

ALBANIAN AUTHORITY ON ACCESS TO INFORMATION
ON THE FORMER STATE SECURITY SERVICE

2018 ANNUAL REPORT

Authority on Access to Information on the
Former State Security Service

TABLE OF CONTENT

Introduction	3
1. Message.....	4
2. THE LEGAL FRAMEWORK.....	5
3. Respect for and fulfilment of international obligations, fulfilment of the EU’s “progress report” recommendations by AIDSSH	8
4. IMPLEMENTATION OF THE ASSEMBLY RESOLUTION ON THE EVALUATION OF AIDSSH ACTIVITY FOR 2017	11
5. AIDSSH’s activity for 2018	19
5.1 Institutional Activity.....	19
5.1.1 The Archive.....	19
5.1.2 Information	25
5.1.3 Scientific Research and Civil Education	37
5.1.4 Security and technological development.....	44
5.1.5 Problems encountered during the AIDSSH’s activity and need for finding a more efficient means of resolving them by the Assembly and the Council of Ministers.....	47
5.2 Objectives of the authority for 2019.....	50
5.3 Aims for the future.....	51
5.4 THREE-YEAR ANTICIPATION IN RELATION TO THE VISION OF THE AUTHORITY	52
6. CHANGES IN THE REGULATORY FRAMEWORK FOR 2018 AND THEIR EFFECTS	53
1. DATA AND FIGURES ON AIDSSH’S ACTIVITY COMPARED TO 2017	55
8. Evaluation on the level of implementation of legal obligations by AIDSSH and liability when the law is breached or not considered	58
9. Status of implementation of recommendations issued to AIDSSH by other constitutional and independent institutions.....	58
10. NEED FOR AMENDMENTS IN THE LEGAL FRAMEWORK GOVERNING THE AIDSSH’S ACTIVITY	60
2. INTERNAL ORGANIZATION OF THE INSTITUTION.....	61
12. REVENUES AND EXPENDITURE, INCLUDING DONOR AWARDED FUNDS.....	66
13. CRIMINAL CASES AND COURT PROCEEDINGS	71

INTRODUCTION

The Albanian Authority on Access to Information on the Former State Security Service (hereinafter AIDSSH) was established by Law No. 45/2015, *On the Right to Information on the Documents of the Former State Security Service of the People's Socialist Republic of Albania* to enable the exercise of the right of access to information on the former State Security Service documents by any interested party, through a democratic and transparent process, protecting the personality of the individual, as well as the unity of national reconciliation.

AIDSSH is an independent institution responsible for collecting, administering, processing the documents of the former State Security Service and securing access to them for all subjects under Law No. 45/2015, in order to educate the public and support the democratic values of justice, truth, reconciliation and accountability to future generations.

AIDSSH has supported its activity and the continuity of the projects it has undertaken on the important principle of memory, by putting historical memory at the core of the identity and inheritance of individuals and societies.

The 2008 Annual Work Plan, which has been drafted and approved pursuant to Law No. 45/2015 and Decision of the Council of Ministers (DoCM) No. 98, of 15 February 2017, has defined the main directions of AIDSSH's work for 2018. According to this plan, the institution's activity for 2018 would mostly focus on several key pillars -- namely consolidation of the archive of former State Security documents, providing access to former State Security documents for all entities specified under the law, historic overview of the activity of the former State Security, based on scientific research realized in cooperation with the research and scientific institutions in the country and other partner institutions, as well as building of a pan-national communication and dialogue platform in service of civil education, by organizing working meetings with different interest groups, seminars, documentary exhibitions, international scientific conferences and the likes.

Scientific research has been supported by our partners and made tangible in the form of serious publications and online communication platforms that have facilitated the exchange of information with stakeholders and have increased our responsibility. Each of the projects undertaken was carried out in cooperation with public institutions and other non-governmental organizations, aiming at concrete results and impact in redesigning the figure of the victims and formerly persecuted individuals under the Communist regime, transmitting messages that carry educational and emancipatory values for the society, and at launching a dialogue with citizens regarding the Communist past of Albania, both at the thematic and at the geographical dimension. "Local Dialogue on Dictatorship" started at Konispol and Tepelena, shall be continued in other parts of the country during 2019.

1. MESSAGE

The Authority on Access to Information on the Former State Security Service was established in the spirit of Resolution 1481 of the Parliamentary Assembly of the Council of Europe: *The Need for International Condemnation of the Crimes of Communist Totalitarian Regimes*, (2006), Resolution No. 11 *On the Punishment of Crimes Committed by the Communist Regime in Albania* (2006) and the Resolution *On the Punishment of Communism Crimes against the Clergy and Special Gratitude for the Role and Activity of the Clergy in Protection of Democratic Values and Fundamental Human Rights and Freedoms* (2016) of the Assembly of the Republic of Albania.

Today, 80 years since the beginning of World War II, 75 years after the liberation of the country and 30 years after the collapse of Communism, AIDSSH runs its activity respecting European and Western values, "conscious of our history, with responsibility for the future ... with determination to ... a rule of law, democratic and social state, ... with the spirit of tolerance ... for the protection of human dignity and personality, as well as for the prosperity of the whole nation, peace, welfare, culture and social solidarity ... ", pursuant to the Constitution of the Republic of Albania.

AIDSSH, is in its third year of operation, after the efforts and successes achieved day after day – having a record of 68 meetings and 482 decisions, 463 candidates or verified officials, 184 requests for rehabilitation and compensation, 612 individual applications, 172 study and media applications, and 82,150 pages made available in 2018.

Applications addressed to the Authority have recognised a considerable growth, as have the institution's activities after the first year of work, which mainly served for the identification of archives by AIDSSH. During the second year, the archives were taken over by the Authority and in the third year, our priority will be the processing of the managed archive documentation. Meanwhile, in parallel with its priorities, the institution has developed its own functions in response to the demands of citizens, institutions, interest groups, national researchers and national and foreign media researchers.

A comprehensive Communication Strategy focusing on the persecuted, their families and human rights organizations, the youth and the general public has substantially expanded the AIDSSH map of activities during 2018.

The institution has run its activity not only in Tirana, with attention to memorial dates and historical personalities, but has travelled all over the country, with concrete cooperation projects

with local communities, such as in Shkodra, Tepelena, Konispol, Puka, Mirdita, Berat, Korça and Gjirokastra. It has also been active abroad, with cooperation agreements or exchanges of experiences, in the United States of America, Germany, Switzerland, the Czech Republic, Poland, Bulgaria, Romania, Israel, reaching many individuals, communities and memory institutions.

As a result, our work has been organized within the framework of the right to access to knowledge, information, research and civic education, in partnership with public bodies, counterparts, institutes of academic studies and national security institutions.

Among future challenges is filling of the organizational structure adopted by the Assembly. Currently, the Authority carries out its functions with 50% of its staff, situation which causes a backlog, increases the waiting time for provision of services and affects our daily work processes.

With the vision to provide a credible platform of access to the great legacy of former Security Service documents, with the engagement of Albanian citizens of all fields and institutions, functioning as a vital resource that helps in assessing Albania's past in the Communist Regime, after two years of complex activity, the Authority finds itself more organized, with increased responsibility and great expectations vis-à-vis information of the society and opening up of a civic dialogue about the past.

2. THE LEGAL FRAMEWORK

The Authority on Access to Information on the Former State Security Service, as a senior state and independent institution charged with the administration of the information process for former State Security documents is, in the implementation of its mission, guided by the principles of reconciliation and national unity, transparency and cooperation between state institutions.

AIDSSH is organized and operates according to the provisions set forth under Law No. 45/2015, *On the Right to Information on the Documents of the Former State Security Service of the People's Socialist Republic of Albania* and the Regulation *On the Organization and Functioning of the Authority on Access to Information on Former State Security Service*, approved at the Decision of the Authority No. 21, of 09 May 2017. In performing its activity, the Authority is assisted by the Technical Secretariat, which acts in accordance with the rules set out in the Organic Law and the bylaws issued pursuant to and in the implementation of such law. Detailed rules of operation and activity of the Technical Secretariat are set out in the internal Rules of Procedure of the Authority.

For organizing and exercising its functions, the Authority on Access to Information on the Former State Security Service is based on the following laws and by-laws:

Laws and by-laws

Law No. 45, of 30 April 2015, *On the Right to Information on the Former State Security Documents of the People's Socialist Republic of Albania;*

Law No. 8480, of 27 May 1999 *On the Functioning of Collegiate Bodies of State Administration and Public Entities;*

Law No. 8457, of 11 February 1999, *On the Information classified as "State Secret", as amended;*

Law No. 9154, of 06 November 2003, *On Archives;* and the Technical-Professional Norms and Methodological Rules of the Archive Service in the Republic of Albania;

Law No. 115/2016, *On the Justice System Governing Bodies;*

Law No. 12/2018, *On the Transitional and Periodic Evaluation of the State Police, the Republican Guard and the Internal and Complaints Service in the Ministry of Interior;*

Law No. 23/2015, *On the Foreign Service of the Republic of Albania* and Decision No. 816/2015, *On the Adoption of the Regulation on the Foreign Service of the Republic of Albania;*

Law No.7514, of 30 September 1991 *On the Acquittal, Amnesty and Rehabilitation of Former Politically Convicted and Persecuted Individuals, as amended;*

Law No. 9887, of 10 March 2008, *On Personal Data Protection, as amended;*

Law No. 119/2014 *On the Right to Information;*

Law No. 152, of 30 May 2013 *On Civil Servants;*

Decision of the Council of Ministers No. 98, of 15 February 2017, *On Establishment of the Transfer Procedure under the Administration of the Authority on Access to Information on the Former State Security Service of Archival Material held by the Ministry of Defence, the Ministry of Interior, the State Intelligence Service and Other Public Authorities;*

Decision of the Council of Ministers Nr. 935, of 28 December 2016, *On the Transfer of Responsibility for Administration from the Ministry of Defence to the Authority on Access to Information on the Former State Security Service of object No. 52, with the title "The New Archive", within the Property Territory No. 12, under the title "The Doctrine and Training Command", with the location at Neighbourhood No. 10, Dibra Street, Tirana, and on an amendment in Decision No. 515, of 18 July 2003, of the Council of Ministers, On the Approval of the List of State Real Estate Inventory, passing under the Administration of the Ministry of*

Defence, as amended, thereby defining the premises where the Authority shall carry out its activities;

Decision of the Council of Ministers *On Establishing the Service Tariffs and Fees to Institutions or Persons addressing the Authority on Access to Information on the Former State Security Service*;

Internal regulatory acts of the Authority

Internal Regulation *On the Organization and Functioning of AIDSSH*, approved by Decision No. 21, of 09 May 2017 of the Authority;

Regulation *On the Prevention of Conflict of Interest in Exercising Public Functions at AIDSSH*, approved by Decision No. 13, of 14 April 2017;

Regulation *On the Protection, Processing, Preservation and Security of Personal Data at AIDSSH*, approved by Decision No. 25, of 25 May 2017 of the Authority;

Regulation *On the Publication of the Activity of the Authority, in the Exercise of its Functional Duties, as amended by Law, through a hardcopy bulletin or online publication on the website of the Authority*;

Decision of the Assembly No. 95, of 22 December 2016, *On the Approval of the Structure, Organigramme and Categorization of Jobs of the Institution of the Authority on Access to Information on the Former State Security Service*;

The 2017-2020 Strategic Plan and its Action Plan, approved by Decision No. 42, of 22 June 2017, of the Authority on Access to Information on the Former State Security Service Authority;

The Code of Good Administrative Behaviour of the Authority on Access to Information on the Former State Security Service, approved by Decision No. 449, of 18 December 2018, of the Authority;

The Code of Conduct for Members of the Authority on Access to Information on the Former State Security Service, approved by Decision No. 450, of 18 December 2018.

For 2018, the Authority has held 68 meetings and has taken 482 decisions, out of which 466 unanimously, versus 68 decisions of the same nature taken in 2017.

3. RESPECT FOR AND FULFILMENT OF INTERNATIONAL OBLIGATIONS, FULFILMENT OF THE EU'S "PROGRESS REPORT" RECOMMENDATIONS BY AIDSSH

The establishment of AIDSSH by the Albanian State in 2016 and opening and processing of former State Security Service documents was realised in the spirit of international resolutions dealing with the legacy of the past, such as the European Parliament Resolution *On European Conscience and Totalitarianism* (2009); Prague Declaration *On European Conscience and Communism* (2008); Resolution 1096 (1996) of the Parliamentary Assembly of the Council of Europe on *Measures to Eradicate the Legacy of Totalitarian Communist Systems* and Resolution 1481 (2006) of the Parliamentary Assembly of the Council of Europe *The Necessity for International Punishment of Crimes of Totalitarian Communist Regimes*, recognized by the Assembly of Albania, following which Resolution No. 11 *On the Punishment of Crimes Committed by the Communist Regime in Albania* (2006) and the Resolution *On the Punishment of Communist Crimes against the Clergy and Special Gratitude for the Role and Activity of the Clergy in the Protection of Democratic Values and Fundamental Human Rights and Freedoms*" (2016) were drafted.

Albania is committed to strengthening its justice and human rights system through the ratification of international and regional treaties and its engagement in the 2030 United Nations Development Program. The International Covenant on Civil and Civic Rights and the European Convention on Human Rights recognize equality before the law, as well as other key elements that serve strengthening of the justice system.

Goal 16 of Sustainable Development of the United Nations Development Program aims at having communities that live in peace and are all-inclusive, considering access to justice and effective and credible institutions as core elements for development. Further on, with regards to Albania, the United Nations argue that strengthening of the rule of law, through capacity building in justice institutions and improving transitional justice processes, helps to ensure the truth, re-dimensions it and gives voice to the victims, elements that lay the foundations for sustainable development and peace in the society. In this context, during 2018, AIDSSH has implemented the program *Commemorate to Heal and Prevent*, focusing on concrete developments regarding the treatment of past legacy and consolidation of democracy.

In the European Commission's Progress Report for Albania for 2018, emphasis is placed on the monitoring of the processes carried out by Albania regarding the implementation of the justice reform, highlighting the 5 key priorities, in particular vetting of judges and prosecutors

According to the report, Albania has been asked to step up measures to strengthen the independence, efficiency and accountability of the justice institutions for which the relevant reforms are being implemented, increasing the impartiality and transparency of justice institutions, the judiciary, the Prosecution Office and senior governing bodies. The cross-cutting

justice sector strategic documents for 2017-2020 and the action plan have started being implemented since November 2016.

In this context, AIDSSH has the legal obligation to verify the integrity of senior officials who have undergone the process during 2018. The process of authenticating the integrity of official holders includes many institutions and aims at increasing professionalism in all spheres, consolidating independence and impartiality and restoring the trust of the public in the institutions.

But, in the EC's 2018 Report, Albania has been asked to take effective measures to strengthen human rights protection, while the legal framework is drafted in line with European standards, according to which our country has ratified many international conventions on human rights.

With regards to priority five -- namely human rights, the European Commission document of 17 April 2018, *Albania Report 2018 Report*, page 26, has a recommendation for the Authority on Access to Information on the Former State Security Service, which reads:

As regards the right to life, the Authority on Access to Information on the former State Security Service was established and a strategy was adopted in June 2017. However, the resolution and recommendations on blood feuds still require follow-up. Following a visit to the country in December 2016, the UN Working Group on Enforced or Voluntary Disappearances (WGEID) issued several recommendations to Albania to address the crimes committed during the communist dictatorship period. For instance, the WGEID recommended that Albania recognize the enforced disappearances of the past and guarantee non-repetition through an appropriate mechanism. It also called for the creation of a mechanism taking a global approach, instead of fragmented measures, to deal with prejudices resulting from the past political repression. The number of people who have been secretly abducted or imprisoned during the dictatorship remains unknown, but it is estimated that around 6 000 persons went missing.

Regarding this recommendation and based on the functional duties assigned by Law 45/2015, AIDSSH has been actively engaged and has cooperated with the International Commission on Missing Persons (ICMP) and other public institutions in the country dealing with missing persons, the Institute for Integration of Politically Persecuted People and continues to give concrete inputs in securing related documentary information, as well as in raising the issue and lobbying with public and international institutions for advancing research on this matter.

The Authority has collaborated with the Prosecutor's Office to launch the procedure for locating and identifying the burial sites of missing persons during the dictatorship and with local government by proposing memorial sites.

AIDSSH has filed a request with the responsible Ministry for including in the draft-law *On Cultural Heritage and Museums* of an item recognising firing and covert burial sites of the

communist dictatorship period as memorial and awareness places. More specifically, initiatives for memorial sites are undertaken for:

- the Camp of Tepelena (1949-1951), pursuant to Order No. 45, of 6 June 2017 *On Establishment of a Working Group on the Search of Archival Documentation for the Tepelena Camp and Establishment of a Memorial for the Commemoration of August 30 as the International Day of the Disappeared.*

- the Camp of Mëniku (in Peza), where the remains of 22 shot intellectuals were buried without trial on February 26, 1951, and the mass burials of many convicts were made by the dictatorship, based on the proposal of the Authority for the Tirana Municipal Council to name this place a site of conscience. In both cases and in the others that are being addressed by the institution, partnerships have been established with public, central and local institutions, civil society and family members, to turn the attention to the issue of the missing and the human right of truth.

On June 4, 2018, the UN Expert Committee approved and published the closing remarks after reviewing the Albania Report on the Implementation of the UN Convention *On the Protection of All Persons from Forced Disappearances*, where the country has adhered to since 2007 and has since then been engaged in improving its legal framework for the promotion and protection of human rights, including forced disappearances. AIDSSH was reported to attend the reporting session to Geneva, among other public institutions.

Forcible disappearances are provided for as a criminal offense upon the amendments to the Criminal Code approved by the Assembly in 2013. At the reporting session it was noted that a number of measures have been taken to improve the legal framework in accordance with the Convention, and the representatives of the institutions informed the participants about the measures taken to guarantee the protection of human rights, in particular of persons deprived of their liberty, the right of the victim to know the truth, the consequences of forcible disappearance, access to justice, investigation of cases and bringing perpetrators to justice, effective remedies, and the preservation of historical memory for the forcible disappearances that took place during the Communist era.

Historically, Albania has suffered a lot from this crime as, during the Communist regime a considerable number of citizens were executed while others have disappeared in unfamiliar circumstances. Therefore, Albania has taken concrete measures to draft a cooperation agreement with the International Commission on Missing Persons.

In view of this cooperation, on August 30, 2018, on the occasion of the International Day of Missing Persons, a joint presentation with ICMP of two online applications has been made to assist the process of locating and identifying missing persons during the Communist dictatorship in Albania. These applications are aimed at helping the family members of missing persons to report cases, as well as obtain information about the status of individual cases of missing persons. The burial site indicator enables users to anonymously provide information on the

location where the remains of the missing persons can be found. The applications are published and placed on the official website of AIDSSH, for all those having an interest in them.

During 2018, AIDSSH has received 57 requests for rehabilitation and clarification of the fate of the dead or missing persons. It turns out that the Authority has taken a decision for 35 requests, while 22 other requests are still under verification process.

All of the above legal framework and the current AIDSSH activity is done for the purpose of keeping the memory of the past alive, because "there can be no truth without remembrance", in order for the past not to be repeated and for the society to exercise its right to be acquainted with the truth.

4. IMPLEMENTATION OF THE ASSEMBLY RESOLUTION ON THE EVALUATION OF AIDSSH ACTIVITY FOR 2017

The Assembly Resolution of 28 June 2018, *On the Evaluation of the AIDSSH activity for 2017*, following the evaluation of the activity exercised by AIDSSH during 2017, has listed some tasks and recommendations that should be met by of AIDSSH during 2018. More details on this matter follow below:

Completion of the procedures for transferring under the administration of the Authority, of entire archival documentation of the former State Security Service from the relevant archives of the public authorities administrating them up until now

In fulfilment of this duty, during 2018, the Working Group in charge of the task of receiving such archives has continued to work with the filing of archive documents mainly from the Archives of the Ministry of Interior System, as it houses the vast majority of former State Security Service documents.

During 2018, the Authority has taken over the documents belonging to 4 archival funds: First Directorate, Second Directorate, Third Directorate and Fund 141, with a total of 12,547 files¹.

This process is carried out by observing the procedures set forth in Law No. 9154, of 6 November 2003 *On Archives* and the Technical-Professional and Methodological Rules of the Archival Service in the Republic of Albania, including verification of each single file and each single page, comparing and contrasting files in the archive inventory and filling out the minutes related to the handover procedure. During the handover process, verification of the physical condition of the documents has as well been carried out. So far, it has turned out that the documents have no visible damages.

¹ More detailed data follow in later sections.

In addition to the detailed inventory process and the receipt of archival documents, work has continued with the identification of former State Security Service documents, not only with the Ministry of Interior and its Archives System, but also with other archive retaining institutions, as the likes of the State Archives of the Judicial System, the Central Archive of the Armed Forces, the General Directorate of Archives, the General Prosecutor's Office and the Prosecutor's Offices at the District Courts.

Even though the Authority has reviewed the decisions to hand over the documents and all the staff of the Archive Directorate was engaged, this task is still under way because the volume of documents is too large and the human resources involved are not sufficient. Work has been carried out with 50% of the staff of the Archive Directory, under extremely difficult working conditions in the Archives System of the Ministry of Interior, without proper ventilation, heat, lighting, etc., as well as at considerable distance from the venues where we exercise our functional activity. The process shall continue for the first six months of 2019 too.

It is worth mentioning that AIDSSH has prioritized the verification process for the officials/candidates awaiting appointment or promotion, according to the scope of the applications submitted by the Constitutional institutions, or public authorities.

Improvement of the verification procedures followed by the Authority, according to the standards and best practices of counterpart institutions in the former Eastern European Socialist camp, with a view to addressing transparency, objectivity and professionalism vis-à-vis the citizens' requests.

The Authority has systematically worked by engaging in a permanent discussion within its structures, in the spirit of the legislation, to make this process transparent, easily understandable and to produce a quality product to assist interested parties. More specifically:

Concrete changes have been made to the application forms of institutional requirements and the pursuit of individual request procedures, taking into account the best standards and experiences of counterpart institutions (Bulgarian, Czech Republic, Germany and Romania), with a view to addressing transparency, objectivity and professionalism in handling the citizens' requests, which have been approved by the Authority.

The whole process of processing the applications filed by researchers and the media has been revised and a guiding scheme has been developed to pursue all stages of the treatment of applications filed by researchers and the media.

Electronic records of digitized documents have been created and the access to all digitized documents is realized within a very short time.

AIDSSH has as well established the database of cases it has processed, containing detailed data regarding handling of applications, from the registration, to the issuance of documents to applicants.

Several internal acts have been drafted and approved, directly affecting the improvement of the procedures followed for verification, namely: Decision No. 43, of 13 February 2018 *On the establishment of the Commission for the Inventory, Processing, Compilation of the Database List of Archival Documentation*; Decision No. 173, of 05 June 2018, *On the Standardization of Communication with Interested Subjects requesting Information on Documents of the former State Security Service at AIDSSH*; Decision No. 449, of 18 December 2018, Approval of the *Code of Good Administrative Behaviour* for the employees of the Authority; Decision No. 450, of 18 December 2018, *Approval of the Code of Conduct for the Members of the Authority on Access to Information on the former State Security Service*.

Government agencies, public institutions, political parties and any other institution that has the legal obligation or willingness to cooperate with the Authority have been informed on the need to clarify the vetting process for the officials/candidates before appointment or promotion (familiarisation with the form and content of the template to be filled out by the entity subjected to the verification procedure), and to determine it as a norm for the next two years, in order to be as transparent as possible and within the deadlines set by the law, so that this process is not misused or used by any political force, agency, group or individual.

Awareness raising campaigns have been organised with citizens, including scholars and the media, where in many cases they have become collaborators in recognizing the procedures through which the information process passes and the documentation administered by us, according to the subject of application. This information and these campaigns have not been developed in isolation only within the City of Tirana, but have geographically been extended covering several cities of Albania and involving different age groups and stakeholders.

All measures have been taken regarding the implementation of security requirements for the documents classified as "state secret", addressed in the communication and information systems, according to the CISD recommendations.

Strengthening of administrative capacity, provision of the necessary infrastructure for researchers, with a particular focus on the creation of an Integrated Digital Archive, with a view to ensuring broader access to the former State Security documents by the concerned entities.

To strengthen its administrative capacity, AIDSSH has worked in several directions. These directions include, first of all, filling of vacancies for the positions approved by the Government, increasing the level of professional training of its employees, taking part in professional and quality training developed by ASPA and CISD, organizing various activities, providing assistance with experts from different fields (historians, archivists, etc.), and so on. Second, the Authority has worked on improving the technological infrastructure for digitalization and storage of documents, creating new search tools, providing office furniture, fund raising, and realising tendering procedures for the reconstruction of the first floor of the building provided by the Government, as well as on strengthening cooperation with public institutions and foreign

partners for supporting and financing AIDSSH, in particular for completing the reconstruction of the building (1st and 2nd floor) and its supply with the Archive equipment, organizing various activities, etc.

Upon agreement in principle with the Swedish Embassy in Albania, the AIDSSH staff has intensively worked on drafting the draft-project *Reconstruction of AIDSSH building and ICT Services for Creating a Modern Archive*. Part of this project are the completion of the reconstruction of the building provided by the Government, as well as hardware equipment (server + datastorages, etc.), and the Integrated Digital Archive System.

Despite of having limited human resources, they are nonetheless engaged in the offering of services to researchers/media, for reasons, which are already known. We have as well established a corner for the scholars. Scholars have the opportunity to consult and become familiar with the search tools and archival documents, whether in original or in a microfilmed form, according to the requests submitted by them.

Increase of work cooperation and coordination with public institutions and authorities and donors, as well as with counterpart organisations.

Throughout 2018, the Authority on Access to Information on the former State Security Service has continued to cooperate with all partner institutions with whom it had communication and entered into agreements with during 2017 and at the same time has intensively worked on extending this cooperation with other new counterpart institutions.

Such cooperation has consisted in the conclusion of new cooperation agreements with counterpart institutions, in the framework of cooperation and coordination of remembrance activities and organization of joint activities. In this context, two new cooperation agreements have been signed – namely the Cooperation Agreement for Joint Activities with “*The Leaves*” Museum, the Cooperation Agreement with the "Ali Hadri" Institute of History, Prishtina, for joint scientific research projects between Albania and Kosovo related to Communism, and work has been carried out for the International Scientific Conference on Deportation/Expulsions and other projects.

Earlier agreements with the Institute of History at the Academy of Albanological Studies, public remembrance institutions ISKK and IIPP have served better coordination of the work in organizing memory activities over all annual activities.

In addition to the cooperation with the above institutions, during 2018, AIDSSH has also collaborated with different donors, such as the UNDP in Albania and the Italian Embassy, implementing the project *Remember to Heal and Prevent*. The Project was implemented in several different paths:

- Oral testimonials, under the Program *Even the walls have ears*, whereby we have collected the oral evidence of survivors of Communism throughout Albania; the artistic installation *Even the*

walls have ears, featured in 6 cities of the country, on the eve of the Europe Day; establishment of an online platform with evidence under the same name and of a Digital Archive, their publication on the website for all interested researchers, as well as the documentary that recounts this journey of pieces of evidence.

- Scientific research carried out based on the 1944-1991 expulsion/internment files for the conceptualization of history and forced labour practices during the Communist regime through a historical-legal approach to the institutionalization of forced labour. This work was finalized at the first International Scientific Conference on Expulsions/Internments of 29-31 October 2018, the two-language edition of the legal-historical framework and the preparation for publication of studies on "Maliq's Marsh" and the figure of Sabiha Kasimati.

- The above research contributes to the design of remembrance sites, such as the Tepelena Camp, for which AIDSSH continues the commemoration work and raising the awareness of the society, with the steps taken to make it a protected area, the permission to establish a Memorial to commemorate the lives of the lost children and the publication of the book with the testimonies of the camp survivors of Tepelena.

- Updating with accurate information in the Albanian language on historical events and persecuted personalities of the Wikipedia in the Albanian language, in collaboration with scholars and interested young people. The project was concluded in December 2018.

The other project undertaken by AIDSSH in cooperation with donors during 2018 is *The Role of Science in the Development of the Society during the Early Years of the Communist Regime (1945-1954)*. AIDSSH and PERFORM - Active and Responsible Social Science, the Swiss Government has supported the research and construction of a narration on the role of science, intellectual elites and scientific research in the early years of the Communist Regime in Albania.

The initiative aimed at making a profound analysis of the intellectual elites in the years 1945-1954, as well as the influence they, their science and scientific research, has had in the decision-making process, fostering society's reflection on the importance of science in the country's transitional processes. The archival research work was inter-twinned with the public information and the preservation of historical memory, in order to launch a public dialogue on this subject.

During 2018, the Authority has continued its cooperation with the OSCE Presence in Albania. The focus of this collaboration has been the assistance and support of AIDSSH in building a modern archive, in line with international standards, through the assistance of foreign experts and the enhancement and professional training for AIDSSH staff, enabling the exchange of experience with counterpart institutions in Germany and the Czech Republic.

Realization of objectives, within the framework of the Strategic Plan 2017-2020, to fulfil the tasks defined by Law No. 45/2015 *On the Right to Information on the Documents of the former State Security Service of the People's Socialist Republic of Albania*

The Strategic Plan 2017-2020, as the most important strategic document of AIDSSH, has served as the model based on which the Authority has drafted its Work Plan for 2018. In the 2018 Work Plan, each of the strategic objectives of AIDSSH is broken down into an Action Plan for each of its Directorates and respective sectors. The implementation of any of these objectives is reflected in the *AIDSSH's Activity* section, explained later in this document.

Drafting of a Communication Strategy aimed at informing citizens and, in particular, young people, by means of speeches held on certain calendar days devoted to the shocking events happening on the innocent victims of the Communist dictatorship, on the basis of uncontested evidence and facts, made public for the first time ever and authentically obtained from the files created by the structures of the former State Security Service.

AIDSSH has prepared a Communication Platform to support the Strategic Plan. It has inspired the annual plans and any communication with the public, as well as the requirements of the institution for raising funds, both from the Government and donors.

Communication with the public and the citizens has been carried out continuously throughout 2018, crowned with the organization of activities of various natures, focused on commemorative dates, on personalities of survival of human dignity and resistance and local dialogue in the community. Priority has been given to the persecuted and their families, both in the country and abroad.

In co-operation with the Association of History Teachers, partners and counterpart institutions, relevant human rights organizations, family members and the community, the Authority has achieved broad involvement of young people, researchers and the media in every activity organised in different cities in the country.

Particular importance has been cast on the way information was disseminated, making use of high-level dissemination tools in the presentation, message communication, and interaction with stakeholders. Starting from posters, online sites, books and other publications, the aim of produced videos was to give accurate information and at the same time to be attractive to young people.

In response to the Assembly's Resolution and relying on the hitherto experience, the Authority has worked to come up with a draft of a Communication Strategy that relies on several key pillars: identifying and outreaching the relevant target groups according to the memory calendar, scientific research on history review and civic education.

Part of this Strategy are the documentary exhibitions, scientific studies, scientific conferences, publications, workshops, seminars, meetings on concrete topics, cooperating with all the

stakeholders in the field. The activities are organised by presenting a mixture of presentations of documentary materials, information on the files, the relevant event/image and an overview of the historical, social and political context of the time, focusing on different social groups.

Outreach of interest groups

During 2018, AIDSSH has carried out its work with an open Communications Strategy, aiming at informing the citizens and the new generation. For enabling awareness raising activities, the Authority has reviewed its remembrance calendar and the activities envisaged for 2018;

- Stakeholders are engaged in activities focusing on civic awareness and education;
- Involvement of as many young people as possible is enabled throughout the country in the activities focusing on the review of the history and on putting in place the human dignity of the people who have suffered from the totalitarian regime, in cooperation with the Association of History Teachers and Youth Associations;
- Researchers and the media, pursuant to Law 45/2015, Article 36 and onwards, have access to the documents administered by AIDSSH, for in-depth treatment and study of the historical events.
- All activities are made public with introductory information on social networks and electronic invitations are issued according to relevant events.
- Attention has been cast on the details of the exhibition/publication, and their in-depth treatment: in interviews, articles, publications, and special chronicles.
- Publications are posted on the Authority's website, or on other AIDSSH sites related to the events organised by the institution.
- The historic event/figure has been commemorated/remembered, bringing into light the elements of the relevant file, and by bringing young people closer to the resources of AIDSSH.
- Journalists and the interested persons are supported with documents for handling the materials of the Authority.
- Researchers have been backed up with on-going scientific research on historical figures/ events.
- The above elements have been harmonized to consistently raise the public awareness by providing relevant information to them, through well-thought activities, in line with the AIDSSH's calendar and its remembrance projects.

Establishment of a database with the names of the verified entities, information on operating structures or former State Security associates, which have been verified and analysed by the Commission, operating under Law No. 8043, of 30 November 1995, *On the Vetting of Officials and Other Persons Related to the Protection of the Democratic State* and those that have been verified and analysed by AIDSSH.

The implementation of this process started in early 2018. In February 2018, Order No. 5, of 19 February 2018, *On the Inventory, Processing, Compilation of a Database List of the Information Administered* under Law No. 8001 of 22 September 1995 *On the Genocide and Crimes against Humanity Committed in Albania during Communist Rule for Political, Ideological and Religious Motives* and Law No. 8043 of 30 November 1995 *On the Vetting of Officials and Other Persons Related to the Protection of the Democratic State* were approved.

In implementation of the aforementioned Order, the documents of the Archive Funds under the name of the "Mezini" Commission and "Bezhani" Commission have been physically withdrawn. The file verification process ascertained that the documents were part and parcel of the practice of these Commissions, according to the requests they had filed in the relevant institutions, such as the Ministry of Interior, SIS, DoPA, Ministry of Defence for the verification of the individuals running for elections and the political subjects they represented.

The verification/control of the files and the inventory of the documentation found in the funds of "Mezini" and "Bezhani" Commissions has been completed. The inventory is based on the file titles.

An electronic table has been created with the data found in the relevant documents. The result is that so far **4651 records** have been added with data from the documents belonging to the "Mezini" Commission fund and **730 records** have been added with data from the documents belonging to the "Bezhani" Commission fund.

Identification and analysis of documents that may be declassified with the aim of making them public for the national and foreign individuals and scholars.

The procedure for declassification of classified archive documents (template files, processing files, personal files or work files created by former State Security Service structures) is initiated and developed on a case-by-case basis, based on individual, institutional or study requirements for information on former Security Service documents.

The legal basis for the development of appropriate procedures in this regard are the provisions of Law No. 8457, of 11 February 1999, *On the Information Classified as State Secret, as amended*, DoCM No. 123, of 15 March 2018 *On the Rules of Classification of State Secrets, as amended*, DoCM No. 124, *On the Declassification and Depreciation of the Information Classified as State Secret*, located in the national archive network, Order No. 68, *On the Approval of the List of Documents Classified as State Secret at AIDSSH, as amended*, Order No. 13, of 03 May 2018, *On the Establishment of the Commission on Declassification and Depreciation of the Information Classified as State Secret at AIDSSH*.

During 2018, AIDSSH has taken all measures to carry out, in addition to other work processes, the identification and preparation of procedures for declassification of all documents required by citizens, institutions, researchers or media representatives. During 2018, a total of 33,700 pages of archive documents were completely declassified and made available to researchers.

5. AIDSSH'S ACTIVITY FOR 2018

5.1 Institutional Activity

Pursuant to its 2017-2020 Strategic Plan, by Decision No. 28, of 26 January 2018, the Authority has approved the *AIDSSH Annual Work Plan for 2018*. The entire institutional activity of AIDSSH for 2018 is based on this document, which, in general terms and considering the conditions it has been working with, can undoubtedly be considered as successful.

Established since two years ago, the AIDSSH still lacks a facility with optimal conditions for storing archival documents and exercising its activity. The building made available by the Albanian Government is not functional and does not provide the minimum conditions for the transfer and deposit of archival documents and the exercise of its institutional activity. To this end, the entire investment fund made available for 2018 (the bulk of it in August 2018) was successfully channelled and procured, in function of the reconstruction of the ground floor of the building, which will serve as a premise for storing archive documents and will be in function of the Archive Directory.

Decision No. 95, of 22 December 2016, *On the Approval of the Structure, Organization and Salary Classification of the Authority on Access to Information on the former State Security Service* has determined the organigramme of AIDSSH, according to which the number of its employees should in total be 60. During the calendar year 2018, the Authority has operated with 33 employees, of whom 5 are members of the Authority (while a vacancy created because of the resignation of one of the members of the Authority is still not filled by the Assembly) elected by the Assembly according to Law No. 45/2015, and 4 part-time employees. Under these conditions, the staff of the Authority in addition to their functional duties, as specified in their job descriptions, has carried out other tasks as required under the Authority Decisions and its internal orders, engaging in working groups in order to meet the main institutional objectives and to create the necessary conditions for the preparation of documentation for the implementation of the meetings of the Authority, as well as for the organization and development of numerous annual activities.

5.1.1 The Archive

Pursuant to Article 18 of Law No. 45/2015 *On the Right to Information on the Documents of the former State Security of the People's Socialist Republic of Albania* and pursuant to the AIDSSH's 2018 Annual Work Plan for 2018, approved by Decision No. 28, of 26 January 2018, the main objectives in this regard are:

1. Completion of the detailed inventory process and the hand-over of the former State Security documents from four archival funds;

2. Continuation of the work process for the identification, collection and administration of other documents created by the former State Security for the period of 29 November 1944 from 2 July 1991;
3. Consolidation of the work in the AIDSSH Archive according to the legislation in force and other acts issued by AIDSSH;
4. Digitalization of archival documents;
5. Verification of requests submitted by institutions, individuals and ensuring access of citizens through clear and transparent procedures;
6. Data protection, in particular those data that constitute classified information, personal data and the right to information;
7. Preparation of relevant practices and documents for declassification of former Security Documents;
8. Acceleration of procedures for using archival documents;
9. Archival Fund Maintenance;
10. Professional and skills development.

Completion of the detailed inventory process and the receipt of the documents of the former State Security

Pursuant to the Law No. 45/2015 *On the Right to Information on the Documents of the former State Security of the People's Socialist Republic of Albania*, DoCM No. 98/2017 *On determining the transfer procedure under the administration of the Authority on Access to Information on the former State Security Service from the archival materials of the former State Security located at the Ministry of Defence, the Ministry of Interior, the State Intelligence Service and other public authorities*, the AIDSSH has signed cooperation agreements with the Ministry of Interior on 19 May 2017, the State Intelligence Service on 26 June 2017, and the General Archives Directorate on 05 May 2017.

Upon signing of the agreements with the above-mentioned institutions, joint Working Groups programs been drafted between the institutions and work has now been launched on the detailed inventory and receipt of archival documentation, as defined under Article 1 of the DoCM No. 98/2017.

The process of receiving and transferring to AIDSSH the administration of the former State Security archival materials is based on the prior identification of needs made by each of the above institutions.

During 2018, the Working Group in charge of the hand-over process continued the process of coming up with a detailed inventory and hand-over of the archival funds with permanent storage value from the Ministry of Interior's Archive System.

The hand-over process is featured by a-page-by-page verification of paper documents contained in each of the files, comparing them with the records in the inventory of the archived files and

filling in the respective receipt minutes. During the hand-over process, verification and recording of the physical condition of the documents has as well been performed. Below follows a list of the archival funds that have undergone a detailed inventory and hand-over process from the Archive of the Ministry of Interior to the AIDSSH Archive.

1. Hand-over and inventorying of Fund No. 4, **The First State Security Directorate**, totalling to **8328** archive documents.
2. Hand-over and inventorying of Fund No. 134, **The Second State Security Directorate** has been completed as well. In total, **860** archive files have been received.
3. Hand-over and inventorying of Fund No. 6, **The Third State Security Directorate** has been completed, with a total of **1003** archive files.
4. Hand-over and inventorying of Fund No.141 has been completed, with a total of **2356** archive files placed in 148 boxes and 56 of operational evidence books.

All of the archival documents referred to above are placed in cardboard boxes bearing the respective labels and are currently stored in the venues of the Ministry of Interior archive made available to AIDSSH, at the vicinity IPQP.

Regarding the above, the objective has been met by completing the filing process for all four archival funds, with a total of 12547 files, according to the chart illustrated below:

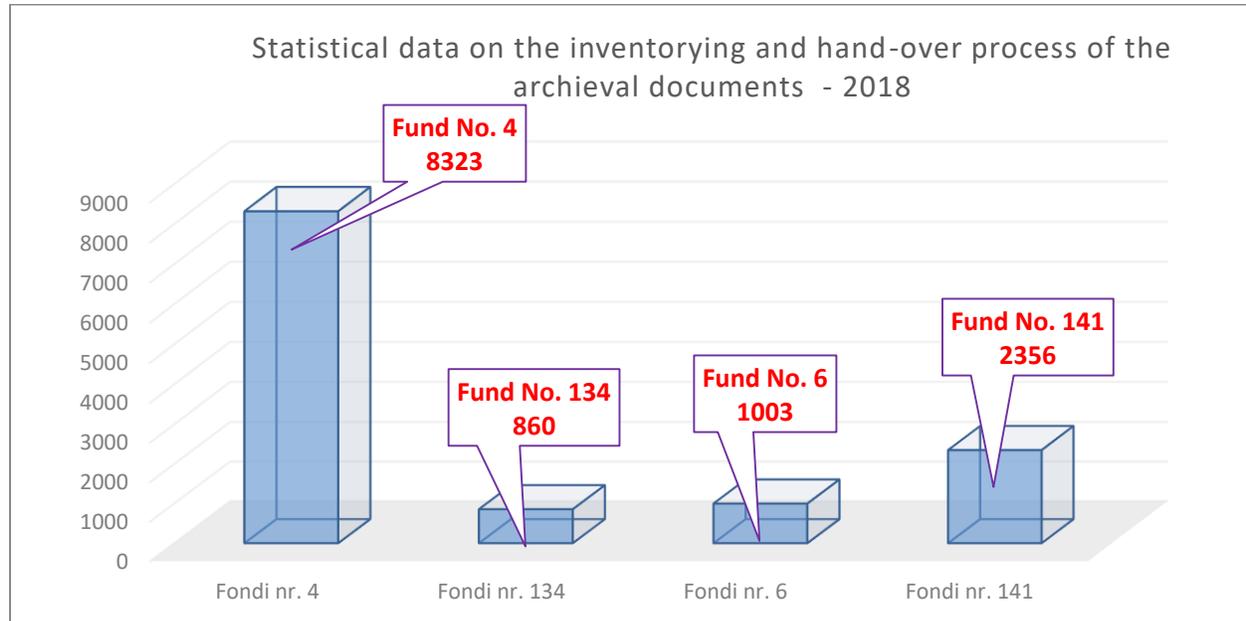


Figure 1: Chart representation of the inventorying and hand-over process of Archive Funds

The hand-over process is a difficult process, which requires considerable time and a considerable number of human resources. This process will continue even during 2019.

Continuation of the work process for the identification, collection and administration of other documents created by the former State Security for the period 29 November 1944 - 2 July 1991

The identification of former State Security documents has continued not only with the Interior Ministry's Archive System, but also with other archive network institutions, namely: the State Archives of the Judicial System, the Central Archives of the Armed Forces, the General Directorate the Archives, the General Prosecutor's Office and the Prosecutor's Offices at the District Courts. The process shall continue during 2019.

Digitalisation of documents

Digitalization of documents has been and continues to be an indispensable link in the process of addressing the requests for information of citizens and institutions on the documents of the former State Security. This important process, also during 2018, consisted in digitizing documents and microfilms in order to meet the demands of individuals, institutions, researchers and the media. After the digitization process, the documents have been subjected to further treatment procedures, such as anonymising sensitive and personal data.

The digitized documents are organized in the form of a simple digital archive. The digital archive aims at serving not only as an instrument to meet the requests for information about the former Security documents addressed so far, but it also serves as a cornerstone of the communication and interaction platform we intend to build, through which the users will have access to and use the archive documents created by former State Security structures, available from them or put into use, irrespective of the form of preservation, in particular, but not limited to, the files, data, paperwork, maps, plans, movies, video recordings, sound and other types of recordings.

Professional digitalization equipment was donated by the German Embassy for the digitalization of documents and microfilms. During 2018, a total of **119,928** archival documents were digitized.

Another important project the Digitalization Sector is engaged with is the establishment of the Archive of Oral Testimonials. This project aims at recording, storing, archiving and making available audio-visual documents that bring stories narrated by the survivors themselves, those who were persecuted by the Communist regime.

The project was launched on 20 February 2018 and by the end of December, 30 oral testimonials were archived, mounting to a total of 22 hours of recordings. These records are stored on the server donated by the German Embassy in Albania. The project will continue in 2019 as well.

Verification of requests submitted by institutions, individuals and ensuring access of citizens through clear and transparent procedures

Handling of the requests for information on former State Security documents from institutions, individuals, and researchers is another important work process that goes through several stages: search for data and documents, verification of authentic documents in the place where documents are located, and their processing according to the relevant applicable rules on archival documents, their physical transportation according to established rules (due to the lack of a single archive storage premise), their declassification (in the case of classified documents) and provision for use of the original documents and microfilms.

For 2018, 789 individual and study applications have been received, of which up to the end of 2018, 673 requests have been concluded with a written response from both sectors, as shown below:

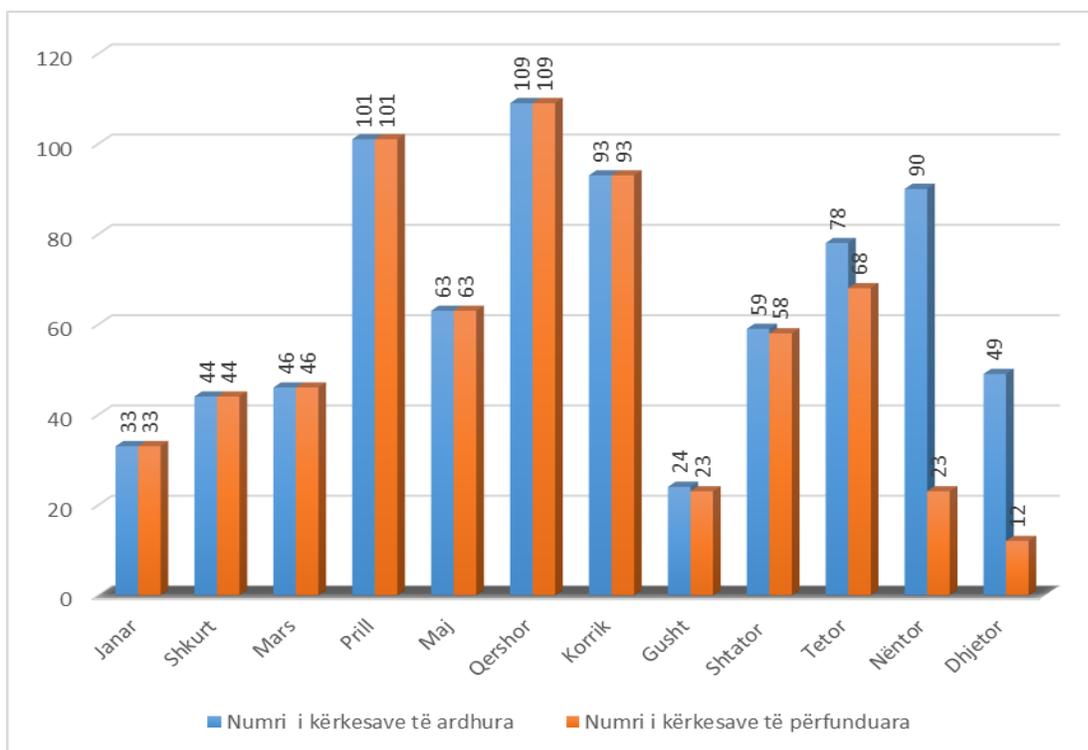


Figure 2: Chart representation of individual requests and requests for study purposes completed in 2018

About 116 unfinished requests have been carried over in 2019, due to the fact that the staff is engaged in several work processes.

Also, 67 institutional requests have been verified in the framework of the assessment, according to the relevant legislation, on the ethical, moral and professional qualities of candidates to be appointed or promoted.

Although the research process is mostly carried out by virtue of semi automatic and manual tools, which greatly hampers the work of the archivists and affects the timing of the service of documents and information requested by the applicants, the work is coordinated in such a way as to ensure a quick and qualitative servicing of documents.

Preparation of relevant practices and documents for the declassification of former Security Documents

In order to fulfil one of the strategic objectives of AIDSSH – namely providing access to former State Security documents to all target groups under Law 45/2015, all measures have been taken to declassify all the documents that meet the legal criteria for declassification. For this purpose, pursuant to Law No. 8457, on 11 February 1999 *On the Information Classified as State Secret*, as amended, and by-laws issued for its implementation, the staff of this Directorate has prepared full practices for the declassification of such documents according to the provisions of respective laws and has made them available to the *Committee for the Declassification and Depreciation (CLO) of the Information Classified as State Secret* at AIDSSH.

The Committee for the Declassification and Depreciation of the Information Classified as State Secret, during the year in question has held 19 meetings and has taken 19 decisions for the complete declassification of 241 files/folders and 31 pages of records and cardboards, with a volume of 33 700 pages of documents formerly classified as "secret" and "too secretive".

Below follow the data of the declassified documents, grouped by number of decisions.

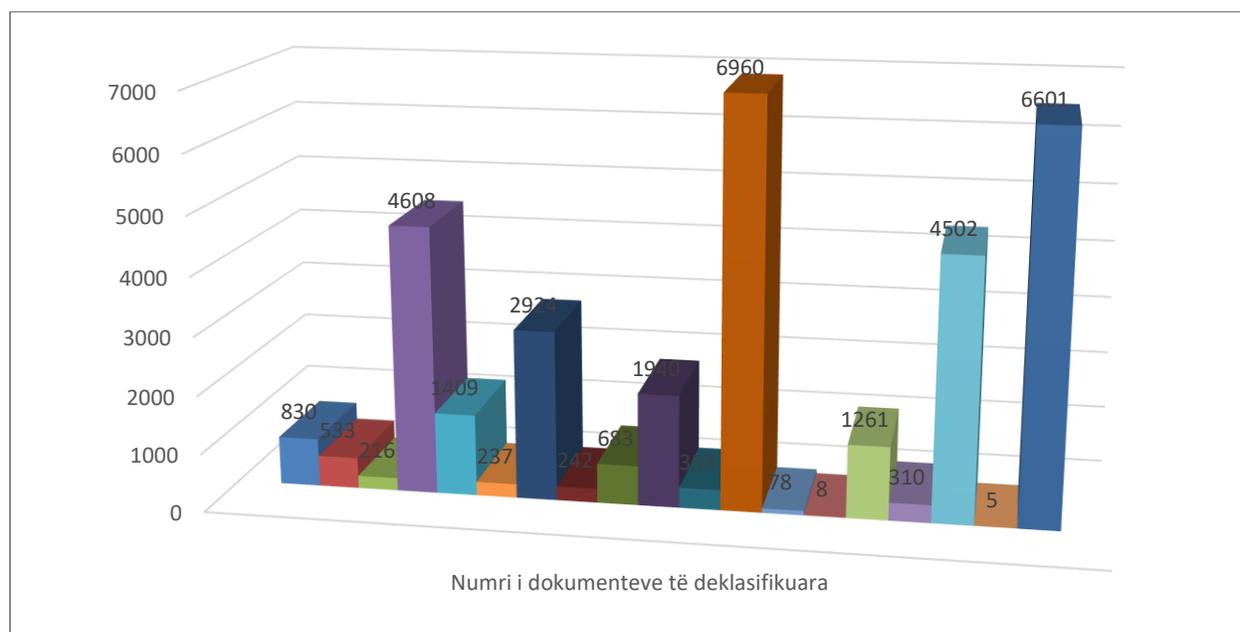


Figure 3: Declassified documents according to the Committee for 2018

Following the declassification process the documents are out at the disposal of the Information Directorate for further examination. The information on the declassified information has also been made public.

5.1.2 Information

Law No. 45/2015 provides that every person has the right to request from the Authority to be informed, if the documents of the former State Security have information about his person, and to obtain such information, if any, for as long as the law allows for this to happen. Public authorities and other entities have access to former State Security documents only to the extent permitted by law. The Authority shall make available to the relevant state authorities any information provided during its activity when this is required for the purposes of investigation and prosecution.

One of the responsibilities of the Authority, according to Article 10 of Law No. 45/2015 is the provision of information and notices on former State Security documents, as well as the guarantee of review and submission of these documents to applicants. In its entirety the law guarantees of the right to information for persons for whom the former State Security has collected data, for affiliates of the former State Security, for those favoured by it, the institutions, parties interested in research, for historical and political re-evaluation purposes and for the media. Establishment of detailed rules and procedures by the requesting subject guarantees for each case the right of private life of third parties, according to the evaluation of the legitimate interests.

We wish to point out that the basis for the information process of the requesting entities requesting information on the former State Security documents are: Law No. 45/2015, Law No. 9877/2008 *On the Personal Data Protection, The Internal Regulation of the Institution*, approved by the Decision of the Authority No. 21, of 09 May 2017, *Regulation On the Protection, Processing, Maintenance and Security of the Personal Data at AIDSSH*, approved by the decision of the Authority No. 25, of 25 May 2017, Order No. 10, of 30 January 2017 *On the Policies and Procedures for Handling Individual Requests for Information to the Authority* and Order No. 11, of 30 January 2017 *On policies and procedures for handling requests for information by Constitutional Institutions, Public Authorities and Private Persons*, approved by the Decision of the Authority, the *Regulation On the Publication of the Activity of the Authority in the Exercise of the Functional Duties as Charged by Law*, approved by Decision No. 88, of 22 February 2019 of the Authority.

Treatment of individual requests for information

In order to increase the effectiveness and efficiency of the work for the timely and quality handling of the information requests submitted to the Authority by the applicants found at the capacity of the interested persons, affected persons, third parties, associates or those favoured by the former State Security, the staff of the Authority have developed all legal procedures pursuant to Law 45/2015, the bylaws issued for the implementation of this law, as well as the normative acts governing the AIDSSH's activity.

Pursuant to paragraph 4 of the Strategic Plan, the AIDSSH's technical staff has been careful in protecting privacy and other relevant legal provisions, but always relying heavily on the values of transparency that are enshrined in its mission, making the transparency law prevail over that of privacy, as far as possible. Based on this principle, we have tried to explain and obtain the understanding of any applicant who has come to the offices of the Authority to be familiarised with and receive documents generated by the former State Security bodies, found in the archives of the institution, that this process should be realised under some legal obligations as stipulated under Law No. 9887/2008 *On the Personal Data Protection, as amended*.

In this framework, steps have been taken and concrete work has been undertaken by AIDSSH, through the study and updating of any literature and legal basis in circulation, and by requesting assistance for training by the Commissioner for Personal Data Protection, by virtue of Letter Prot. No. 478, of 19 June 2018, Open Society Foundation for Albania, by virtue of Letter Prot. No. 489, of 20 June 2018, as amended.

With the OSCE's help and assistance, a training was organized in Berat on 17-18 July 2018 on *The Procedure and Steps to be Followed in the Anonymization Process*, under the lens of the personal data protection, as provided for under Law No. 9887/2008, as amended.

Another important aspect worth being mentioned is the assistance or orientation that the AIDSSH technical staff has given to the requesting subjects when completing the application forms.

Stemming from the indicators reflected in this Annual Report, it turns out that the number of individual requests for information submitted to the Authority during 2018 has increased by over 50% compared to 2017. More detailed data follow below:

- During 2018, 612 applications have been filed with the Authority by subjects at the quality of the affected individuals, or relatives of the deceased or missing;
- The procedures for 305 individual requests have been completed.
- For 174 individual applications for which the proceedings have been completed, documents have been found to have been created for them by the former State Security. Such documents were taken from the Archive Directory, were processed and reviewed by the Information Department according to the legal criteria, starting with the preparation

of the reports, supporting materials, decisions, minutes and responses to the applicants, pursuant to the decision-making of the Authority closing the procedure and providing duplicate documentation to the applicants.

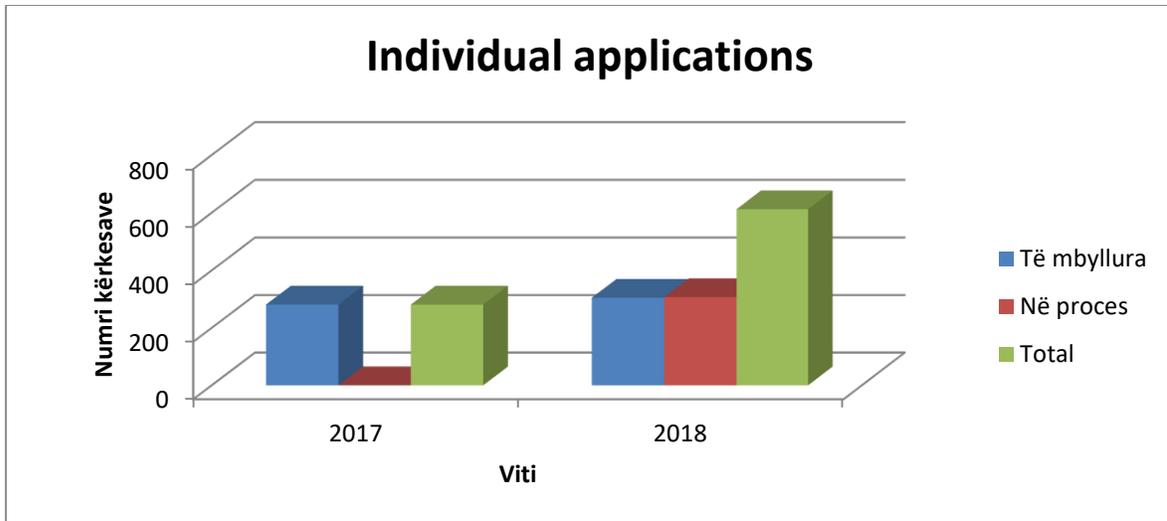
- For 131 individual requests, after verification by the Archive Directorate, no data/documents created by the former State Security bodies have been found. The Information Directorate has continued the procedure with the preparation of the report, taking respective decisions and drafting of follow-up decisions to the applicants, in order to close the procedure.
- 44 meetings have been held, accompanied in each case by the necessary documentary basis, such as relevant reports, draft-decisions and, on a case-by-case basis, auxiliary and additional materials, in order to fulfil the duties and orders of the members, in any case prepared from the sector of the individual information requests.

Increased effectiveness and efficiency is also seen in the procedures developed to make public files available. Pursuant to the Strategic Objective, 1.2 *"Placing the files at the disposal of the public, pursuant to the provisions provided by law, including the provision of access to digital information"*, AIDSSH has paid particular attention to balancing the competitive principles of transparency and privacy by giving priority to its transparency mission, upholding transparency over privacy whenever possible.

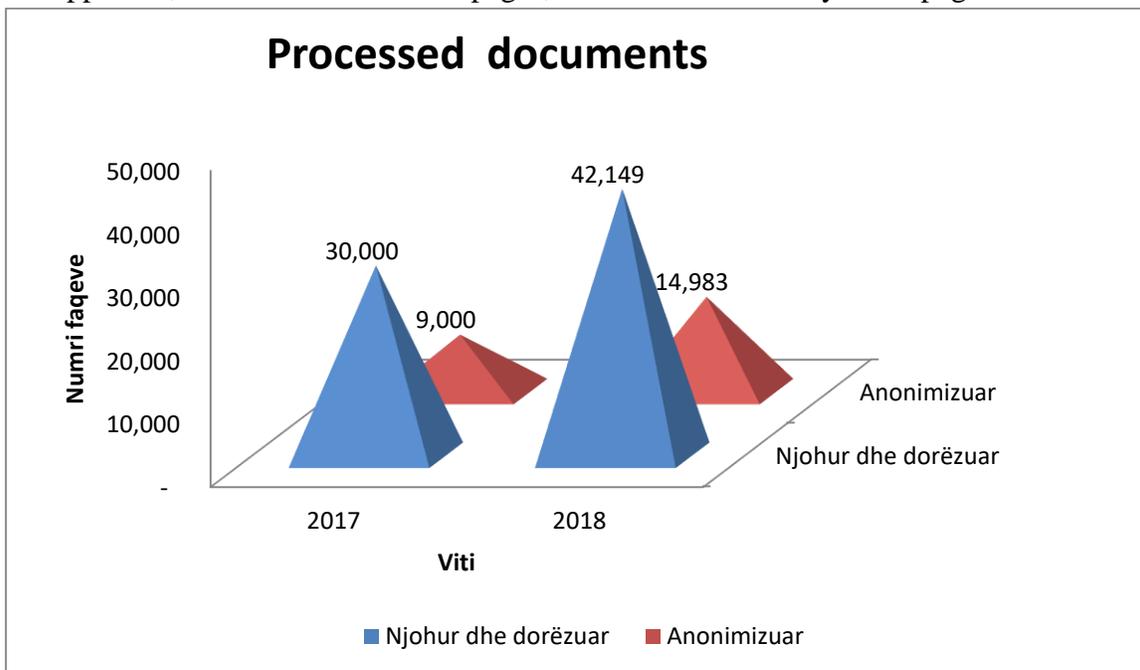
In this framework, it is worth mentioning that, despite the lack of staff, during 2018, AIDSSH has managed to review, verify and process **612** individual requests, from which **305** requests are completed by decision of the Authority, out of which 174 have been found with records in the former State Security, which have been analysed on a case-by-case basis, and no archival documentation is found for **131** requests. The number of documents that have been processed, prepared and submitted to the applicants during 2018 totals to **42,149 pages**, out of which **14,983** anonymised pages.

Compared to 2017, there is an increase in the number of applications and cases served, both quantitatively and qualitatively, thanks to the relatively improved working conditions with the additional facilities, increase of the staff and the invaluable technical assistance provided by the German Embassy in particular.

- At the comparative plan and from the lens of the development activities, for 2017 (281 individual applications) and for 2018 (612 applications, 305 closed and 307 underway) there is a considerable total increase of the number of applications, which trend is foreseen to continue in the ensuing year as well.



- The number of processed documents in 2018, which have been notified and handed over to the applicant, has reached to 42.149 pages, of which 14.983 anonymised pages.
- The number of processed documents in 2017, which have been notified and handed over to the applicant, has reached to 30.000 pages, of which 9.000 anonymised pages.



If we also note with attention the indicators of the documents that are notified and handed over to the applicants, compared to the first year of activity of our institution, in particular, quantitative and qualitative indicators as well as the performance indicators, a significant difference is noted, although the infrastructure and number of employees have undergone minor changes and improvements. The overall indicators and results have been satisfactory and impressive.

Treatment of request for information by institutions or public authorities

The Constitutional institutions, public authorities, pursuant to the legal obligations deriving from Law No. 45/2015 *On the Right to Information on the Documents of the Former State Security of the People's Republic of Albania* have the legal obligation to ask the Authority to search if there is any information in the former State Security documents in the context of assessing the ethical, moral and professional qualifications of candidates who have applied for appointment or promotion.

In its activity, the Authority is guided by the principles of lawfulness, transparency, efficiency and effectiveness, protection of public interest and national security, protection of the right to privacy and the personal data, as provided by Law No. 45/2015, 219, and the relevant acts.

Pursuant to Article 10, Article 26 of Law No. 45/2015, the Authority, by virtue of a reasoned decision, in any case, informs the relevant institution of the requested information required through respective practices.

As far as 2018 is concerned, based on the legal provisions of Law no. 119/2014 *On the Right to Information* and Law No. 45/2015 *On the Right to Information on the Documents of the Former State Security of the People's Socialist Republic of Albania* we wish to inform you that AIDSSH has verified all the requests submitted by the Constitutional institutions, public authorities in cases of appointment or promotion and at the request of candidates for appointment.

With regards to the requests submitted to the AIDSSH by public institutions or authorities subject to Law 45/2015 regarding the existence of information on former State Security documents in the framework of assessing the ethical, moral and professional qualities of candidates/officials prior to appointment or promotion, not only have we treated such requests with priority, initially considering their legitimacy at the meetings of the Authority, but most importantly, the verification results for each case have been communicated to the institutions that have submitted the request and in no the case have we discontinued the launched processes. It is worth mentioning the performance in particular of the procedures for assessing the ethical, moral and professional qualities of candidates to be elected in the vetting bodies and those to be elected in the HPC and HJC not only within the required standards and within short times, but, most importantly, within the framework of the law. Hence, the role that the law recognizes to the Authority in this regard is sufficiently direct, allowing for the provision of available information upon request rather than providing enhanced competences on candidates/officials interested in appointments or promotions to Constitutional institutions or public authorities. In this context, the evaluation of the results of the verifications of candidates/officials remains at the discretion of the requesting institution, with regard to prohibitive conditions not allowing for the appointment, promotion or election of the certain individuals, pursuant also to the relevant legislation.

For 2018 **67** requests have been processed, of which:

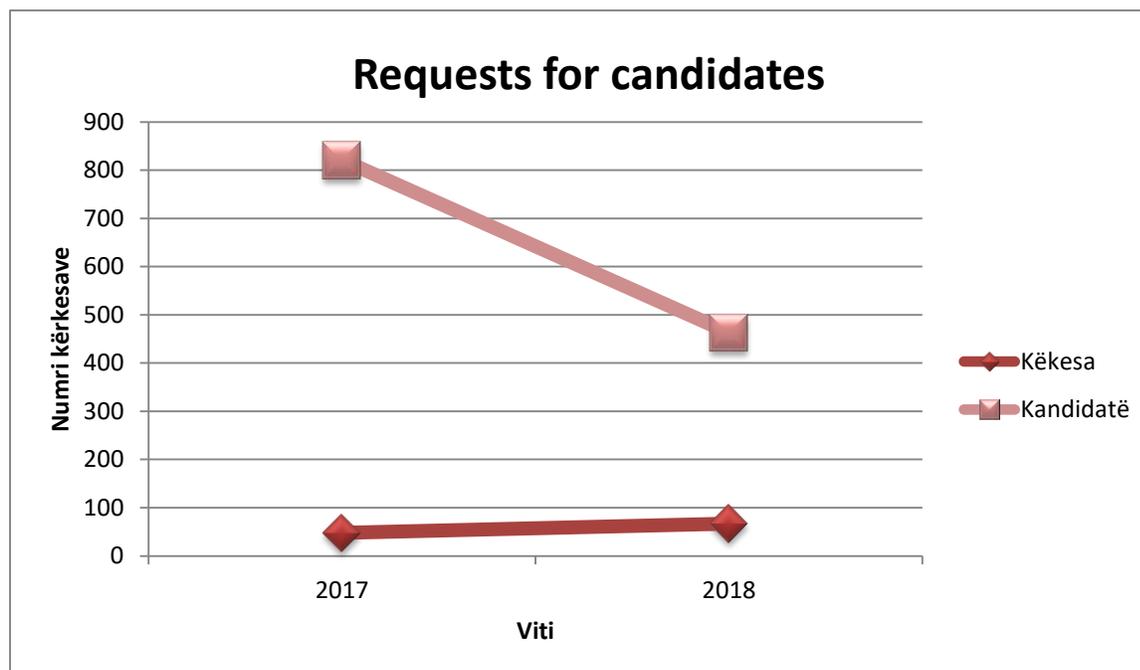
- **463** candidates or officials have been verified, of whom:
 - **446** individuals turned out to be negative (with clean integrity)
 - **17** individuals turned out to be positive (with records in documents of the former State Security in different qualities, such as proceeding subjects, members or collaborators of the State Security).

From a comparative point of view, in 2018, there is an increase in the number of requests, but, at the same time there is a reduction of the number of verified persons, because of the stability, the dynamics of development and recruitment in the administration, as in the previous year some new institutions were established in Albania, especially those related to the justice and electoral reform, where several political entities were involved in the verification process, thus leading to an increased number of the verified individuals.

The peculiarity of 2018 was the growing number of requests for special cases, which shows a more sensible and meaningful understanding and a higher level of accountability and understanding of the process by the institutions and the public administration.

During **2017**, **48** requests (from Constitutional institutions or public authorities) were processed, with **821** candidates or officials verified;

In **2018**, **67** requests were processed, out of which **463** candidates or officials were verified.



What is striking and, in our opinion, is also positive, are the results of verifications and the growing number of people with positive records, an indicator of the quality of research,

document identification and stability of the process as a whole. These processes shall be improved in the future, aiming to significantly reduce the number of complaints and disputes in the years to come.

In the course of our activity, during these last two years a total of 30 persons are found of being listed in former State Security documents, mainly as Security collaborators, of whom, 13 have been identified as referred to in the former Security documents only for 2017, while the rest belong to the records of 2018.

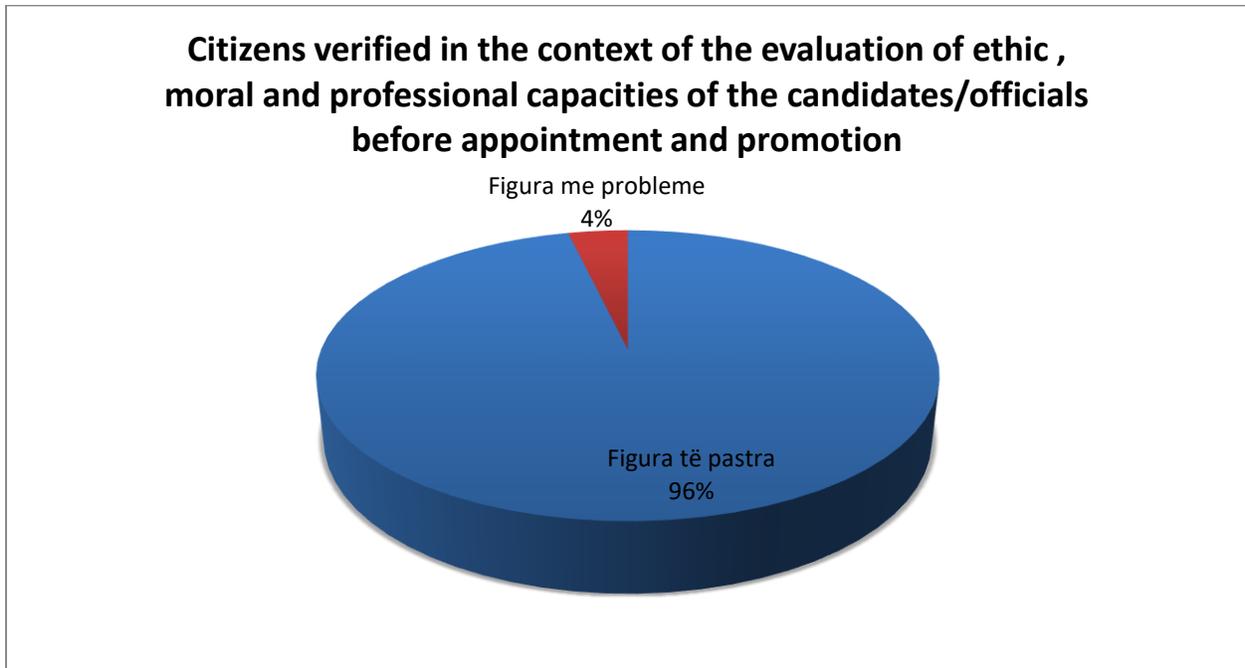


Figure 4: Data and figures regarding the verification of candidates/officials before appointment in office, 2018

Below follows a list of the Constitutional institutions or public authorities that have filed applications (one or more at different times) to AIDSSHA:

The Institution of the President of the Republic, the Parliament of Albania, the People's Advocate, political subjects, the Ministry of Agriculture, the Ministry of Interior (General Directorate of Police), the Ministry of Finance and Economy, the Centre for Albanological Studies, the Rector's Office of the University of Tirana, the Faculty of Economics of the University of Tirana, the Faculty of Foreign Languages of the University of Tirana, the Ministry for Europe and Foreign Affairs, the General Directorate of Archives, etc.

Central figures with weight and importance in the political life of the country have been verified as well, such as the President of the Republic, members of the Independent Qualifications Commission, as well as Judges of the Special Appeals Panel (Vetting), members of the HJC, the People's Advocate, members of the CEC, members of the Academy of Sciences, the Provisional

General Prosecutor, etc., showing of progress in the law recognition and enforcement coefficient, institutional rating and public trust.

Below follow some general statistics on this regard:

- From the verifications carried out so far, it has been found that 30 (thirty) persons have records with the former State Security service.
- With regards to the election to the higher judicial bodies, 294 candidates have been verified by us, of whom 5 (five) individuals are found to have had documentation at our institution.

More specifically:

1. At the request of the People's Ombudsman, AIDSSH has verified the candidates for members of the High Judicial Council and members of the High Prosecutorial Council.

- After the relevant verification, the Authority has come up with Decision No. 11, of 24 March 2017, according to which 3 persons were found of having records with the former State Security Service, two persons as prosecuting agents, namely one as a former judge and one as a former prosecutor of criminal cases (NS, FL) and 1 person as a collaborator (SV). This case was examined by us, based on the request for correction by the subject, which was upheld by the Authority with its Decision No. 44, of 16 February 2018. The case has been appealed to the Court.

- The decision was sent to the People's Ombudsman, the authority vested with the legal authority to recognize, evaluate and enforce the information sent by us.

- Also, by virtue of Decision No. 33, of 05 February 2018 (reviewed *ex-ufficio*), with the object of reviewing the publications on the integrity of the candidate for a member in the HPC, AIDSSH decided on the correction of Decision No. 11, of 24 March 2017 for the national in question (KJ). The decision was taken at the beginning of the Authority's activity, when the identification and finding of documentation was carried out through other institutions. The case has been appealed to the Court.

2. At the request of the General Prosecutor, AIDSSH has verified the integrity of candidate for the High Prosecutorial Council.

- After the verification, the Authority has come up with its Decision No. 12, of 22 January 2019, concerning one subject (BSH), who has been found with records with the former State Security Service. The case is under administrative review by AIDSSH, at the request of the verified subject. It is also being prosecuted by the Prosecutor's Office.

3. At the request of two political parties (The Party for Justice, Integration and Unity and the People's Alliance for Justice), in support of the awareness raising campaigns carried out from our institution, 285 persons have been verified by AIDSSH in the framework of verification of the integrity of the candidates for MPs in the Albanian Parliament, running for the Elections of 25 June.

- After the verification, the Authority has come up with its Decisions No. 30, of 25 May 2017 and No. 3, of 05 June 2017, according to which 4 persons are found with records with the former State Security Service (XHA, RT, FT, ZG) .

- The decisions submitted to the requesting subjects.

4. At the request of the Ministry of Interior, 30 persons have been verified by the Authority in the framework of integrity of the individuals before appointment or promotion.

- After the verification, the Authority has come up with its Decision No. 40, of 22 June 2017, according to which 1 (one) person is found of being listed in the documents of the former State Security Service (AXH).

- The decision was sent to the Ministry of Interior, entitled by Law as the responsible institution to recognize, evaluate and enforce the information sent by us. The law contains no provisions about further follow-up steps with regard to verified entities.

5. At the request of the Academy of Sciences all candidacies were verified in the framework of the verification of their integrity before appointment or promotion.

- After the verification, the Authority has come up with its Decision No. 51, of 01 August 2017, according to which 2 persons are found of having records with the former State Security Service (GjSh, IM).

- The decision was sent to the Academy of Sciences, which is entitled by law to recognize, evaluate and implement the information sent by us.

6. At the request of the Faculty of Economics, University of Tirana, within the awareness raising campaign of our institution, 116 persons have been verified, after having filled out the application forms for individuals.

- After the verification, the Authority has come up with its Decision No. 64, of 25 October 2017, according to which 2 (two) persons appear in the former State Security documents (AM, IK).

- Notification of verification results has been sent to all applicants.

7. At the request of the Ministry for Europe and Foreign Affairs, 234 persons have been verified in the framework of the verification of ethical, moral and professional qualities of the individual, pursuant to Law 23/2015, *On the Foreign Service of the Republic of Albania*.

- After the verification, the Authority has come up with its Decision No. 72, of 24 April 2018 (FR); Decision No.73, of 24 April 2018 (EM); Decision No. 74, of 24 April 2018 (LIK); Decision No. 75, of 24 April 2018 (JSH); Decision No.76, of 24 April 2018 (GS); Decision No.77 of 24 April 2018 (AA); Decision No. 79, of 24 April 2018 (AD), according to which 7 persons are found with records with the former State Security Service.

- Only two of these decisions have been appealed, namely Decision No. 74, of 24 April 2018 (LIK), which, after being reviewed by the Authority, based on the appeal of the verified subject, with a reasoned decision, based on the submitted evidence and an in-depth investigation, were changed by the Authority. The ground for the changed decision was the fact that the Authority's work was focused on another person with the same generalities as, at the time of recruitment, the verified subject was outside the jurisdiction in which the documentation was created and found, and for shedding light into this situation, the Authority corrected the relevant decision. Also, Decision No. 75, of 24 April 2018 was as well appealed to the Authority, which, having considered it, by virtue of its Decision No. 370, of 19 October 2018, has decided to uphold the Decision No. 75, of 24 April 2018. The applicant has filed a case to the Court.

- Also, the request for verification for the employee of this Ministry (VM) was found to have been considered under the verification procedure carried out under the "Bezhan" Commission. On this ground, the verification on this subject was discontinued.

- The decision has been sent to the relevant entities vested with the legal right to recognize, evaluate and enforce the information sent by us. The law contains no provisions for us to be informed on further progress of the case regarding the verified subjects.

8. At the request of the State Intelligence Service, 45 persons have been verified in the framework of the verification of ethical, moral and professional integrity, of who 50% are verified, and the rest are under verification.

- After the verification, the Authority has come up with its Decision No. 161, of 05 June 2018 (KC); Decision No. 390, of 25 October 2018 (QD); Decision No. 390, of 25 October 2018 (RM), according to which the 3 (three) persons appear in the former State Security documents.

- The results have been sent to the requesting subject, at the quality of the body with legal power to recognize, evaluate and enforce the information sent by us. The law contains no provisions for us to be informed on further progress of the case regarding the verified subjects.

9. Under the attention of the Ministry of Interior and at the request of the local government bodies, 25 persons have been verified in the framework of verification of their ethical, moral and professional integrity.

- After the verification, the Authority has come up with its Decision No. 326, of 01 October 2018, which found that (DHS) is mentioned in the former State Security documents. The case is under administrative review. Likewise, by Decision No. 389, of 25 October 2018, the other subject (ZK) is found of having records with the former State Security Service.

- The decision has been sent to the relevant entities, which, under the law, are entitled to recognize, evaluate and enforce the information sent by us.

10. At the request of the Republican Guard, the Ministry of Interior, 7 persons are verified in the context of the integrity of their figure.

- After the verification, the Authority has come up with its Decision No. 414, of 08 November 2018, under which 1 (one) person is found of having records with the State Security Service (QP).

- The decision was sent to the Republican Guard and the Ministry of Interior, which, under the law, are entitled to recognize, evaluate and enforce the information sent by us.

11. At the request of the People's Ombudsman, the candidates for the Commissioner in this institution have been verified by the Authority in the framework of the verification of their ethical, moral and professional qualities.

- After the verification, the Authority has come up with its Decision No. 419, of 18 October 2018, according to which 1 (one) person (SN) is found to have records with the former State Security Service.

- The decision was sent to the People's Ombudsman, because, under the law, this institution is entitled to recognize, evaluate and enforce the information sent by us.

12. At the request of the Assembly of Albania, the candidacies for a member of the Steering Board of the Albanian Public Radio Television were verified as part of the verification of the ethical, moral and professional qualities of the candidates.

- After the verification, the Authority has come up with its Decisions No. 256, of 29 August 2018 and Decision No. 323, of 21 September 2018, according to which 1 (one) person (PP) is registered as a collaborator with the former State Security Service. The decision was appealed by the verified entity and was subsequently upheld by the Authority.

Treatment of individual applications for rehabilitation or compensation purposes

The Authority has as well processed the requests from the Ministry of Justice for the verification of former political prisoners of the Communist regime for the purpose of financial compensation pursuant to Law No. 9831/2007, as amended. In the statistical aspect it turns out that:

During 2018, 184 new requests from the Ministry of Justice have been submitted for rehabilitation and compensation purposes, out of which 155 were addressed and returned to the Ministry of Justice, and 29 requests are currently under verification, while their processing is expected to be completed this year.

Compared to 2017, the Ministry of Justice has filed 95 requests for compensation purposes, for which, after completion of all the internal procedures for controlling and finding the required materials, a response has been submitted for 65 of them, whereas the rest was carried over and concluded during 2018.



It is worth mentioning the fact that the first requests for this process started back in August 2017. If we analyse the trend, considering the fact that only for the last 4 months of 2017 a total of 95 requests were filed with the Authority, while for the 12 months of the year under review the total number of requests has been 184, one can easily see the downward trend, which is also related to the progress of the indemnification process that is gradually entering its closing phase.

When exercising its functional duties as specified under the law, on the official website and through the newsletter (on paper or *online*), the Authority has continuously published all its decisions, as well as other activities such as documentary exhibitions, research publications and scientific articles, documents and testimonials, in the context of contemporary organizational and technical measures for the protection, security and administration of personal data in the documents produced by the institution.

5.1.3 Scientific Research and Civil Education

The Authority, through the Directorate of Scientific Support and Civic Education, has focused its work on two main directions, namely scientific support and civic education. Year 2018 featured a busy activity, reflected by the significant increase in the number of requests for study purposes and requests submitted by various media, as well as the number of scientific and commemorative events organized in cooperation with other partners, counterpart institutions, the community of the former persecuted and their relatives, in permanent coordination with the media.

Below we are providing detailed information in the respective sections, chronologically covering the activities of the institution during 2018.

Scientific support

Scientific support is mainly based on the elaboration of the individual requests of researchers and the media for study purposes and the availability of required archival documentation. This seemingly simple process is at the same time quite complex, because it has to pass through the paths set out by several important laws, such as Law 45/2015, the *Law on Personal Data Protection*, *Law On Classified Documents*, *Law On Archives*, etc.

For a successful fulfilment of this task, the Authority has strengthened its administrative capacity and provided the necessary infrastructure for scholars, with a view to ensuring broader access to the subjects interested in the former State Security documents. More detailed information follows below:

- ✓ A database has been established with the data related to all the processing of requests (for study purposes and from media) from the moment of registration of a request with the Protocol Office, the transfer of the request to the meetings of the Authority, its forwarding to the Archives Directorate, the decision of the Authority for the documents found and up to the moment when the documents are made available to the interested party. This database serves as a very important tool for identifying the status of applications and for identifying digitized and anonymous documents at any time.
- ✓ The procedures followed for the verification of the subjects have been improved to make the process easily understandable for the stakeholders and fully workable for the institution itself through reviewing the application forms for researchers, the media, improving the application form sections, rendering it more understandable for scholars or the media having an interest in obtaining information from the AIDSSH Archive,

providing the possibility of applying both electronically, via the official website of the Authority, and on paper, at the offices of AIDSSH.

- ✓ To enhance the quality of studies, the form provides a space for all the details of the application and its purpose, motivating the reason for which the documents will be used by the researchers. The internal regulation of work performance of the Authority contains some basic criteria for scholars and applicants seeking to be informed on the documents of the former State Security Service. This is done to help the process both from the practical point of view, and from the qualitative point of view.
- ✓ An important element that has been added to the information process for researchers and the media is the signing of the Confidentiality Declaration, by which the researcher/applicant pledges of not abusing the information received from the documents made available by the Authority and of treating personal and sensitive data according to the provisions of the relevant law.

During 2018, **106** practices (including all study/media requests that have undergone all stages of treatment) are dealt with and closed, for which, depending on whether or not the required documents are found, the Authority has come up with a decision.

Information is found and partial information is provided for 40 study requests (including all the requests under process, but stemming on the typology of the study requests, in many cases with more than one file for application, a part of the requested information has been found and made available. The search process continues for the remainder of applications).

Some 46 practices are currently underway (including all legitimate practices for which a request has been filed with the Archive for the identification and making available of the documents found).

Civil Education

Civic education focusing on informing citizens, raising awareness of the society in general and youth in particular, is another important objective of the Authority on Access to Information on the former State Security Service. In view of this objective, based on the remembrance calendar and the tasks assigned by the Assembly Resolution, the Authority has undertaken and organized a number of projects and activities during 2018.

These projects and activities are based on the important principles of remembrance, putting historical memory in the foundation of the identity and inheritance of individuals and societies, and have been realized with the involvement and engagement of scholars and the media in order to uncover the facts and truths of the former State Security Service and see them from a scientific point of view.

A thorough and in-depth study of the authentic archival sources of the former State Security documents is a long and continuous process. It is the only tool that will shed light in the dark history of the structures and machinations used by the Communist regime for more than 45 years in Albania, in the most severe oppression and persecution ever known to the history of mankind. The historic review will serve as a tool for encouraging social dialogue in the name of transparency and consolidation of democracy.

Annual projects with the partners

1. The ambitious program *Remember, to Heal and Prevent*, with the support of UNDP Albania and the Government of Italy, summarized two main interventions: (i) conceptualization, history, and forced labour practices during the Communist regime through a historical and legal approach to the institutionalization of forced labour. This contributed to the design of memory sites, such as the Tepelena Camp and (ii) the communication campaign *Even the walls have ears* implemented by the Authority on Access to Information on the former State Security Service. The campaign spread across the country, gathering evidence of convicted survivors during the Communist era and evidence of the solidarity shown by Tepelena citizens to victims.
2. The AIDSSH-PERFORM Project, aimed at studying the role of science in the development of the society during the early years of the Communist regime (1945-1954). It combined archival research with public information and preservation of historical memory, for launching a public dialogue on this subject. Nine personalities from scientific researchers and students were engaged in a multi-disciplinary approach. The ultimate result of cooperation was the establishment of an interactive communication platform in both Albanian and English, at www.dosjet.gov.al, which is accessible by the general public, mainly young people. Publishing of scientific research on 9 science personalities in two languages, with texts, archival material and illustrative photos that clearly speak to young people were other outputs of this Project.

Activities organised in the context of scientific research and civil education

Below follows a list of the initiatives and activities undertaken by the Authority used by the latter to communicate with citizens and interested parties regarding memorial events or historical personalities:

Identifying jubilee dates, planning activities for each of them in order to provide and make available relevant documentary materials for these events;

Co-ordination with partners, relevant associations, family and the Community for each activity;

Transparent information and civic education through activities that publish records and documents of personalities, and certain historical-memorial events, addressing them on the basis of scientific research and recreation of the historical framework;

Signing of the agreement with the "Gjethi" Museum for holding joint activities, including documentary exhibitions;

Signing of the agreement with the "Ali Hadri" Institute of History, in Prishtina, cooperation on joint projects, such as conferences on internment and expulsion;

Exhibition in Tirana and other cities of Albania on the archival material of AIDSSH, in cooperation with our partners, local government and local community. Information and filling out of application forms in each activity.

Collaboration with the sister-like institution in the Czech Republic to improve the ways of informing the public about the past, organizing exhibitions, applications and online sites.

Familiarisation with the persecution file for the poet Trifon Xhagjika, making the file available to the researchers and publishing details of his persecution.

Awareness raising campaigns on the past, in co-ordination with contemporary artists, to reach as many different people and generations as possible.

The campaign *Even the walls have ears* with oral testimonials, with meetings at universities, with interviews and TV shows, under the program *Remember to heal and prevent*.

Open meetings at the Universities of Tirana, Shkodra, Durres, Korça, Gjirokastra, on the themes of the past and information on the files of the former State Security Service.

Realization of an artistic installation in the main squares of 6 cities – namely those of Tirana, Shkodra, Berat, Korça, Tepelena and Gjirokastra, in cooperation with our partners and local government.

Creation of the site *Even the walls have ears*, in both Albanian and English, communicating with Albanians in the country and abroad, through the platform of oral testimonials confessing the other side of the persecution of the State Security Service.

The camp activities *N'dritë (In light)* at Tepelena on August 23, with artistic-social projects that bring young people closer and familiarise them with the past.

Proposal to the President of the Republic for honouring with honorary titles inspirational persons interned at the infamous Tepelena Camp, an example of inhumane persecution and humiliation of human dignity.

Organization of the workshop on "Reporting on Former Security Files and Searching in Archives", in cooperation with the Institute for Democracy, Media and Culture. Informing young people how to fill out the Application Forms on Information on Former-Security, with concrete examples of archive work, material analysis, and study visits at AIDSSH.

Exchange of experiences at Yad Vashem, Israel, on how to treat collective memory, the impact of the past in society, the importance of passing this information over to other generations, and the systematic work with the past.

The development of the first international scientific conference: "Denied by the regime: prisons, the internment-eviction system and forced labour in Albania in 1945-1990". The Authority organised this activity in cooperation with the Institute of History, Institute for the Study of Crimes and Consequences of Communism and the Institute of Integration of former Politically Persecuted, in broad interaction with Universities, local, regional and foreign partners.

Naming the Museum of Natural Sciences after "Sabiha Kasimati", with the proposal of AIDSSH. Re-dimensioning of the figure of the scientist, after opening of the file, making her known to the civic and scientific community, and publication of a book about her.

Creating the "Sabiha Kasimati" Memory Corner at the Museum of Natural Sciences, open to citizens, with historical and scientific materials that fully reflect her personality.

Publication of leaflets and dissemination of scientific agenda, with full information for museum visitors.

Staging of the documentary *Even the walls have ears*, illustrating the work done all over the country for opening the dialogue about the past through meetings with citizens, at Universities and finalizing the installation in 6 cities.

A documentary feature about the infamous Camp of Tepelena, prepared with oral testimonials of the survivors, materials provided by the Authority for the local and foreign audience.

Contribution in the Wikipedia in the Albanian version with as much information as possible about personalities and historical events covered the Authority's activities.

Institutionalization of AIDSSH's relations with the "Vatra" Pan-Albanian Federation and *The Voice of America* for the project on oral testimonials of the Albanian community persecuted in Albania and the USA by the State Security Service; informing the Albanian community there and upgrading the archive of oral testimonials, made available to both citizens and researchers, in addition to the State Security files.

The Authority has made available the required archival materials for the realization of various events focusing on the past to researchers and journalists, involved in all activities of the Authority.

Documentary exhibitions

- Documentary exhibitions are another important form of AIDSSH's approach to providing information on former Security Service and dealing with Civic Education. They are organized by presenting authentic archival documents to citizens and interest groups according to selected themes and assisting with specialized staff. During 2018 the following documentary exhibitions have been organized:

- "The 45th Anniversary of Spaç Revolt", a documentary exhibition with files/documents established by the former State Security Service for Prison Section 313, in Spaç, on May 17, 2018. The files were declassified and made public for the first time ever. During the activity, information was provided to the citizens and application forms were filled out in order to know more about the file.

- Documentary Exhibitions with files/documents established by the former State Security Service for the Konispol area on June 13, 2018. Forty files of judicial, investigative and collaborators' nature were declassified and made public for the first time for 46 identified victims. During the activity, information was provided to the citizens and application forms were filled out in order to know more about the files.

- "The Communist persecution in the Konispol area", an event organised in Konispol on June 26, 2018. Forty files of judicial, investigative and collaborators' nature were declassified and made public for the first time in Tirana for 46 identified victims. Photos of the 46 victims were exposed to the local community at the central square of the town, in a special event organised with the collaboration of the Municipality of Konispol. During the activity, information was

provided to the citizens and application forms were filled out in order to know more about the files.

- Documentary exhibition with files/documents established by the former State Security Service for the Tepelena area on August 20, 2018, organised in Tirana, near AIDSSH, with the presence of researchers, media and human rights' associations. In this activity 44 files were declassified and made public for the first time. The Security files addressed the Uprising of Zhapokika, the local clergy, the Bënca camp, the internees; the fugitives, the dead at the border, the gangs of the saboteurs and others.

- "Communist persecution in the Tepelena area", in Tepelena, on 23 August. This activity shed light on the documents and Security files documenting the Communist persecution of the participants in the Uprising of Zhapokika, the local clergy, the Bënca camp, the internees; the fugitives, the dead at the border, the gangs of the saboteurs and others, with the participation of the local community.

- The exhibition of AIDSSH's archival materials in Tirana and Memaliaj, in October 5-6, focusing on the anti-communist resistance of Zhapokika, in cooperation with counterpart institutions, local government and local community. During the activity, information was provided to the citizens and application forms were filled out.

- Exhibition "On the Work of STASI at the DDR", organised by the Authority in cooperation with the German Authority of Files and KAS, October 22, 2018, as part of the "Remembrance Days".

- The Exhibition *Supervise, terrorize, persecute* at the "Petro Nini Luarasi" High School, talks with former Burrel prisoners and parallels between the two Communist realities. Cooperation of the Authority on Access to Information on the former State Security Service and Inner Wheel Club Tirana, transitional justice for the Tirana high schools.

Publications

Paper and online publications have been another important tool used by the Authority to meet the objectives for citizen information and education. These publications are based on selected themes and on the review and analysis of documented facts and records, mainly in the archival documents of the former State Security Service and other archival resources belonging to the same period, the evidence of the former persecuted and their relatives. In these publications, the figures, personalities and historical events are covered from a scientific point of view. The following are the publications published by the Authority during 2018.

- ✓ AIDSSH's Annual Report for 2017 (in both Albanian and English versions),

- ✓ The book for the group of MPs, on the 70th anniversary of their sentence,
- ✓ Book for Sabiha Kasimati,
- ✓ Scientific work agenda, based on the work of the Scientist Kasimati,
- ✓ Book for the "Maliqin Marsh" Group.
- ✓ The book "Testimonials of the survivors from the Tepelena Camp"
- ✓ Legal-historical framework of forced labour in Albania, 1944-1991, in both Albanian and English
- ✓ 2 Monthly Bulletins with the Authority Decisions and Activities for 2018.

5.1.4 SECURITY AND TECHNOLOGICAL DEVELOPMENT

In the course of its activity, the Authority on Access to Information on the former State Security Service, has run across classified documents and information and has acted in accordance with the legislation in force on the information classified as "state secret", as appropriate and proportionate to the level of classification.

Considering that the collection, administration, processing, use and disclosure of the documents of the former State Security is guided, *inter alia*, by the principles of protection of the public interest and national security and the protection of the data constituting classified information, measures are taken, for as far as possible, to ensure the safety of the premises, physical storage of the archival documentation, and transportation of the classified documents, where appropriate, to the venues where the Authority currently exercises its activity. We already have staff trained by CISD for general and specific aspects of work with classified information and, in this context, implementation of the bylaws related to entry, exit, registration, circulation, and administration of classified information has been a priority for us.

Also, the registration, administration, exploitation, duplication and archiving of all classified documents circulating within AIDSSH is done according to the above-referred-to same rules for those sent by the Authority and those incoming from other institutions to the Authority.

Mainly, the use of the information classified as "State Secret" is done with the purpose of exercising the duty based on the "need for recognition" principle, with the approval of the Chairwoman or the Secretary General, only by appropriately certified persons who preserve the principle of confidentiality and authenticity of the information being processed.

In order to reflect the activity of the Authority and access it online as well, the official website www.autoritetidosejeve.gov.al is presented in a simple and structured way, organised in menus and sub-menus. It provides general information on the Authority, Authority Members, the legal framework of scope of application, bylaws and other auxiliary laws. Laws and bylaws are all in downloadable format. In addition, information on the institution's activities, press releases, scientific conferences, job vacancies, application forms, materials prepared by the staff, etc. are

provided on a daily basis. Transparency helps to inform the public, to better know and understand the implementation of Law No. 45/2015 and the bylaws issued in this regard.

The goal is to reach the biggest number possible of citizen users of our online sites, in order for them to get full information, as well as to raise their awareness to become part of this process.

Even Walls Have Wear, www.evenwallshaveears is the title of the platform of the oral testimonials and storylines collected by AIDSSH. This communication platform aims to raise awareness on the Communist past and encourage dialogue between Universities, researchers, local communities, dictatorship survivors and their families, the media and the general public.

The oral testimonials project has been expanded thanks to the productive partnerships of the Authority with partners. In December 2018, co-operation on collection of oral testimonials of the persecuted from the Communist dictatorship in the United States of America was formalised, with agreements signed with the Voice of America and the *Vatra* Pan-Albanian Federation.

The platform *Even Walls Have Ears* and the oral testimonials' book can be accessed via the official website of the Authority, which is continuously updated. The evidence is part of the digital archive of the institution and is maintained by making use of contemporary standards, alongside the archive of the State Security files.

The Interactive Communication Platform www.dosjet.gov.al and the book *When Security Engaged in Science* present opportunities for access to information on Security files by young people, researchers or other interested parties.

Bringing to light the information which up until yesterday was kept secret and recreating the historical framework through scientific-based research, providing the profiles of personalities by building the life timeline for each of them, combining it with historical, political, ideological and social picture of the time, is just the first step. The academic intellectuals of the first decade of Communism will be followed by profiles of the intellectuals of the successive decades and other themes. The platform will constantly be updated with information on State Security, always set in a historical context, being accessible to all, in Albanian and in foreign languages, and useful at several levels of recognition.

To assist us in obtaining information about citizens' interest in being informed on the former State Security documents, the official website <http://autoritetidosjeve.gov.al/> contains visitor statistics on the site, as provided by Google. In this context, monthly reports are generated based on these statistics, which may be general or based on countries/cities, age groups, gender, languages, different sections of the site, etc.

In order to improve the quality of work and considering the introduction of new and latest technologies, one of the most essential moments of 2018 was the installation and configuration of the server, along with the *active directory*, enabling saving of the institution's documentation as well as the supply of each employee with the *sharefolder* function.

In addition to the technical part and the issues related to the infrastructure of the institution, the Authority has been engaged in several important projects, such as:

The AIDSSH-PERFORM (Security and Science) Project for studying the role of science in the development of society during the first years of the Communist Regime (1945-1954), with an interactive communication platform at www.dosjet.gov.al.

The *Project Remember to Heal and Prevent* has supported the online platform *Even the walls have ears*, both in Albanian and English, communicating with Albanians in the country and abroad through verbal oral testimonies that confess the other side of the State Security persecution, and are published online for all interested researchers. This platform is being updated with new and on-going testimonies, and some sections are updated and edited as needed and as per the requirements of the institution.

Following this, in 2018, the Authority has collaborated with the German Embassy on the oral testimonials' project and digital evidence archive. In this framework, the necessary equipment is provided to carry out the process of obtaining and recording oral evidence.

The Case Management System

The Case Management System is intended to manage and automate AIDSSH's operations, supporting any requests addressed to the Authority by citizens, government or independent institutions, media, researchers, etc. The work on designing the project has already started based on all technical specifications and has to continue with the implementation and development of the system.

Establishment of a digital archive system

The Digital Archive enables data management, indexing and digital storage, and will support typical work processes, ranging from pre-archiving, data transfer and processing, to storage and retrieval.

Work is being done on defining all the technical needs around this system and it is aimed at developing a proper archival system that will organize and facilitate the work processes in the institution.

The Tepelene Memorial Museum blog at <https://muzememorialtepelene.wordpress.com> has published various data and materials, such as photos and videos about the Tepelena Camp. This blog is maintained, upgraded and updated depending on the data. In addition to the blog, we intend to build a genuine interactive website, along with the establishment of a virtual museum.

Use of the ISSUU online platform for publishing all AIDSSH books and publications. Our institutional profile has been created on this platform and there we keep publishing each and every new article that is published.

5.1.5 Problems encountered during the AIDSSH's activity and need for finding a more efficient means of resolving them by the Assembly and the Council of Ministers

The AIDSSH's activity, pursuant to its organic Law No. 45/2015, *On the Right to Information on the Documents of the Former State Security of the People's Socialist Republic of Albania*, and other legal acts governing the functioning of the institution, as shown above, is focused on three main directions:

First, ensuring access of every citizen to the former State Security documents under Law 45/2015 *On the Right to Information on the Documents of the Former State Security of the People's Socialist Republic of Albania* and by-laws issued for its implementation.

Second, assessing the ethical, moral and professional qualities of candidates/officials prior to appointment or promotion, when required by the Constitutional institutions and public authorities, according to the hierarchy provided by law, as well as of all elected individuals, be them MPs or locally elected individuals;

Third, creating the right infrastructure to enable scientific research and media information on the activity and history of the former State Security.

In order to fulfil the legal obligations listed above, the Authority has taken over all documents created by the former State Security, which are hundreds of thousands of files of over 2.2 km of documents, of which about 70% constitute State Secrets and require administration, storage and circulation according to the Law *On the Information Classified as State Secret* and other by-laws. For this reason, all the staff of the Authority has the legal obligation to be provided with a security certificate.

Currently, the archival documents, despite of completion of the hand-over process, pursuant to DoCM No. 98/2017 *On determining the procedure for transferring under the administration of the Authority on Access to Information on the State Security Service of archival materials of the former State Security located in the Ministry of Defence, the Ministry of Internal Affairs, the Intelligence State Service and other public authorities*, these documents physically continue to rest at the premises of SIS and the Ministry of Interior, creating serious difficulties for the staff of the Authority, amounting to violation of the independence of our institution.

Key indicators of the current workflow of AIDSSH:

Individual requests are about 1000; the process is complete for about 700 of them.

The product of institutional requirements, 1300 verified officials and information on the former State Security documents provided.

About 200 requests from researchers and the media. Hundreds of files have been served and over 150,000 pages of documents have been digitized.

Since the establishment of the Authority up until today, about 80 requests for rehabilitation and clarification of the fate of the dead or missing have been submitted to the Authority, most of which are completed, while 22 requests are under the verification process.

During 2019, due to the law on vetting in the State Police and because of the fact that 2019 is an Election year, the work of the Authority is expected to increase by tenfold.

The fund made available to our institution by the Government for investments is ALL 2 million. Meanwhile, according to the project drafted by the Construction Institute, only the first lot of investments, which includes archive spaces and hydraulic and electrical infrastructure, costs ALL 30 million. Given that a part of this fund, ALL 10 million, was allocated during the second half of last year, the need for support from the State Budget with the remainder amount of ALL18 million ALL for the completion of the first lot is immediate. Even the positive signal given by the Swedish donors for the total reconstruction of the building is conditioned by the completion of the first lot.

Creating optimal conditions for carrying out the AIDSSH activity is the responsibility of the Government and if we consider the factors that bring high physical risks and security risks that are inherent in the archival fund, currently distributed in various institutions, including the lack of optimal physical conditions, high temperatures that adversely affect the preservation of archival documents, and the lack of work efficiency of the AIDSSH administration during the process of administering the archive documentation required by the entities provided by law 45/2015, it becomes imperative for the Government to urgently intervene in providing the AIDSSH the funds for the reconstruction of the new building.

While highly appreciating the cooperation with the Albanian Parliament and hoping to find a solution to our problems, below we are reflecting our priority concerns and needs for ensuring a proper functioning of the institution.

We express our concerns about the insufficient budget for 2019, as well as the sparse allocations in the 2019-2021 Mid-Term Budget Programme for the Authority, where expenditures only for salaries and investments do not create the necessary working conditions in the conditions of an increased number of individual and institutional requests and requests by researchers/the media during 2018 and the growing trend of these requests at the beginning of 2019, bearing in mind that 2019 is a Local Government Election Year.

We recall the Government's obligation to provide proper working conditions, completing the structure and allocating sufficient funds for investments, pursuant to the organic Law 45/2015,

On the Right to Information on the Documents of the Former State Security of the People's Socialist Republic of Albania, which Article 7, paragraph 6, stipulates that: "The Authority, upon its request, is provided with facilities by the Council of Ministers and the necessary working conditions are created for it".

With regards to the above:

1- Observance of Decision No. 95/2016 of the Assembly of Albania *On the Approval of the Structure, Organization and Classification of Salaries of the Authority on Access to Information on the Former State Security Service* is immediate. Out of 60 (sixty) employees foreseen in the Parliament's Decision, the Government has allocated funds in the State Budget Law only for 50% of AIDSSH's staff/structure.

In addition, the AIDSSH's archive staff, a sector holding a significant role in the Authority, as it deals directly with the archives and archive documents, should receive an additional pay on the grounds of the difficulty of their job and harmful health conditions, an addition which, according to the CoMD No. 187, of 08 March 2017, *On the approval of the structure and levels of salaries of civil servants/employees, Deputy Ministers and Cabinet Officials, the Prime Minister, the line ministry apparatus, the administration of the President, the Assembly, the Central Election Commission, the High Court, the General Prosecution Office, some independent institutions, institutions under the dependency of the Prime Minister, the institutions under the dependency of line ministries and of the Prefect Administration (1)(2), as amended*, is benefitted from several other categories of the archival system in the Republic of Albania. According to the DoCM the archive staff is eligible for such additional payment. According to the DoCM: "*An additional pay is allocated for the difficult work and harmful health conditions to employees in the positions of: - "Archive Head of Sector" and "Archive Specialist" at the Prime Minister's Office, President's Office, at the Assembly, line ministry apparatus, as well as in the positions of the "Head of Sector" and "Specialist" in the directorates or sectors of content at the General Directorate of Archives and the Regional/Local Directorates of the State Archive System*".

Under these conditions, amendment of Decision No. 187, of 8 March 2018 is necessary, so that the AIDSSH archive staff can benefit from the additional pay due to their difficult job, imposing harmful consequences to their health.

2- Availability of funds for the reconstruction of the new building is a matter of emergency, as currently, the entire AIDSSH's activity takes place at the temporary office at the Republican Guard, having no minimum official standards. Currently, the archival documents, despite of completion of the hand-over process, pursuant to DoCM No. 98/2017 *On determining the procedure for transferring under the administration of the Authority on Access to Information on the State Security Service of archival materials of the former State Security located in the*

Ministry of Defence, the Ministry of Internal Affairs, the Intelligence State Service and other public authorities, do physically continue to be in the premises of SIS and the Ministry of Interior, creating serious difficulties among the staff, amounting to violation of the independence of our institution.

3. It is in the best interest of the Authority and in the interest of ensuring full functioning of the membership of the Authority, to make sure that the Assembly continues with the initiated procedures for the replacement of one of the members of the Authority, who has resigned for more than a year and has not yet been replaced, a fact that complicates the collegial decision-making of the Authority.

We remain hopeful that cooperation and coordination with the structures of the Albanian Assembly will serve to address and solve the problems listed above, which will create the possibility of normal functioning of the work, but, at the same time puts us ahead of important tasks, that we all have to accomplish for the successful accomplishment of the AIDSSH's mission.

5.2 OBJECTIVES OF THE AUTHORITY FOR 2019

The main objectives of the Authority for Access to Information on the former State Security Service for 2019 are based on the 2017-2020 Strategic Plan and are grouped into several main categories:

Objectives related to infrastructure upgrading and administrative capacity building

- Completion of the reconstruction of the building according to the project designed by the Institute of Construction, and its equipment with shelves and other facilities necessary for the archive;
- Continuation of cooperation with all national and foreign partner institutions as well as establishment of contacts with new partners in order to improve infrastructure and increase the institution's administrative capacity.

Objectives related to the establishment of the Authority as the central archival source for research on Security activities

- Completion of the process of obtaining all documents of the former State Security from the archival institutions in the country;
- Drafting of the plan for the transfer of archive documents to the new building and its transfer to the new building according to the approved plan;

- Establishment of a digital archive system, which will facilitate the searching tools and tools for consulting other archival documents.

Objectives related to the guaranteeing of the right to information on former State Security documents

- Review and improvement of internal procedures for processing individual, institutional and study requests;
- Conclusion within the prescribed time limits, for as far as possible, of all requests for information on the former State Security documents filed with AIDSSH.

Objectives related to promotion of scientific research and civic education

- Completion and adoption of the Communication Strategy;
- Organization of activities according to the approved plan;
- Continuation of projects launched in 2018.

Objectives related to promotion of transparency and transitional justice

- Support for the work of documenting Communism crimes, including contribution to justice.
- Collaboration with other institutions and actors in the field of transitional justice.

Objectives related to management

- Establishment of the Authority as a professional body;
- Improving employee engagement, development and productivity;
- Use of assets to build partnerships and resources

These objectives are outlined in more details in the Work Plan for 2019, according to the respective directorates. AIDSSH will continue to work by fully and professionally implementing all its functional duties compliant to the legal framework in force, as well as by increasing and strengthening its human resources capacities, through co-operation and trainings at home and abroad in counterpart or memory institutions.

5.3 AIMS FOR THE FUTURE

The Authority on Access to Information on former Security Service is guided by its legal mission to provide information on former State Security documents (as well as the European Parliament Resolution of 2 April 2009 *On Conscience and Totalitarianism*).

The Authority's vision is to provide a credible platform to access the great documentary inheritance from the former State Security; engage with the Albanian citizens of all origins by providing data, information and context from the Security Archives on the experience of Communist oppression; serve as an accessible and vital source for assessing the Albanian experience in Communism, so that it cannot be repeated in the future.

By providing information on the Security activities, the Authority aims to increase public awareness of the Communist regime, to help prevent intolerance, extremism, anti-democratic movements and repeat of the totalitarian rule, to encourage open discussion of the Communist past and its consequences, based on transparency, integrity, cooperation with individuals and institutions, and to encourage public engagement, supporting the democratic values of justice, truth and responsibility for future generations.

The 2017-2020 Strategy Document serves as a guideline for the Authority's activity and aims to guide and focus its activities, also enabling periodic reviews of goals and objectives.

Future goals are based on the vision of the institution, the realization of its mission, and the fulfilment of the above-mentioned strategic objectives.

5.4 THREE-YEAR ANTICIPATION IN RELATION TO THE VISION OF THE AUTHORITY

The Authority's vision for the three upcoming years is:

1. Improvement of the existing legal framework;
2. Completion of AIDSSH's structure/organization;
3. Establishment of the legal and logistical infrastructure in the process of transferring the available documentation from the current venues to the new building of the Authority;
4. Realization of two conferences per year and of two local dialogues;
5. Digital indexing of the documentation administered by the Authority;
6. Full declassification of files, excluding those affecting national security;
7. Development of legal procedures for processing and completing 1000 requests per year;
8. Shortening of the deadlines of the documentation service in response to the requests submitted by interested parties;
9. Having a functional website at www.dosjet.gov.al, including prisons and internment camps in the country.

The Authority aims to be an effective professional body with committed and qualified personnel able to establish partnerships with national and international counterparts.

6. CHANGES IN THE REGULATORY FRAMEWORK FOR 2018 AND THEIR EFFECTS

The Authority has approved several one-year orders for 2018, which govern the work in the procurement sector. More details follow below:

Order on the Establishment of a Small Value Procurement Commission;

Order on the Establishment of a Market Testing Commission and Limit Fund Calculation;

Order on the Establishment of a Dynamic System Commission for International Air Transport Tickets;

Order on Assignment of the Responsible Procurement Person;

Order on the Establishment of the Goods Receipt Commission;

Document on the Designation of the Authorized Officer of the Small Procurement Commission that will perform actions in the SPE;

Order on the Assignment of the Responsible Person of the Contracting Authority for the Classified Procurement Procedure;

Order on the Establishment of the Procurement Unit for the Conduct of Procurement Procedure on the Supervision of works for the Reconstruction and Adaptation of the Archive in the new building of the Authority;

Order on the Establishment of the procurement unit for the conduct of the procurement procedure on "The Reconstruction and adaptation of the Archive in the new building of the Authority".

Also, the Authority has established the Procurement Unit for conducting the procurement procedure on *Negotiation without prior announcement of the contract notice, starting with the establishment of the procurement unit for the development of the procedure for procurement of works on the reconstruction and adaptation of the Archive of New Authority Building*. The limit fund approved for 2018 is ALL 9,876,891.23 (nine million and eight thousand seveny six hundred and eight hundred ninety one point twenty three Albanian Lek) VAT excluded, allocated from the State Budget, pursuant to the Normative Act No. 1, of 26 July 2018, *On Amendments to the Law No. 109/2017 On the State Budget for 2018*, while the Authority has continued with the procurement order, drafting of the minutes for the adoption of standard documents, definition of economic operators, invitations to participate for each procedure and will continue with the Safety Manual and any necessary documents, up until their issuance.

Simultaneously, the Authority has established the Procurement Unit on the "Supervision of Works for the Reconstruction and Adaptation of the Archive in the new Authority's Building". The limit fund approved for 2018 to this end is ALL 111,472 (one hundred and eleven thousand

and four hundred and seventy-two) VAT exempted, made available by the State Budget, pursuant to Normative Act No. 1, of 26 July 2018, *On Some Amendments to Law No. 109/2017 On the 2018 State Budget*. In this regard, pursuant to the Procurement Order, minutes have been drafted for approval of standard documents, economic operators are defined, invitations have been issued for participation in each procedure and work will proceed with the Security Manual and any necessary documents, up until the end of the procedure.

Other Regulatory Orders of the Legal and Procurement Sector:

Amendment of the Order on Composition of the Responsible Authority for the Prevention, Control and Resolution of Situations of Conflict of Interest (HIDACI);

Order for periodic reporting of the activity of the Institution. The Order is drafted and made available for implementation;

Several acts have been approved by Decisions of the Authority. More specificities follow below. The Authority on Access to Information on the former State Security Service has approved:

Decision No. 17, of 11 January 2018, *On the Budget Expenditure Structure for 2018*;

Decision No. 28, of 26 January 2018, *The Annual Activity Plan for 2018*;

Decision No. 29, of 26 January 2018, *The Annual Recruitment Plan for 2018*.

Decision No. 43, of 13 February 2018 *On the Establishment of the Commission for the Inventory, Processing, Compilation of the Database List of Archival Documentation*, a Commission that is provided under Law No. 8001 of 22 September 1995 *On the Genocide and Crimes against Humanity Committed in Albania during Communist Rule for Political, Ideological and Religious Motives* and Law No. 8043 of 30 November 1995 *On the Vetting of Officials and Other Persons Related to the Protection of the Democratic State*.

Decision No. 173, of 05 June 2018, *On the Standardization of Communication with Interested Subjects requesting Information on former State Security Service from AIDSSH*;

Decision No. 371, of 24 October 2018 *On Reallocating the 2018 State Budget Funds*.

Decision No. 392, of 25 September 2018 and Decision No. 448, of 18 December 2018, approving the amendment of the *Annual Recruitment Plan of the Authority on Access to Information on the former State Security Service for 2018*.

Decision No. 449, of 18 December 2018, *Approval of the Code of Good Administrative Behaviour for the employees of the Authority*;

Decision No. 450, of 18 December 2018, *Approval of the Code of Conduct for the Members of the Authority*;

Pursuant to Article 25 of Law No. 45/2015 *On the Right to Information on the Documents of the former Security Service of the People's Socialist Republic of Albania*, during 2018 work has been carried out vis-à-vis reflection of suggestions and improvements in the draft decision *On Determining the Tariffs and Payments for Services offered to Institutions or Persons by the Authority on Access to Information on Former State Security Service*. The draft decision has been sent to the Ministry of Finance for its consideration and opinion, given that it also envisages financial costs for the subjects covered in it.

Following a long official correspondence, the final draft has been finalized, reflecting the suggestions of the institutions/ministries involved in the process and the Council of Ministers has passed a Decision *On the Tariffs and Payments for Services to Institutions or Persons, provided by the Authority on Access to Information on the former State Security Service*, pursuant to the requirements of Article 43 of Law No. 45/2015.

As stated above, the application form for the requests coming from Constitutional institutions or public authorities has been improved. The process has been finalized with the preparation of a new application form, which was legitimated and approved by the Authority by virtue of its Decision No. 178, of 22 June 2018.

1. DATA AND FIGURES ON AIDSSH'S ACTIVITY COMPARED TO 2017

Below we have enclosed charts with data on the activity of the institution, according to the specificities of the relevant Directorates:

Digitalisation and declassification of archive documents

Both processes – namely digitalisation and declassification of documents during 2018 have led to more digitalised and declassified documents. The chart below shows of comparative data in 2017 and 2018.

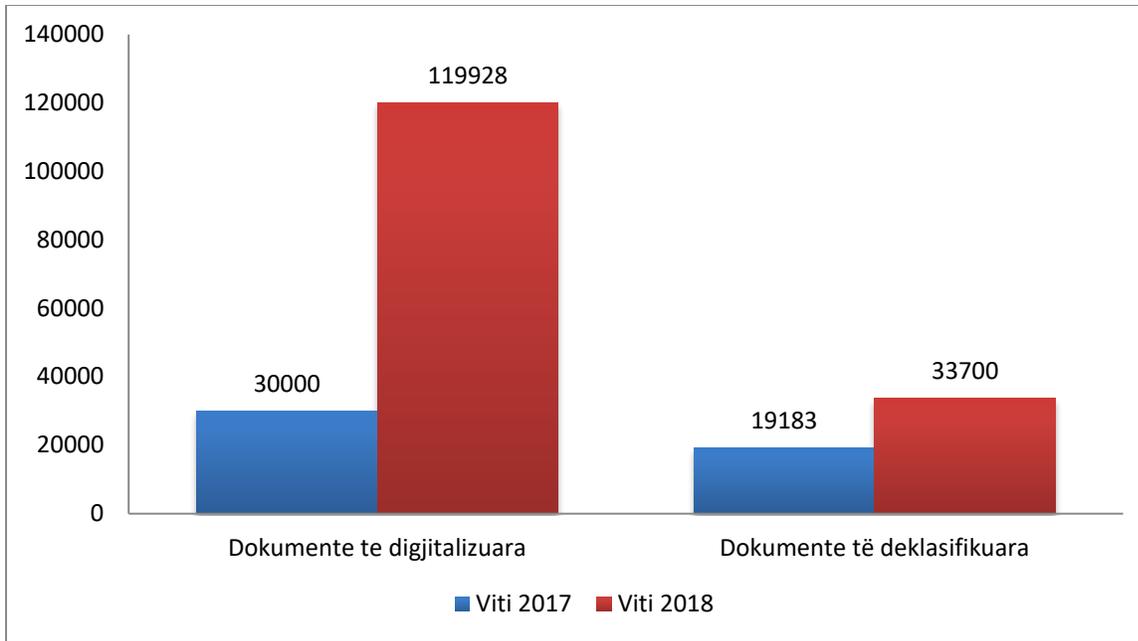


Figure: Data on the documents digitalised and declassified during 2017 and 2018

Requests for information on the former State Security Service

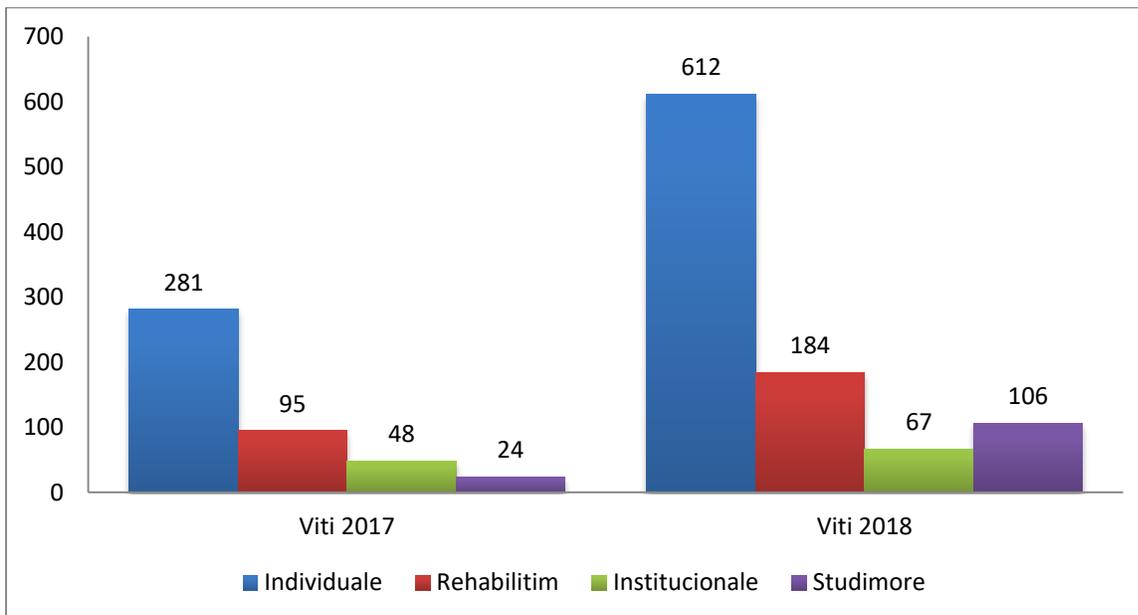


Figure: Chart on the number of requests, divided according to year 2017 and 2018

Year 2018 has seen a significant increase in the number of requests received by AIDSSH. This increase is observed in almost all types of applications, but mostly in individual requests and requests for study purposes. The chart below provides data on the number of requests received

during the last two years, divided by type of applications and the progress of their treatment throughout each year is given for each type of application.

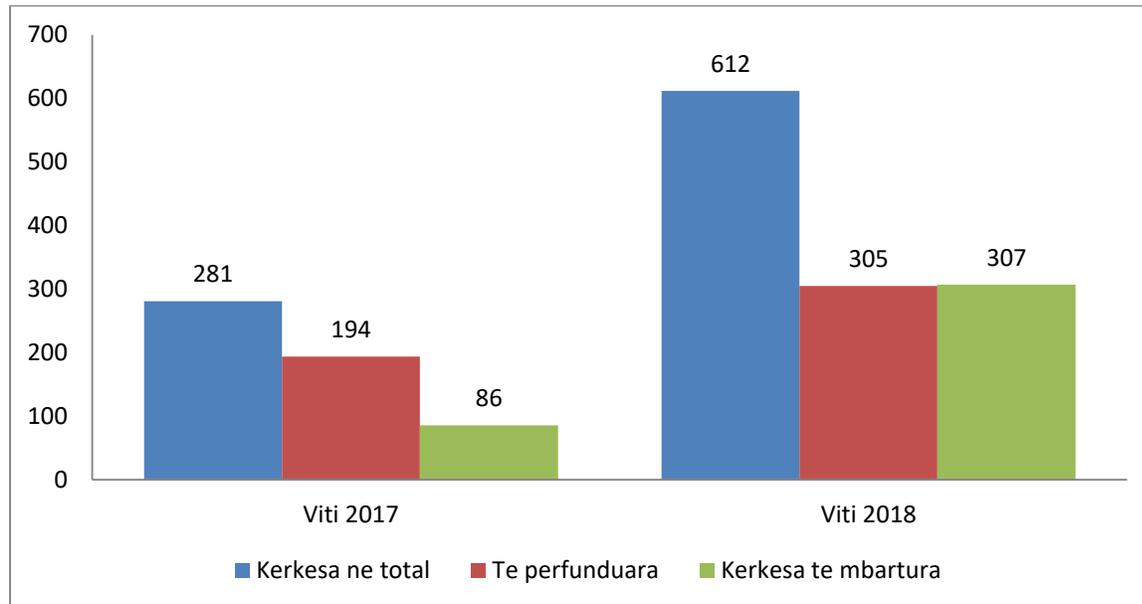


Figure: Chart on the individual requests, as per their status, for 2017 and 2018

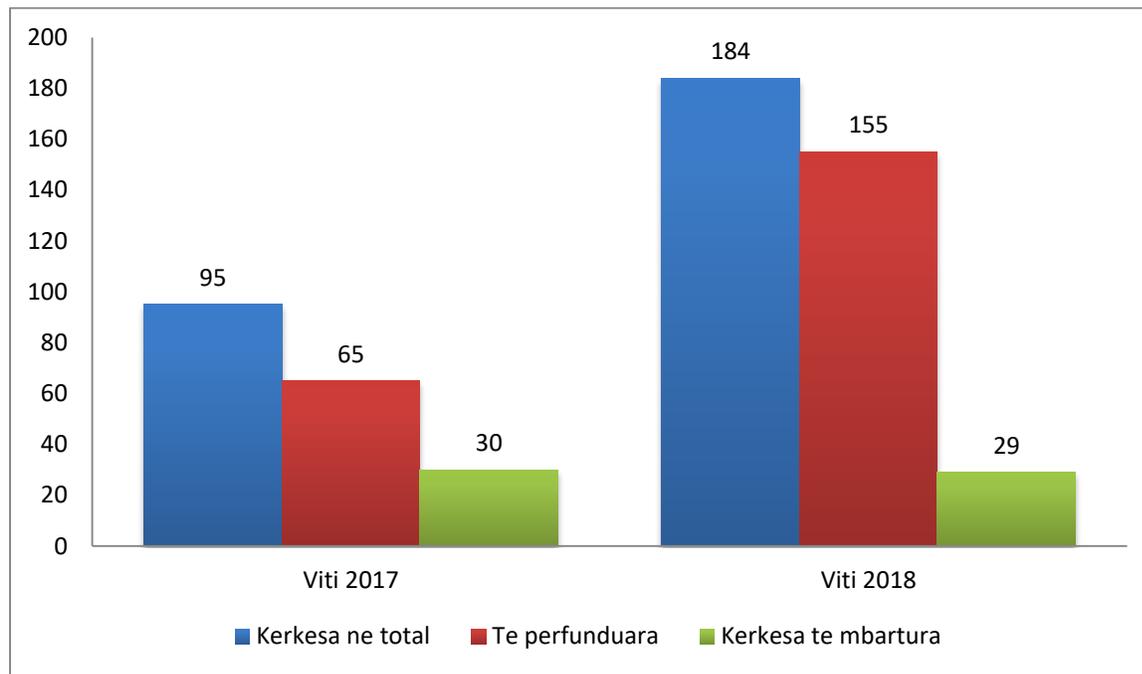


Figure: Chart on individual requests for rehabilitation purposes for 2017 and 2018

During the two years, 2017 and 2018, 1284 candidates or officials have been filtered before appointment or promotion, of whom 1254 have been found with no problem as far as the former State Security Service is concerned and 30 candidates have been found to have records with former State Security Service.

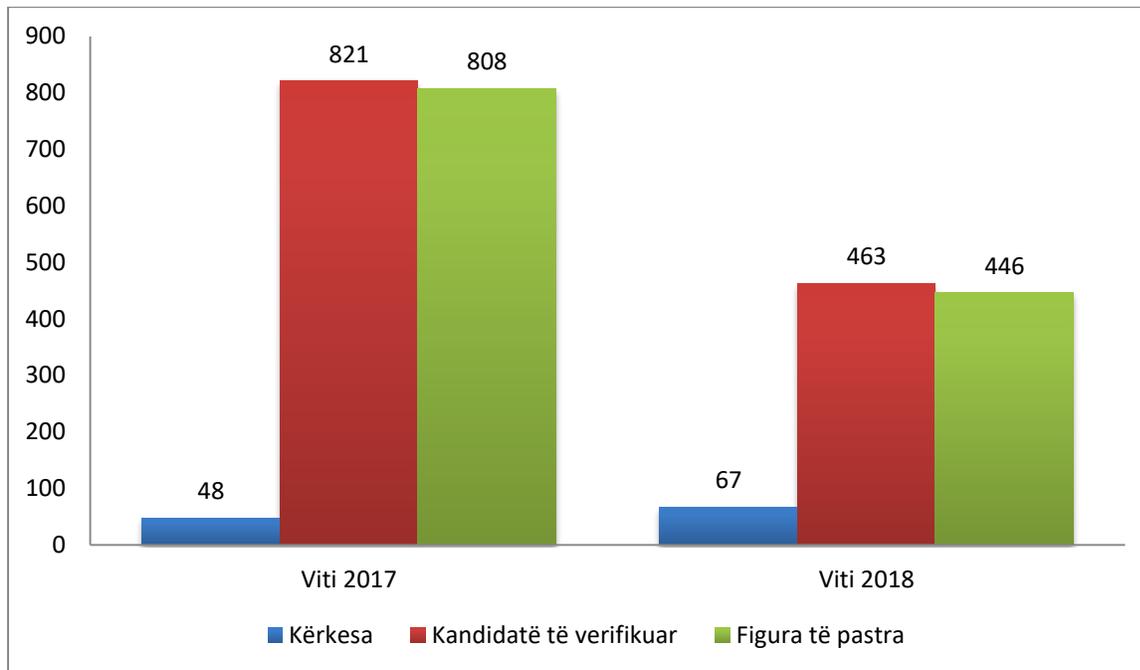


Figure: Chart on the candidates and officials verified during 2017 and 2018

8. EVALUATION ON THE LEVEL OF IMPLEMENTATION OF LEGAL OBLIGATIONS BY AIDSSH AND LIABILITY WHEN THE LAW IS BREACHED OR NOT CONSIDERED

In its active communication with the public and interested persons for the realization of its functional duties, the AIDSSH's Information Directorate is guided by the principle of lawfulness, protection of personal data, providing information to the public, institutions and media in time and with quality. In fulfilling of its legal obligations, no cases of overcoming or abuse of powers has been identified in exercising the functions charged by Law no. 45/2015 and the Internal Regulation of AIDSSH.

9. STATUS OF IMPLEMENTATION OF RECOMMENDATIONS ISSUED TO AIDSSH BY OTHER CONSTITUTIONAL AND INDEPENDENT INSTITUTIONS

The Authority on Access to Information on the former State Security Service, in order to facilitate the procedures for collecting, administering, processing, using the former State Security documents and informing the entities envisaged by law of these archival documents, at the end of 2018 has held working meetings with the Office of the Commissioner for Personal Data Protection regarding the drafting of the draft regulation *On the publication of the activity of the Authority in the exercise of its functional duties as charged by law*, materialized by Decision No. 88, of 22 February 2019, after receiving the preliminary approval of the Commissioner for the Personal Data Protection.

The Classified Information Security Directorate, in May 2018, through the *Inspection Report on Measures Concerning the Implementation of Security Requirements in the Field of Securing the Information classified as State Secret Processed by the Communication and Information Systems*, and in June 2018, through its *Report on securing the classified information in the industrial field and implementing the requirements of the Project Security Instruction (ISP)*, has recommended to the Authority:

- To draft security documents for the equipment/systems, in view of presenting this documentation for review at the CISD,
- to take appropriate measures to ensure that the information and classified documents qualified for classified procurement are processed only on appropriately certified/accredited IT equipment, systems or networks, in accordance with the requirements of the applicable legislation.

As far as recommended by the CISD, the Authority on Access to Information on the former State Security Service, by Decision No. 287 of 04 September 2018, decided to inform the CISD regarding the approval of the documentation submitted below:

- The Action Plan *On the Security of Hardware Equipment*;
- The Action Plan *On Reporting the Security Incidents of the Classified System*;
- The Action Plan *On the Implementation of Security Measures in the Classified Systems*;
- *Secure Operation Procedures*;
- The Declaration of Security, as well
- Submission of the above documentation for review to CISD.

As noted above, in September 2018, the CISD submitted an *Act of Evaluation* for the certification of the classified *standalone* computer of the Authority on Access to Information on the former State Security Service, coupled with the issuance of the System Security Certificate No. 022.

Under these conditions, each document is produced in the *standalone* system accredited by CISD with the "secret" level, valid up until 19 September 2020, according to Certificate No. 022, issued by the Accreditation Authority (the CISD). The *standalone* system is a closed system, ensuring integrity. Its users are provided with an appropriate certificate of security, are familiar with the Secure Operational Procedures and are trained by responsible structures, which ensures that they are aware of the security issues relating to the classified information. The security policies implemented in the system as well as the procedures followed are such that users have access to the system in accordance with the "need for recognition" principle.

Additionally, the project of the new building has taken an added value as regards the drafting of tender documents and the precise implementation of the project, according to the recommendations of the CISD, in order to set the parameters and the required tools, according to the location of the respective security areas.

10. NEED FOR AMENDMENTS IN THE LEGAL FRAMEWORK GOVERNING THE AIDSSH'S ACTIVITY

10.1 Potential amendments to Law No. 23/2015, *On the Foreign Service in the Republic of Albania*

Following the co-operation between the two institutions and established practices regarding the process of verifying the ethical, moral and professional qualities of the employees of the Ministry of Foreign Affairs, according to the list set out in the Ministry's organigramme and the Organigramme of Diplomatic Corps, in service of compliance with and the harmonization of the special provisions of Law 23/2015, *On the Foreign Service of the Republic of Albania*, and Law No. 45/2015 *On the Right to Information on the Documents of former State Security of the People's Republic of Albania*, we have forwarded to the MoEFA our suggestions on some amendments to Law 23/2015, from the legal standing of the Authority.

It is the institution of the Ministry for Europe and Foreign Affairs that, on the basis of these legal amendments (if approved by the legislator), will intervene in the special provisions of the Regulation on Foreign Service of the Republic of Albania, as in the recruitment procedures in the Foreign Service.

a. Potential amendments to Law 10019, of 29 December 2008 *The Electoral Code of the Republic of Albania, as amended*

Evaluating and assessing the concrete issues encountered during the Elections for the Albanian Parliament in June 2017, where out of 18 (eighteen) political parties registered in the Elections, only two of them submitted a request to the Authority for verification of the integrity of their candidates (PDIU, PAP), the Authority is willing to provide all the necessary contribution or assistance for possible legal amendments to the Electoral Code in respect of any application submitted by the entities registered in the next elections for purposes of transparency of the integrity of candidates during electoral campaigns and beyond.

In this context, the Authority, based on the information, know-how and technical experience gained from the previous elections, has prepared a draft/proposal on the necessary improvements on the election legal framework. We remain open for other possible options serving the purpose of transparency of integrity of the candidates during the electoral campaigns, which we believe the Ad-hoc Electoral Reform Parliamentary Committee shall reflect in new legal provisions. This draft was forwarded during the month of November 2018 to the Albanian Parliament.

10.3. Possible amendments to Decision No. 188 of 04 March 2015 *On the adoption of the regulation on the security clearing of the personnel, as well as to the Security Questionnaire, from the legal point of view of the Authority*

The Authority, referring to the legal acts applied during the process of administration of security certificates and mainly, the special provisions of Decision No. 188, of 04 March 2015, *On the approval of the Regulation on the Personnel Security*, has observed the possibility of involving AIDSSH in this process at the quality of “*the verifying authority*”, which includes the SIS, the Intelligence and Security Agency, the Internal Affairs and Complaints Service, which are specialized in conducting security checks to individuals that shall recognize, produce, maintain, administer and transmit classified information.

As noted above, the Authority appreciates and considers cooperation with the CISD important, therefore we are of the opinion that cooperation with the CISD should continue even with regards to some supplements or amendments to Decision No. 188, of 04 March 2015, *On the adoption of a regulation on the security clearing of the personnel*, as well as the Security questionnaire.

1.4 Potential amendments to Law No. 45/2015 *On the right to information on the documents of the former State Security Service of the People’s Socialist Republic of Albania*

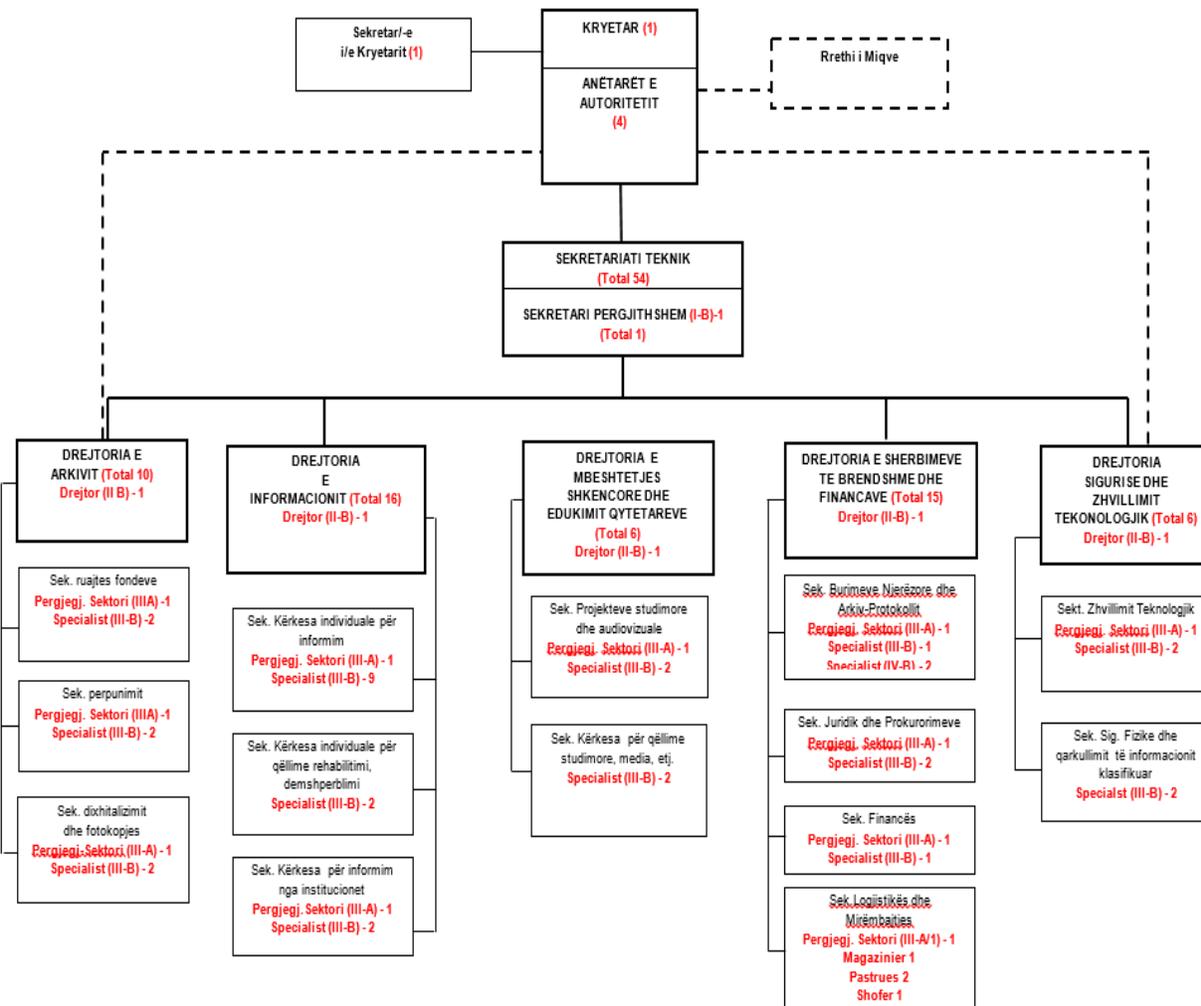
Stemming from the best experiences of the sister-like institutions of Eastern Europe and driven by the accountability of offering a qualitative service to citizens, institutions, scholars and the media, as well as based on the practices now established in implementation of Law 45/2015, the AIDSSH is working to improve the law, by making some supplements and amendments to special articles of Law No. 45/2015 *On the right to information on the documents of the former State Security Service of the People’s Socialist Republic of Albania*, which shall enable and guarantee a more qualitative output of the institution. These proposals, following the final approval within the Authority, shall be submitted to the Assembly of Albania.

2. INTERNAL ORGANIZATION OF THE INSTITUTION

AIDSSH’s Structure and Organigramme

The Assembly by virtue of its Decision No. 95, of 22 December 2016, has decided on our structure and the organigramme, stipulating that the Authority must have a staff of 60 employees, of whom 5 are Authority Members, elected and nominated by the Assembly by Decisions No. 79, Decision No. 80, Decision No. 81, Decision No. 82, and Decision No. 83, of 17 November 2016.

Below follows the structure and organigramme of AIDSSH:



By Law No. 109/2017, of 30 November 2017, *On the 2018 State Budget*, AIDSSH was provided with a salary fund for 10 (ten) new employees, raising to 30 the overall number of its staff, from the 60 staff approved by Assembly Decision No. 95, of 22 December 2016.

The Authority Decision No. 29, of 26 January 2018 *On the Recruitment Plan for 2018*, as amended by the Authority Decisions No. 392, of 25 September 2018, Decision No. 448, of 18 December 2018, pursuant to the Assembly Decision No. 95, of 22 December 2016 *On the structure and organization of AIDSSH*, the Regulation *On the Organization and Functioning of the Authority on Access to Information on former State Security Service* also defined the respective jobs for these 10 (ten) new staff. Thirty jobs, still vacant, are not covered by any budget as things are right now.

Recruitment of staff and staff training

Pursuant to Law No. 152/2013, *On the Civil Servants*, the Labour Code, the relevant Decisions of the Council of Ministers, the Public Administration Department (DoPA) practices and guidelines governing the recruitment process and procedures, AIDSSH started and completed the staff recruitment process allowed by the additional salary fund, as approved in the 2018 budget.

At the end of the recruitment procedures for 2018, out of 10 (ten) positions supported by the salary fund of the 2018 budget due to the lack of suitable candidates, only 1 (one) vacancy - that of the specialist of requests for study purposes, the media, etc., at the Directorate of Scientific Support and Civic Education was filled in.

During 2018, recruitment procedures were also developed to fill in the existing vacancies covered by salary fund, for which employees, due to competition for other vacancies announced in the recruitment plan for 2018, have moved within AIDSSH, or because of different reasons, they discontinued their relationship with the AIDSSH.

At the beginning of 2019, the vacancies which are covered by the salary fund and created due to the transfer of existing employees to other jobs, are included in 2018 Recruitment Plan, and pursuant to Law No. 152/2013, *On the Civil Servants*, the Decisions of the Council of Ministers, the practices and guidelines of the Department of Public Administration (DoPA), these vacancies were announced. The competition procedure for the vacancy of specialist in the legal sector and procurement at the Directorate of Internal Services and Finance was successfully completed.

At the beginning of 2019, from the jobs covered by the salary fund, which are currently vacant due to the removal and termination of the employment relationships with AIDSSH for various reasons, pursuant to Law No. 152/2013, *On Civil Servants*, the Decisions of the Council of Ministers, the practices and guidelines of the Department of Public Administration (DoPA), the competition procedure for the position of the Secretary General has been announced as well.

At the beginning of 2019, from the 2018 recruitment plan jobs covered by the salary fund but remaining vacant during 2018, due to lack of interested candidates, a competition procedure was announced for a vacancy in the Directorate of Scientific Support and Civic Education.

The situation at the end of recruitment procedures for 2018, taking into account the vacancies completed during 2016 and 2017, the number and jobs of the staff currently covered by the salary fund and which are filled, the number and jobs that are covered by the salary fund and are currently vacant, even though the competition procedures have been announced, the current staff overview, compared to the structure and organigramme of AIDSSH as approved by Assembly by its Decision No. 95, of 22 December 2016, is presented in the following table:

Struktura	Njësia	Totali sipas strukturës organikës	Pozicionet	Totali sipas pozicionit	Rekrutuar në 2016	Plani i rekrutimeve në 2017	Rekrutuar në 2017	Plani i rekrutimeve në 2018	Rekrutuar në 2018	Levizur larguar gjatë 2018	Plotësuar lëvizjet largimet gjatë 2018/2019	Organika aktuale e plotësuar	Kapaciteti aktual i personelit të njësive	
Autoriteti	Autoriteti	5	Anëtare	5	5					1	0	4	80%	
		1	Sekretare e Kryetares	1		1	1					1	100%	
Sekretariati Teknik	Sekretar i përgjithshëm	1	Sekretar i Përgjithshëm	1		1	1			1	0	0	0%	
	Drejtoria e Arkivit	10	Drejtor	1				1	1				7	70%
			Përgjegjës Sektori	3		2	2	1	1					
			Specialistë	6		1	1	2	2					
	Drejtoria e Informacionit	16	Drejtor	1		1	1						5	31%
			Përgjegjës Sektori	2		1	1	1	1	1	1			
			Specialistë	13		1	1	1	1					
	Drejtoria e Mbështetjes Shkencore dhe Edukimit Qytetar	6	Drejtor	1									1	17%
			Përgjegjës Sektori	1					2	1				
			Specialistë	4										
	Drejtoria e Shërbimeve të Brendshme dhe Financave	15	Drejtor	1									8	53%
			Përgjegjës Sektori	4		2	2			1	1			
			Specialistë	6		3	3			1	1			
			Punonjës me Kod Pune	4		3	3							
	Drejtoria e Sigurisë dhe Zhvillimit Teknologjik	6	Drejtor	1				1	1				3	50%
Përgjegjës Sektori			1				1	1						
Specialistë			4		1	1			1	1				

During 2018, pursuant to the DoCM No. 60, of 31 January 2018 *On determining the number of employees with a temporary contract in the central government units for 2018*, the recruitment procedures for 4 additional employees were concluded and completed with a temporary contract and part-time work contract (6 hours/day).

The review, completion and adaptation of job descriptions for all existing positions and recruited positions has been undertaken and completed, in accordance with the concrete requirements for the AIDSSH position, the form and model required by the DoPA.

The personnel have been provided with the relevant security clearance certificates, in accordance with job requirements.

The Classified Information Security Directorate (CISD) has performed and successfully completed (certified with relevant certificates) the necessary training related to the AIDSSH's specificities relating to the classified information.

During 2018, the mandatory training for 2 (two) persons, employees appointed as civil servants during their probation period was performed and successfully completed (certified by relevant certificates) at the Albanian School of Public Administration (ASPA). Necessary trainings have been successfully completed (certified with relevant certificates), as planned in the 2018 Training Plan, at the Albanian School of Public Administration (ASPA).

In 2018, the training and exchange experience plan was implemented with European counterpart organizations and other international organizations operating in the field of AIDSSH activity. Training sessions were held in counterpart institutions in Germany and the Czech Republic with regard to work with archives and archive material processing, digital database building, exchange of experiences with memory institutions and cooperation opportunities, as well as in the counterpart institutions in Romania, Yad Vashem, Jerusalem, United States of America, etc., to learn from the best experiences of relevant countries, work with archives, deal with information, public communications, and memory policies.

The necessary training are organised and successfully completed (certified with relevant certificates) with the General Directorate of Archives (GDA).

The process of evaluating the results at work for AIDSSH employees has been undertaken and completed.

As seen from the table above, AIDSSH is working with almost half of the human resources' capacity set out in Assembly Decision No. 95, of 22 December 2016.

The lack of sufficient human resources, even within the context of the day-to-day increase of AIDSSH's activity and workload, has brought ever greater difficulties and especially delays in the timely delivery of AIDSSH's mission of informing the public and the institutions.

Although the concern for the lack of sufficient staff has been continuously raised to the Government Assembly, and 2019 is the year of local government elections, which adds on the obligations and requirements of Law 45/2015, Law No. 99/2018 of 3 December 2018, *On the State Budget for 2019* contains no provision for additional salaries for additional staff for AIDSSH.

Foreign Relations

In 2018, several working meetings have been organised at the Authority, not only with local factors and actors, but also with external factors for the progress of the initiatives undertaken to assist the dialogue on the past, to better understand the history of the regions which files we process, and to encouraged cooperating with these factors, which serve as mechanisms that increase trust in the work of the Authority and responsibility in the information service, and have enabled the Authority to organize its work on research and civic education.

A more detailed overview of the work done by the Authority follows below:

Signing of the agreement with the German Embassy on the provision of digitalization equipment with the fund EUR 50 thousand, donated by the German Embassy;

Organization of the visit of the German Ambassador in Tirana to the SIS Archive, the Ministry of Interior Archives and the new building of the Authority;

Organization of the visit of the Ambassador of Sweden to Tirana and the United Nations Development Organization Representative in Albania in the SIS Archive, the Ministry of Interior Archive and the new building of the Authority;

Organization of a visit to Tirana of Mr. Roland Jahn, Federal Commissioner for the State Security Service files in the former German Democratic Republic, at the end of May;

Cooperation with the UNDP for designing and submitting to the European Delegation in Tirana the conceptual points for application for possible funding for the components from the 2017-2020 Strategic Plan of the Authority, particularly for the reconstruction of the new building of the Authority;

Organization of the participation of the Authority's membership in the international event "Archives of Cruelty - The Role of Archives in Transitional Justice", held in Oxford, the United Kingdom;

Organization of the participation of the officials of the Authority at the annual meeting of the European Network of Official Authorities for Secret Police Documents and at the International Conference on Secret Services, Reality, Rationalization and Memory, held in Sofia, Bulgaria;

Organization of the participation of the Authority's membership in the ceremony of the presentation of the "Truman-Regan Freedom Medal" in the "Memorial of Victims of Communism" in Capitol Hill and meetings with the Albanian Diaspora, in the framework of promoting the work of the Authority in the United States America.

Meetings, preparation and submission to the Swedish Embassy of the concept paper regarding the funding possibility of the project of full or partial reconstruction of the new building and the digitalization project of the archive;

AIDSSH's cooperation with local communities has created opportunities to organize research work and civic education, depending on the area's requirements. Relevant activities in Shkodra, Berat, Korça, Tepelena, Gjirokastra and Konispol have increased citizen awareness and the individual application requests, enhancing the trust in the work of the Authority and accountability in the information service.

12. REVENUES AND EXPENDITURE, INCLUDING DONOR AWARDED FUNDS

For implementing the 2018 State Budget, AIDSSH has worked in supporting such principles as:

- Support by budget funds for the realization of AIDSSH's main purpose, information based on the requests of affected individuals, constitutional institutions and public authorities.
- Support by budget funds to increase staff performance through various trainings.
- Support by budget funds for the participation of the members in international organizations and participation in events organized by them.
- Support by budget funds for transportation and collection of all archive documents and funds from all system archives in all districts of the country.
- Support by budget funds to ensure transparency and trust through digitalisation of the institution's activity and periodic publications.
- Support by the budget funds for the work of the AIDSSH.

For 2018, the evidence of budget expenses for the “Planning, Management and Administration” programme, compared to the annual plan, as amended, is as follows:

In thousand Lek

No	Name	Initial budget year 2018	Budget with changes year 2018	Factual realisation in 2018	
				In amount	In %
1	Planning – Management – Administration	47 000	57 050	54 505	96 %

The composition of the budgetary expenditure, according to the economic classification of the expenditure, according to the factual budget and realisation for 2018 is given in the following table:

In thousand Lek

Account	Name	Initial budget in 2018	Amended budget for 2018	Factual realisation in 2018	
				In amount	
600	Salaries	28 000	29 000	28 324	98.0%
601	Social and Health contributions	4 000	4 450	4 271	96.0%
602	Goods and other services	13 000	11 550	9 874	85 .0%
606	Trans for budgets for families & individuals		50	50	100.0%
231	Tangible Capital	2 000	12 000	11 986	99.8%
	T o t a l	47 000	57 050	54 505	96%

From the general budget fund, for the reporting period, the Authority on Access to Information on the former State Security Service has achieved the following budget:

The Salary and Social Insurance Fund (budget line 600-601) is realised, pursuant to the approved organizational structure by Assembly Decision No. 95, of 22 December 2016, *On the Approval of the Structure, Organization and Salary Classification of the Authority on Access to Information on the former State Security Service*. Notwithstanding the structure approved by Assembly Decision No. 95/2016, in which the total number of employees is 60, Law No.109/2017, *On the 2018 State Budget* covers only 30 employees.

For 2018, 6 temporary contract employees have been hired. They are paid for the work they perform (6 hours), and social insurance is also covered for them.

The initial salary and social insurance budget under the Annual Budget Law was insufficient and for this reason, the Strategic Management Group, by letter No. 1021, of 31 October 2018 addressed to the Ministry of Finance and Economy, asked for the reallocation of funds for the budget of the institution from the budget line *Operating Expenses for Salaries and Social Insurance Contributions* in the amount of ALL 1 450 thousand.

Regarding the above, the Salary and Social Insurance budget was realized for the actual number of employees, respectively in the amount of ALL 28 324 thousand for salaries, and ALL 4 270 thousand for social and health insurance contributions, covering about 97% of the annual planned fund.

The 97% budget coverage rate is a very positive rate for the Authority, because the calculation of expenditure for this budget line and the request for additional funds is made accurately.

The fund for the budget line of Goods and Services (budget line 602-606), for 2018, after the reallocations, is ALL 11.550 thousand.

According to the transactions in the Treasury Branch, this expenditure budget line is realised by ALL 9 874 thousand, or 85 % of the total annual plan of operational expenses.

This fund is used for:

Paying the fees for postal services, Internet service and telephone services.

Expenses for purchasing different supplies, such as office appliances, cleaning materials, computer parts, toners for printers and photocopies, etc.

Expenses for maintenance of transportation vehicles.

Expenses in service of the achievement of the Authority's goal of providing standards, such as books and professional publications.

Translations, printing and publishing costs.

Expenses for the representation and participation of Chairpersons, Members and staff of the Authority in various activities and meetings, both in Albania and abroad.

In the context of improving its performance indicators and using the current funds made available to it, the Strategic Management Group, together with the procurement sector, have permanently assessed the costs of the activities for 2018 for the achievement of short-term objectives by reflecting them in the Public Procurement Register, as amended.

In the implementation of the Expenditure and Investment Plan, AIDSSH has compiled and implemented the Procurement Plan, which, during 2018, contained two procurement procedures, while other needs are covered through small value procurements.

Fund for capital expenditures (*budget line 230-231*)

The structure of capital expenditures of the initial budget has been changed and addition funds have been allocated for intangible capital expenditures, in the amount of ALL 12.000 thousand.

Fund for tangible capital expenditures (*budget line 231*)

The budget allocated under this expenditure budget item, with the changes during the budget year is ALL 12.000.000, detailed in two projects, as follows:

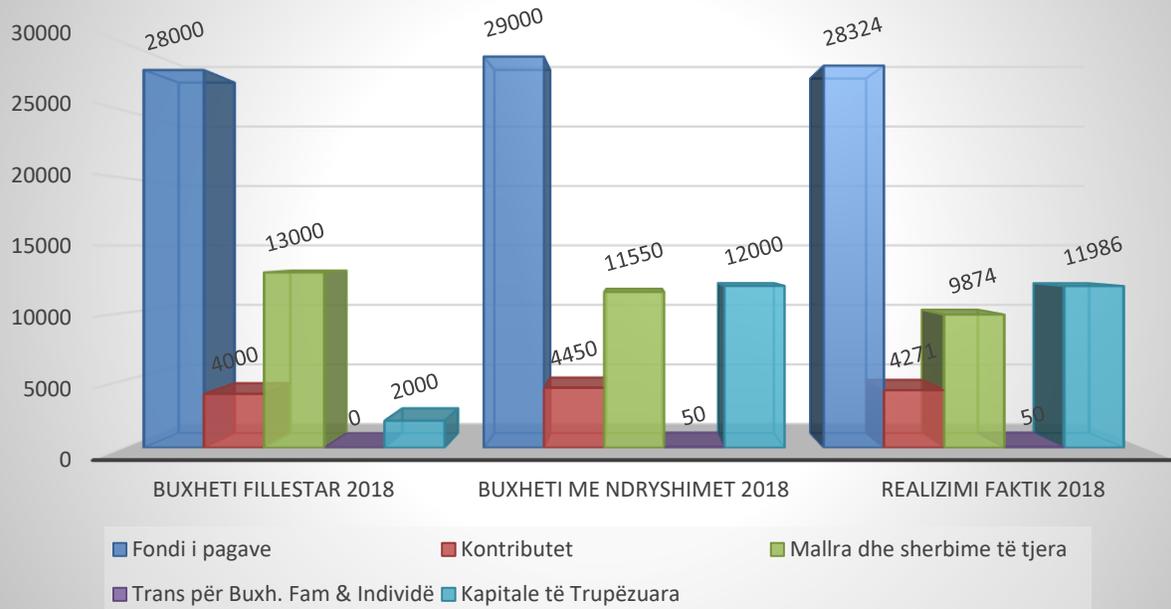
1- Project M950003- log 231, in the amount of ALL 11.852 thousand, named *Reconstruction of the building*.

The reconstruction of the building has been of great interest by the Authority. For this reason, the entire fund has been procured is used and the implementation rate is 100%.

2- Project M950005- log 231, in the amount of ALL 134 thousand, under the name *Supervision of Works*, which runs in parallel with the reconstruction of the building and is completely liquidated, with an implementation rate of 100%.

It is worth mentioning that for 2018, within the framework of the agreement between the Authority on Access to Information on the former State Security Service and the German Embassy, the institution has received funding from this donor for IT equipment in the amount of ALL 4.672.512, earmarked for the establishment of a digital archive of oral testimonials of persons persecuted by the State Security Service.

Budgetary Expenditure



13. CRIMINAL CASES AND COURT PROCEEDINGS

Regarding criminal cases filed against the Authority, no criminal cases have been filed against it during the reporting year. Below follows a detailed list of court cases of the Authority for 2018:

1. *The Court case belonging to the following parties: the Claimant: the Authority on Access to Information on the former State Security Service; and the Respondent: TAD of Tirana and TRD of Tirana.*

The First Instance Administrative Court of Tirana examined the case with claimant *the Authority on Access to Information on the former State Security Service* and the Respondents: *TAD of Tirana and RTD of Tirana* on: 1. The repeal/annulment of the administrative act Assessment Notice No. 57246, Prot. of 30 October 2017 of the Tirana Regional Tax Directorate (RTD) on delayed declarations; 2. Partial repeal/annulment of Decision No. 5278/1 of 27 December 2017 of the Tax Appeal Directorate regarding point 1 mentioned above.

After having examined the legal criteria related to the case in question, the Court, in its Decision No. 1042 of 21 March 2018, found that the claimant/taxpayer (AIDSSH) did not know, nor was it in a position to get to know the time of entry into force of Law No. 136/2016. AIDSSH could neither make a guessing on the retroactive effects of the law, nor on extension of these effects for purposes of accurately calculating the employee's declaration to the Tax Authority.

Law No. 136/ 2016 is the law relevant to the commencement of labour relations, and for the date of declaration of employees and the members of the Authority. This Law has been passed after the Decision of 17 November 2016 of the Assembly, which has served as the legal basis for the election of the Members of the Authority. The referenced law was not in force at the time – that is in November-December 2016. The consequences of the subsequent Law No. 136/2016 on the election of the members have been the cause of the delays and have "legitimized" the imposition of a fine by the defendant, the Regional Tax Directorate of Tirana and Tax Appeals Directorate (TAD) of Tirana, against the Claimant – the AIDSSH.

The Court, pursuant to Article 113 of Law No. 9920/2008 ruled that that there is no legal ground for the claimant to be punished with the sanction provided for in this Article.

At the end of the trial, the Tirana First Instance Administrative Court ruled:

to admit the claim on the repeal/annulment of the administrative act Assessment Notice No. 57246, Prot. of 30 October 2017 of the Tirana Regional Directorate for delayed declaration.

to admit the claim for partial repeal/annulment of Decision No. 5278/1 of 27 December 2017 of the Tax Appeal Directorate regarding point 1 mentioned above and ruled on:

i) leaving in force the Administrative Act, Assessment Notice No. 57246, Prot. of 30 October 2017 of the Tirana Regional Directorate for delayed declaration in the amount of ALL 20 000 (of Social Insurance contribution (E-Sig27), for November - December 2016, system-related fines in the amount of ALL 10.000; ii. Social Insurance contribution (E-Sig27), for December 2016, system-related fines in the amount of ALL 5.000; iii. Withholding tax, for November - December 2016, system-related fines in the amount of ALL 5.000.

1. *The Court case belonging to the following parties: Claimant: Simon Vorfi, calling the Authority on Access to Information on the former State Security Service at the quality of the third party*

The case filed by the Claimant Mr. Simon Vorfi with the Authority called to this trial at the capacity of the third party, after the hearing held on 12 June 2018 at the District Court of Tirana, was concluded with Decision No. 5781 *On Declaration of Incompetence* on the civil case filed by the claimant, Mr. Simon Vorfi. *The Authority on Access to Information on the former State Security Service* was called in this case at the quality of the third person.

The Administrative Court of First Instance of Tirana, with its Decision of the preparatory hearing, of 16 October 2018, on the account of the Case with Reg. No. 31138-05640-80, has decided on the lack of competence on the matter, sending the case to the Supreme Court.

The Administrative College of the Supreme Court, by its Decision No. 00-2018-1063, of 06 November 2018, ruled on quashing the Decision No. 5781, of 12 June 2018, of the Tirana Court and sent the case back for adjudication to this Court, with the same panel.

2. *The Court case belonging to the following parties: Claimant: Janko Shelçaj and Respondent: the Authority on Access to Information on the former State Security Service.*

The Court case belonging to Claimant Janko Shelçaj *versus* AIDSSH claiming repealing of the administrative act, Decision No. 370, of 19 October 2018, of the *Authority on Access to Information on the former State Security Service*, upholding Decision No. 75, of 24 April 2018, of that same authority, addressed to the Administrative Court of Shkodra.

Pursuant to Law No. 49/2012 *On the organization and functioning of Administrative Courts and adjudication of administrative disputes, as amended*, Article 11 provides that "*The claims against administrative actions shall be considered by the First Instance Court with jurisdiction over the territory in which the public organ has carried out the administrative action that is being challenged*". At the request of AIDSSH, the trial chamber has decided to transfer territorial competence to the District Court of Tirana.

We are awaiting for the notification of the date of the preparatory hearing at the Tirana Administrative Court.

3. *The Court case belonging to the following parties: Claimant: Kozma Jano and Respondent: the Authority on Access to Information on the former State Security Service*

The Court case registered by Kozma Jano versus the Authority on Access to Information on the former State Security Service is addressed to the Administrative Court of Tirana. A preliminary hearing was held on 03 December 2018, where the respondent provided explanations related to the claimant's claim. The process is still on-going.