

DECISION
No. 454, dated 10.6.2020

**ON THE IMPLEMENTING PROVISIONS OF LAW NO. 72/2019, “ON
INTERNATIONAL RESTRICTIVE MEASURES IN THE REPUBLIC OF ALBANIA”**

In accordance with point 2, article 100, of the Constitution, articles 6, points 8, 10, points 6, 15, point 5, of law no. 72/2019, “On International Restrictive Measures in the Republic of Albania”, and article 4, of law no. 10325, dated 23.9.2010, “On state databases”, upon the proposal of the Prime Minister and Minister for Europe and Foreign Affairs, the Council of Ministers

DECIDED:

I. PROCEDURES FOR TEMPORARY BLOCKING

1. The Ministry responsible for foreign affairs, hereinafter referred to as the Ministry, upon receipt of notification of the imposition, amendment and repeal of the imposed restrictive measures, pursuant to letters “b”, “c” and “ç”, of point 3, of Article 3, of Law No. 72/2019, “On international restrictive measures in the Republic of Albania”, hereinafter referred to as Law No. 72/2019, shall immediately notify the responsible bodies.

2. Notification shall be made to the contact points designated by the responsible bodies, via official electronic mail.

3. Upon receipt of the notification, the responsible bodies shall immediately take measures for the temporary blocking of assets located in the territory of the Republic of Albania, until the approval of the relevant decision of the Council of Ministers.

4. Upon receipt of notification concerning the imposition, implementation, amendment and repeal of international restrictive measures, the responsible bodies, public bodies, as well as any person, natural or legal, in the Republic of Albania, shall be required to immediately and directly implement, without conditioning the process on the adoption of further sub-legal acts within the country, the temporary blocking of any action, mediation, transaction, transfer, financial or other related service, funds and other assets.

5. The Minister responsible for foreign affairs, within 5 (five) days from receiving notice of the imposition, amendment or repeal of a restrictive measure in cases of binding acts adopted by international organizations and the recommendation of the Committee on International Restrictive Measures for acts of the European Union, shall propose to the Council of Ministers the international restrictive measure and the subject against which this measure is imposed.

**II. ORGANIZATION AND FUNCTIONING OF THE INTERNATIONAL RESTRICTIVE
MEASURES COMMITTEE**

1. The Committee on International Restrictive Measures, hereinafter referred to as the Committee, shall be chaired by the Minister responsible for foreign affairs and, in his absence, by the Deputy Minister delegated by him.

2. The Committee shall meet as follows:

2.1. At the request of the ministry to review:

a) the request of the responsible body addressed to the ministry, in cases where the latter will propose the amendment and repeal of international restrictive measures of a domestic nature. The

request of the responsible body addressed to the ministry must be in accordance with the provisions of Article 9 of Law No. 72/2019.

b) notifications of restrictive measures imposed on the basis of:

i. binding acts adopted by international organizations, of which the Republic of Albania is a member state, excluding restrictive measures imposed by the UN;

ii. acts of the European Union.

2.2 On his own initiative, to fulfill the duties set out in letters “b”, “c”, “ç” and “d”, of point 2, of article 10, of law no. 72/2019.

3. The Committee shall convene upon receipt of a written notice from the Ministry. The notice shall contain the agenda of the meeting, the time and date, which must be within 5 (five) days of receipt of the notice.

4. Except in cases where the purpose of the Committee meeting is not to issue recommendations, the Committee shall decide to issue a recommendation, which shall be signed by all its members.

5. The head of the ministry appoints an official of the relevant structure for international organizations as a "point of contact" for the implementation of restrictive measures, according to Law No. 72/2019, who will participate in each meeting of the Committee.

6. With the authorization of the minister responsible for foreign affairs, the Committee may also be assisted by an official of the relevant structure covering the organization that has notified the imposition, amendment or repeal of the international restrictive measure, as well as an official from the structure that will prepare the legal package for approval by the Council of Ministers of the decision to impose, amend or repeal the international restrictive measure.

7. Documentation and materials used for Committee meetings shall be archived in accordance with the legislation in force on archives.

III. ESTABLISHMENT, CONTENT, RULES OF ADMINISTRATION AND OPERATION, USE AND ACCESS TO THE DATA REGISTER FOR INTERNATIONAL RESTRICTIVE MEASURES

1. An electronic database register for international restrictive measures shall be created in the Ministry.

2. The register shall be maintained, stored, administered and updated in electronic form through a computer system by the official in charge with authorization from the head of the ministry.

3. The register shall contain data collected from authentic sources of data creation by the ministry, as well as data provided by the bodies responsible for:

a) entities subject to international restrictive measures;

b) entities that violate the implementation of restrictive measures, imposed under Law No. 72/2019.

c) court decisions, if any;

ç) the framework of international restrictive measures.

4. The following elements shall be recorded as primary data in this database:

a) The authority that imposed the international restrictive measure;

b) Summary presentation of the circumstances of the fact;

c) The reasons for which the international restrictive measure was imposed;

ç) The enacting clause of the decision;

d) Date and place of decision.

5. The following shall be recorded as secondary data in this database:

a) data regarding the location of the person/entity;

b) the data/personal details of the subject against whom an international restrictive measure has been imposed.

6. The register shall be accessed by:

- a) the ministry, as administrator and user of the registry;
- b) responsible implementing bodies, as readers of the register;
- c) the public, as readers through the ministry's online **website** and the e-Albania government portal.

6.1 Access to this data shall be regulated under the legislation on the right to information and the legislation on the protection of personal data.

IV. FINAL PROVISIONS

1. The responsible bodies, defined in point 4, of Article 10, of Law No. 72/2019, shall send to the Ministry the contact points and functions of the representatives of the Committee, within 15 (fifteen) days from the date of entry into force of this decision.

2. The responsible bodies specified in Article 11 of Law No. 72/2019 shall be charged with the implementation of this decision.

This decision shall enter into force upon publication in the Official Gazette.

PRIME MINISTER
Edi Rama