the normative acts, which rule the work about information. This should be done especially to get the operative information.

Getting the information on organized crime has its own peculiarities and criminal police should adapt to it. Police which is not informed is paralyzed.

Even State Intelligence Service as a specialized agency for gathering information, should be at the disposal of the war against organized crime.

They should estimate their work based on the result of the attack against organized crime in our country, in collaboration with the other agencies of law enforcement.

The qualified information, which is at the disposal of a qualified investigation and administered according to the procedural rules, is turned into incontestable evidence against organized crime, evidence that no court will refute.

It is better to use the collaboration with the police of countries where Albanian groups of organized crime run their activity.

This should be done especially toward the documentary evidence of this criminal activity. The police of these countries should not only repatriate in Albania the victims of women traffic for white slavery use, but in collaboration with Albanian police and prosecution should also bring evidences for their wardens. In many cases these wardens stay in Albania waiting for the profits that their victims bring from west.