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## LAW

**No. 10 173, dated 22.10.2009**

### **ON THE PROTECTION OF WITNESSES AND JUSTICE COLLABORATORS**

*(Amended by law no 10 461/2011)*

*(Amended by law no. 32/2017)*

Pursuant to Articles 78 and 83, paragraph 1, of the Constitution, on the proposal of the Council of Ministers,

### **THE ASSEMBLY OF THE REPUBLIC OF ALBANIA**

**DECIDED:**

#### **CHAPTER I**

#### **GENERAL PROVISIONS**

##### **Article 1**

###### **Object**

This law regulates the special, temporary and extraordinary measures, the manner and procedures of the protection of witnesses and justice collaborators, as well as the organization, functioning, competences and relationships among the bodies charged with proposing, assessing, approving and implementing the protection program.

##### **Article 2**

###### **Scope of application**

The provisions of this law are applicable in the framework of criminal proceedings for intentionally committed crimes, regarding which the law provides for a sentence of imprisonment of no less than 4 years at a minimum. The dangerousness of these crimes and their perpetrators should be such as to justify the incurrence of expenditures necessary for protecting one or more persons.

##### **Article 3**

###### **Definitions**

In this law, the following terms have these meanings:

1. "Protection program" is the special, supporting and extraordinary measures applied by the Directorate for the Protection of Witnesses and Justice Collaborators, for the protection of the life and health of protected persons, under the conditions foreseen by this law.
2. "Justice witness" is a person, who, in the capacity of witness or aggrieved person, declares or testifies about facts and circumstances that constitute evidence in a criminal proceeding, and who is in a situation of danger, because of these declarations or testimony.
3. "Justice collaborator" is a person who serves a criminal sentence or is a defendant in criminal proceedings, with regard to crimes committed in complicity, and who is in a situation of danger, because of his collaboration with justice, declarations or testimony about facts and circumstances that constitute evidence in the same criminal proceedings or in related proceedings.
4. "Related persons" are persons who are in a situation of danger because of their kinship or marriage relations, actual cohabitation or close personal relationships with the justice witness or justice collaborator.
5. "Protected persons" are, jointly or separately, justice witnesses, justice collaborators and persons related to them, according to the definitions provided in points 2, 3 and 4 of this Article.
6. "Situation of danger" is a current, concrete and serious situation, because of which life and health are in danger, as a consequence of the testimony of the witness or justice collaborator in criminal proceedings for the criminal offences foreseen by this law.

## **CHAPTER II**

### **BODIES RESPONSIBLE FOR THE PROTECTION OF JUSTICE WITNESSES AND JUSTICE COLLABORATORS**

#### **Article 4**

##### **Responsible bodies**

The bodies responsible for the preparation, assessment, approval and implementation of the protection program for justice witnesses and justice collaborators are:

- a) The Commission for the Assessment of the Protection Program for Justice Witnesses and Justice Collaborators (below, "the Commission").
- b) The Directorate for the Protection of Witnesses and Justice Collaborators (below, "the Directorate").

#### **Article 5**

##### **The Directorate for the Protection of Witnesses and Justice Collaborators**

*(Points 1, 2 and 3 amended by law no. 32/2017, article 1)*

1. The Directorate for the Protection of Witnesses and Justice Collaborators, as a special central structure at the State Police, is the body responsible for preparation, following and implementation of the protection programme. The Directorate extends its activity to the entire territory of the Republic of Albania.
2. The structure and personnel chart of the Directorate shall be approved by the responsible minister for order and public safety.

3. The Directorate has its own budget, as a separate expenditure item in the budget of the State Police Directorate. The administration of the assets and funds necessary for the exercise of activities by the Directorate, the documentation of expenditures, and the supervision of the financial activity of the Directorate are done in such a way as not to allow the disclosure of secret and operational information.

4. The treatment and benefits of the employees of the Directorate are regulated by a decision of the Council of Ministers.

## **Article 6**

### **Duties of the Directorate**

*(Words added to the letter "a" by law no.37/2017, article 2)*

The Directorate has the following duties:

- a) it prepares and sends for examination to the commission the proposals sent by the Prosecutor General or by the Chief Special Prosecutor for acceptance into a protection program;
- b) it conducts an assessment of the psychological and physical conditions of the person proposed to be admitted to a protection program and a comprehensive assessment of the situation of danger, in order for the commission to be informed to the highest degree possible on the suitability of the person with the protection program;
- c) it decides on the application of temporary measures of protection until the final decision is taken by the commission, in the cases and manner provided in Article 18 of this law;
- ç) it adopts special and auxiliary protection measures that will be applied to the person or persons accepted into the program, following the taking of the decision by the commission for admission into the protection program;
- d) it prepares and signs the protection agreement with the protected persons, in accordance with Article 19 of this law;
- dh) it follows the implementation of the protection program;
- e) it administers the data base related to the activity of the Directorate and the progress of the protection program, and takes measures to safeguard and administer it in compliance with the necessary level of classification of information, according to the legal provisions in force;
- ë) it administers the assets and funds available to the Directorate for the exercise of its activity and the implementation of the protection program, including renting premises necessary for technical and operational work;
- f) it proposes and takes measures for coordinating the work with other institutions for the implementation of the protection program for the protected persons;
- g) it follows issues of cooperation with international structures or other states, in the area of protection;
- gj) it prepares periodic reports on the conducted activity and makes proposals for the improvement of the legislation, the implementation of the protection program for protected persons. The reports of the Directorate contain only statistics. No legal provision on the right to information obliges the Directorate to disclose information, whether in a summary or reduced manner, to other state institutions, media or the public. Regular reports are prepared every six months and are made available to the commission.

## **Article 7**

### **Special competences of the Directorate**

1. The Directorate, when it considers it necessary, to the effect of the implementation of the protection measures, addresses a reasoned written request to other state institutions:
  - a) to provide necessary information;
  - b) not to disclose information to persons or entities, which, in ordinary situations, are entitled to obtain such information;
  - c) to inform, in any case, when persons or other entities attempt to obtain information about protected persons.
2. The Directorate, in implementing the protection program, has the right to use false identities and to ask other state institutions to assist in creating them:
  - a) for protected persons;
  - b) for the employees of the Directorate who perform specific duties in fulfilment of the obligations deriving from this law.
3. For the purpose of exemption from criminal liability, the persons who use false identities in implementation of point 2 of this Article and the public functionaries who assist in creating these identities are considered to have acted in the exercise of a right or the implementation of a duty assigned by law, according to Article 21 of the Criminal Code.

## **Article 8**

### **Appointment, release and dismissal from police of employees of the Directorate**

*(Amended by law no.37/2017, article 3)*

1. The police officers in the Directorate are selected from among employees of the police who fulfil the criteria for being appointed to the State Police Directorate according to the laws and subordinate legal acts in force.
2. The candidates for employees at the Directorate are subject to personal verification by the responsible structure on Internal Service in the responsible ministry for order and public safety.
3. The transfer of police officers of the Directorate to another position in the State Police is done in accordance with the procedure provided by law regulating the activity of the State Police, only with the prior written consent of the officer.
4. The taking of disciplinary measures against employees of the Directorate and an appeal against them are done on the basis of law regulating the activity of the State Police.

## **Article 9**

### **Commission for the Assessment of the Protection Program for Witnesses and Justice Collaborators**

*(Points 2 and 3 amended by law no. 37/2017, article 4)*

1. The Commission for the Assessment of the Protection Program for Witnesses and Justice Collaborators is the body responsible for assessing and approving the proposals of the Directorate for:
  - a) admission into the protection program;
  - b) concrete protection measures;
  - c) interruption of the program;
  - ç) conclusion of the program.The Commission also has the competence to examine the complaints made in conformity with Article 26 of this law.
2. The commission is chaired by the deputy minister in the responsible ministry for order and public safety and is composed of:
  - a) a judge proposed by the High Judicial Council in the capacity of deputy chairman;

- b) a prosecutor proposed by the High Prosecutorial Council in the capacity of member;
  - c) a judicial police officer proposed by the Director of the State Police in the capacity of member.
  - ç) the Director of the Directorate in the capacity of the member.
3. The High Judicial Council, High Prosecutorial Council and the Director of the State Police each appoint an alternate member who will take part in the meetings of the commission, when there is a reason that prevents the respective members from taking part in meetings of the commission.
4. The members of the commission are appointed to the position for a term of three years and may be re-appointed. Membership in the commission terminates ahead of time:
- a) when the member no longer exercises a function in the institution that proposed him or because of which he was appointed;
  - b) at his request, accompanied by grounded reasons;
  - c) because of unjustified absence at two consecutive meetings of the commission;
  - ç) for a violation of this law and rules of functioning of the commission.
5. The decision to terminate the tenure of the member of the commission is taken by the body competent for their appointment. In the case of letter “b” of point 4 of this Article, the decision is taken at the request of the member himself, while in the case of letters “c” and “ç” at request of the commission.
6. The judge, prosecutor and judicial police officer who are members of the commission cannot take part in the discussion and decision-making, when they are made aware that the proposal for admission into the protection program is related to criminal proceedings or activities being investigated or tried by them. This prohibition is also valid when there is a conflict of interests or a suspicion of partiality, as provided for in the Code of Criminal Procedure and other legal provisions in force. In such cases, they are replaced by the alternate members.
7. The chairman and the commission members shall benefit financial reward at the extent and way provided for in the decision of the Council of Ministers.

### **CHAPTER III**

## **THE PROTECTION PROGRAM FOR WITNESSES AND JUSTICE COLLABORATORS**

### **Article 10**

#### **General conditions for implementing the protection program**

1. When the implementation of the ordinary protection measures for a witness or justice collaborator is not sufficient and appropriate, a protection program according to this law is applied, if he, at his free will, consents to cooperate with the prosecutor’s office and the court, and, to provide, through his comprehensive declarations and/or testimony, made without conditions and reservations, grounded data that constitute decisive evidence for the detection, investigation and adjudication of crimes and their perpetrators.
2. The implementation of the protection program for the witness or justice collaborator is decided only if he is in a situation of danger, is suitable for being included in the program and accepts at his free will to be part of it and to participate actively in its implementation.
3. The suitability has to do with the psychological, social and physical conditions of the witness or collaborator, which should be such as to create confidence that he will apply the rules of the protection program and will not endanger his own life and health or the life and health of other

persons. If possible, the measure of relocating his residence and amending the entire program shall be taken.

4. In case of a juvenile witness or collaborator, besides the above circumstances, the consequences of admission into the program on his psychosocial development should also be evaluated.

5. Depending on the concrete circumstances, the program may, along with the witness or justice collaborator, also include related persons. The rules provided for in paragraphs 1 and 2 of this Article shall also apply in this case.

6. The protection program does not have the purpose of improving the economic condition of the protected person. Neither the Directorate nor the commission or any other state institution is responsible for the financial obligations that protected persons have at the moment of admission into the protection program.

## **Article 11**

### **Duration of the protection program**

1. The protection program is, as a rule, implemented for an indefinite time period and can be extended throughout the phases of the criminal proceedings, as well as after its completion.

2. The duration of the protection program depends on the existence of the situation of danger, the suitability of the protected person in relation to the special protection measure applied, as well as on the implementation of the obligations provided in the protection agreement by the protected person.

## **Article 12**

### **Protection measures**

*(Letter "d" amended by law no.37/2017 article 5)*

1. In the framework of protection programs, one or more protection measures that are applied for protected persons are:

a) change of identity;

b) change of residence;

c) furnishing false documents;

ç) temporary protection of identity, data and documents;

d) giving testimony under another identity and administration with special means for voice and image deformation, and other forms set according to law, in compliance with Article 361/b of the Code of Criminal Procedure;

dh) physical and technical protection, in the place where the protected person resides, as well as during his movements;

e) social rehabilitation;

ë) provision of financial assistance;

f) professional retraining;

g) provision of advice and specialised legal assistance;

gj) any other measure that is evaluated and approved as necessary in compliance with this law.

## **Article 13**

### **Responsibility for implementing the protection program**

1. The Directorate is responsible for the preparation, coordination of work, and following up the implementation of the protection program.

2. The Directorate cooperates with ministries and other central institutions regarding issues that have to do with following up and implementing the protection program.
3. The bodies, mentioned in point 2 of this Article, coordinate their work with the Directorate, reply to the requests of this Directorate and of the prosecutor, as well as informing on issues and circumstances that have to do with the implementation of the protection program.

#### **Article 14**

##### **Administration of acts, documents and information**

1. The acts, documents and information related to the proposal, the approval and implementation of the protection program are considered “Classified information” and are kept and administered by the Directorate of the Protection of Witnesses and Justice Collaborators.
2. The acts, documents, data as well as every piece of information on the protection program that the ministries and other central institutions possess, shall be considered “Classified information”.

#### **CHAPTER IV**

### **PROCEDURES ON THE APPROVAL AND IMPLEMENTATION OF THE PROTECTION PROGRAM**

#### **Article 15**

##### **Proposal for acceptance into the protection program**

*(Words added to the points 1 and 3 by law no. 37/2017, article 6)*

1. The Prosecutor General or the Chief Special Prosecutor have the right to propose the admission of one or more persons into the protection program.
2. The proposal for admission of one or more persons into the protection program contains indispensably the following data:
  - a) personal data of the person who is proposed for protection;
  - b) explanations on the importance of the statements made or that might be obtained from the witness or justice collaborator, as well as the reasons why the free giving of testimony cannot be obtained in another manner;
  - c) the circumstances in which or because of which the witness or justice collaborator has become aware of the data and the statements given by him or that can be obtained from him;
  - ç) data and other explanations that serve to motivate and support the evaluation of the situation of danger that the person proposed to be protected faces or is expected to face;
  - d) information on the financial condition of the witness;
  - dh) other information, in the judgment of the prosecutor.
3. In the case of a justice collaborator, the proposal is accompanied by a description of the conditions of collaboration with justice that will become part of the protection agreement, according to Article 37/a and 37/b of the Code of Criminal Procedure.

#### **Article 16**

##### **Examination of the proposal for admission into the protection program**

*(Words added to the points 1, 2 and 3 by law no. 37/2017, article 7)*

1. The proposal of the Prosecutor General or the Chief Special Prosecutor for acceptance of one or more persons into the protection program, together with the basic information according to Article 13 of this law, are filed with the Directorate for the Protection of Witnesses and Justice Collaborators, which also exercises the functions of a technical secretariat. This Directorate forwards the documentation to the chairman of the commission no later than 24 hours from the date of its filing.
2. The Prosecutor General or the Chief Special Prosecutor shall, as appropriate and along with the proposal, submit an argued request to the Directorate setting out the reasons according to which this Directorate, in compliance with the specific circumstances, shall implement temporary protection measures, until the commission has finished the examination of his proposal.
3. Upon receiving the proposal, the chairman of the commission tasks the Directorate to undertake an assessment of the physical and psychological conditions of the person proposed for acceptance into the protection program, a comprehensive assessment of the situation of danger, as well as the suitability of the person with the program. For the assessment of the situation of danger, the Directorate may ask the witness, justice collaborator or related persons for information on any previous violation of the law committed by him, regardless of whether he was convicted or not. In cases when statements are made about criminal offences committed by the witness, justice collaborator or related persons, the Directorate immediately notify the Prosecutor General or the Chief Special Prosecutor to review the request only for the purpose provided in this point.

## **Article 17**

### **Decision-making of the commission**

*(Words added to the points 1 and 3 by law no. 37/2017, article 8)*

1. The meetings of the commission are convened by the chairman within 5 days from the delivery of the proposal of the Prosecutor General or the Chief Special Prosecutor to the Directorate. In particular and urgent cases, the commission is convened immediately.
2. The meetings of the commission are valid when the majority of its members are present. Its decisions are valid when they are approved by three members present in the meeting.
3. The commission takes a decision no later than 10 days from the first meeting, and, in any case, no later than 15 days from the submission of the proposal from the Prosecutor General or the Chief Special Prosecutor and the respective documentation to the Directorate.
4. The rules and the procedures foreseen in this Article are also applied in cases of the interruption and conclusion of the protection program.

## **Article 18**

### **Temporary protection measures**

*(Words added to the point 1 by law no. 32/2017, article 9)*

1. In specific and urgent cases, upon the request of the proceeding prosecutor, the Directorate decides on the immediate implementation of temporary protection measures. For this purpose, the Directorate and the protected person sign a temporary protection agreement. The Prosecutor



General or the Chief Special Prosecutor should submit the proposal for acceptance of the person into the protection program within 30 days from the date of the start of implementation of the temporary measures.

2. The temporary protection measures are established in compliance with the situation of danger, and in such forms that guarantee, temporarily and preliminarily, the necessary level of protection.

## **Article 19**

### **The agreement with the protected person**

*(Words added to the points II and III by law no. 32/2017, article 10)*

1. In the shortest time possible and in any case no later than 10 days from the date of approval of the acceptance into the protection program, the Directorate prepares the agreement for application of the protection program (protection agreement) and takes measures for discussing and signing it with the witness, justice collaborator and other protected persons.

2. Before the agreement is signed, the justice collaborator is obliged to inform the Directorate in detail on the kinds and quantity of assets owned by him. If any of the assets owned by the justice collaborator has emerged as proceeds of crime, or income or a benefit from proceeds of crime, or assets mixed with those proceeds, the person should state this fact. In cases of such a declaration, the Directorate immediately informs the Prosecutor General or the Chief Special Prosecutor.

3. The Directorate informs the Prosecutor General or the Chief Special Prosecutor of the signing of the protection agreement. The contents of the agreement, the location of the person or his new identity are not made known to the Prosecutor General or the Chief Special Prosecutor or the proceeding prosecutor, while his location and new identity should not be made known even to the commission.

4. The responsibilities and effects of the protection program for the Directorate and the protected person start at the time and in the manner provided in the agreement.

5. In a case when the protected person is a juvenile or is an adult whose legal capacity to act has been limited or taken away, his opinion on acceptance into the program and on the content of the agreement is taken, in accordance with the principles of the highest interest of the child and those of legal capacity to act. In these cases, the final approval and signing of the protection agreement is done by the parent or legal guardian.

6. The protection agreement is not a contract of obligation within the meaning of the Civil Code. The protected person or his heirs cannot seek the execution of this agreement before the court, neither the compensation if the agreement has not been executed or when he alleges that he has suffered damage.

## **Article 20**

### **Contents of the agreement**

1. It is mandatory to provide the following issues in the protection agreement:

a) the obligations of the protected persons;

b) the special and supplementary measures that will be taken by the Directorate in order to offer to the protected person the proper protection according to the level and circumstances of danger;

c) the cases and circumstances for changing and interrupting the protection program;

ç) the cases of voluntary acceptance of the protection program by the protected person.

- d) the conditions of cooperation with justice, in the case of justice collaborators.
2. The protection agreement also provides a more detailed regulation of the fulfilment of the following conditions and obligations by the protected person:
- a) to accept the conditions and guidelines set in the protection program and to collaborate actively for their implementation;
  - b) to keep account of the nature of classified information and under no circumstance make known any data on the protection program and other data related to it, warning about criminal liability according to Article 295/a of the Criminal Code in case of a violation of the obligation of secrecy related to the protection program, even after its conclusion;
  - c) to avoid every action or omission that might endanger the implementation of the protection program or that might bring as a result another situation of danger for the protected person;
  - ç) to inform immediately the Directorate on its requests or events or changes of his living circumstances or personal activity, and also about the contacts and relations with third parties that might endanger the implementation and guaranties offered by the protection program;
  - d) to accept, without a specific court decision, if it is essential for protection purposes or the purposes of the criminal proceedings, the use of technical equipment for visual and/or audio recording, surveillance and safekeeping in his own premises;
  - dh) other obligations that the Directorate considers essential, depending on the nature and circumstances of the specific case;
  - e) obligations for the parent or guardian, in a case when the protected person is a juvenile or his legal capacity to act has been limited or removed.

### **Article 21**

#### **Exemption of employees of the Directorate from civil liability**

A civil lawsuit cannot be brought against an employee of the Directorate by persons accepted into the protection program for actions and/or failures to act done in good faith during the exercise of a duty assigned by this law.

### **Article 22**

#### **Extraordinary protection measures**

1. The State Police, pre-trial detention institutions or institutions of the execution of criminal decisions may, according to the level of the situation of danger for witnesses, justice collaborators and related persons, order and implement extraordinary protection measures, according to the definitions provided by this law or by other laws and regulations that regulate their activity. The proceeding prosecutor is notified of these measures no later than 24 hours from when they are taken.
2. With the consent of the proceeding prosecutor, the extraordinary measures may be extended until the danger motivating their taking is avoided or until the commission has taken the respective decision.

### **Article 23**

#### **Interruption of the protection program**

1. The protection program may be interrupted by the commission in the following cases:
  - a) if during the investigation and trial of the criminal case, it is proven that the witness or justice collaborator is giving false statements or testimony or for any reason is not giving statements or testimony for which admission into the program was allowed;

- b) if the protected person commits an intentional criminal offence;
  - c) if after the beginning of implementation of the protection program, reasonable and grounded data are obtained about the involvement of the protected person in criminal activity not declared by him;
  - ç) if the witness, justice collaborator or other protected persons do not respect the obligations mentioned in the protection agreement and/ or the conditions of collaboration with justice;
  - d) if an authority of another state seeks the termination of the protection program implemented in its territory.
2. During the examination of the circumstances of the interruption, the commission is made aware only of the reasons for interruption of the program.

## **Article 24**

### **Ending of the protection program**

1. The protection program ends in the following cases:
- a) if it is assessed that the situation of danger motivating the implementation of the protection program does not exist any more;
  - b) if the protected person has died;
  - c) at the written request of the protected person or his guardian.
2. Following the end of the protection program, the protected person may choose to keep his new identity, if he has been given one, or to take back his true identity.
3. If the person under a protection program is killed or physically injured to the degree that becomes incapable of working because of the failure of protection measures implemented, at the proposal of the Directorate, the commission may designate special financial assistance for the person or his dependent family members.

## **Article 25**

### **Notices of interruption or ending of the protection program**

*(Words added to the point 1 by law no. 32/2017, article 11)*

1. The Directorate immediately notifies the Prosecutor General or the Chief Special Prosecutor in writing about the circumstances mentioned in Articles 23 and 24 of this law.
2. In the case of a request for terminating the protection program or when the protected person has died, the protection program is immediately terminated for the person requesting it or having died, but it may continue, depending on the circumstances, for other protected persons included in it.

## **Article 26**

### **Appeal procedures**

1. The protected person has the right of complaint to the commission and to request that the measures chosen to be applied for him by the Directorate be changed or supplemented, presenting the reasons. The time period for filing the complaint is five days starting from the day after the notification of the decision of the Directorate. The appeal does not suspend the application of the chosen measure. The decision of the commission is final.

2. During the examination of the complaint according to point 1 of this Article, the commission shall not be informed of details that reveal the current identity and location of the person who is in the protection program.

## **CHAPTER V FINAL PROVISIONS**

### **Article 27**

#### **International cooperation**

1. International cooperation is achieved on the basis of the rights and obligations stemming from international agreements to which the Republic of Albania is a party or through agreements for specific cases, entered into by the director of the Directorate with similar entities in other countries.
2. The agreements on specific protection programs may provide for the mutual implementation of the protection program, including the change of residence and the stay of protected persons in the respective territories of the parties.
3. The agreements on specific cases shall be considered “Classified information”, and the general rules as in the case of international agreements foreseen by the legislation in force shall not be applied.

### **Article 28**

#### **Sublegal acts**

Within 6 months from the entry into force of this law, the following subordinate legal acts shall be adopted:

1. A decision of the Council of Ministers on the treatment and benefits of the employees of the Directorate for the Protection of Witnesses and Justice Collaborators, in implementation of point 4 of Article 5 of this law;  
1/1 A decision of the Council of Ministers for the financial reward of the chairman and members of the commission, implementing point 7 of the Article 9 of this law;
2. Joint instructions of the Minister of Interior, Minister of Justice and the Prosecutor General for:
  - a) detailed rules and criteria for the issues provided for in points 1, 2 and 3 of Article 10 of this law;
  - b) detailed rules on the duties, responsibilities, forms and procedures for coordinating and information among institutions, in implementation of Article 13 of this law;
  - c) criteria and procedures for safeguarding, administering and classifying the information of the protection program of witnesses and justice collaborators, in implementation of point 1 of Article 14 of this law;
  - ç) detailed rules for the cases, procedures and manners of implementing protection measures, in implementation of Articles 15, 16 and 18 of this law;
3. Joint instructions of the Minister of the Interior and the Minister of Finance on:
  - a) the administration of assets and funds necessary for the exercise of the activities of the Directorate, the recording of expenditures, and the auditing of the financial activity of the Directorate, in implementation of point 3 of Article 5 of this law;
  - b) the manner of setting financial assistance and its amount, in implementation of point 2 of Article 12 of this law;

4. Internal rules of the Directorate on:

a) rules of a technical and operational nature on the conditions, methodologies and procedures for the verification, preparation and implementation of the protection program, on the manner, forms and means of communication, and on the administration of documents and information related to its activity, in implementation of Article 6 of this law;

b) detailed rules and criteria on the content, meaning, suitability, manner and procedures of setting and gradation of the measures that constitute the protection program;

c) detailed rules on the procedures of expression of will, discussion and signature, the form and the content, as well as following up the abidance by the conditions of the protection agreement, in implementation of Articles 19 and 20 of this law.

5. The internal rules of the commission on detailed rules for the criteria and work procedures, convening and participating at the meetings, absence and impossibility to assign and perform this duty.

6. Instructions of the heads of the institutions for filing, maintaining and administering information on the protection program of witnesses and justice collaborators, in implementation of point 2 of Article 14 of this law.

#### **Article on sublegal acts**

*(Provided by law no. 37/2017 article 12)*

Within 6 months from the date this law enters into force, the joint instruction of the Minister responsible for public order and security, the Minister of Justice and the High Council of Prosecutor, shall be adopted for:

a) detailed rules and criteria for the issues provided in points 1, 2 and 3 of Article 10 of this law;

b) detailed rules on the duties, responsibilities, forms and procedures of coordination and information, between institutions, pursuant to Article 13 of this Law;

c) the criteria and procedures for maintaining, administering and classifying information on the program of witness protection and justice collaborators pursuant to point 1 of article 14 of this law;

ç) detailed rules on cases, procedures and ways of implementing protection measures, pursuant to articles 15, 16 and 18 of this law.

#### **Article 29**

##### **Repeals**

Law no. 9205, dated 15.3.2004, “On the protection of witnesses and justice collaborators” is repealed.

#### **Article 30**

##### **Transitional provisions**

1. The mandate of the members of the commission that started in conformity with law no. 9205 dated 15.3.2004 “On the protection of witnesses and justice collaborators”, will continue until the end of their mandate.

2. Until the approval of subordinate legal acts according to Article 28 of this law, the subordinate legal acts approved in implementation of law no. 9205, dated 15.3.2004, “On the

protection of witnesses and justice collaborators” shall be applied, so long as they are not contrary to this law.

### **Article 31**

#### **Entry into Force**

This law enters into force 15 after its publication in the Official Journal.