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**Review of implementation of the United Nations  
Convention against Corruption**

**Executive summary**

**Note by the Secretariat**

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## II. Executive summary

### Albania

#### 1. Introduction: Overview of the legal and institutional framework of Albania in the context of implementation of the United Nations Convention against Corruption

The United Nations Convention against Corruption was signed by Albania on 31 October 2003. It was ratified by Parliament on 13 March 2006 through Law No. 9492 and decreed by the President through Decree No. 4820 of 28 March 2006. Albania deposited its instrument of ratification with the Secretary-General of the United Nations on 25 May 2006.

With respect to international law, article 122 of the Constitution states that generally accepted rules of international law and international conventions, when they have been ratified by an act and have come into effect, shall form an integral part of Albanian domestic law and shall override any other contrary provision of domestic law.

Albania has several competent bodies in the fight against corruption, including specialized directorates and units dealing with corruption and economic crimes, established at the prosecution offices and the State police, at both the central and local levels. The General Directorate for the Prevention of Money Laundering (the Albanian financial intelligence unit (FIU)) also plays an important role in the fight against money-laundering and corruption.

#### 2. Chapter III: Criminalization and law enforcement

##### 2.1. Observations on the implementation of the articles under review

###### *Bribery and trading in influence (arts. 15, 16, 18 and 21)*

Active bribery of national public officials is criminalized pursuant to articles 244 (Active corruption of persons exercising public functions), 245 (Active corruption of high State officials and local elected representatives) and 319 (Active corruption of judges, prosecutors and other justice officials) of the Criminal Code (CC).

Passive bribery of national public officials is criminalized pursuant to articles 259 (Passive corruption by public officials), 260 (Passive corruption of high State officials and local elected representatives) and 319/ç (Passive corruption of judges, prosecutors and other justice officials) of the CC. Article 23 of the Conflict of Interest Law No. 9367 of 7 April 2005 is also relevant.

Active bribery of foreign public officials is criminalized pursuant to articles 244/a (Active corruption of foreign public employees), 319/a (Active corruption of the judge or officials of international courts), 319/b (Active corruption of foreign and domestic arbiters) and 319/c (Active corruption of members of foreign judicial juries) of the CC.

Passive bribery of foreign public officials is criminalized pursuant to articles 259/a (Passive corruption of foreign public employees), 319/d (Passive corruption of the judge or officials of international courts), 319/dh (Passive corruption of domestic or foreign arbiters) and 319/e (Passive corruption of members of foreign judicial juries) of the CC.

The relevant articles of the CC criminalizing active and passive bribery of national and foreign public officials do not explicitly cover the situation where the undue advantage is for an entity.

Active and passive trading in influence is criminalized pursuant to article 245/1 of the CC.

Active and passive bribery in the private sector is criminalized pursuant to articles 164/a and 164/b of the CC.

*Money-laundering, concealment (arts. 23 and 24)*

The laundering of proceeds of crime is criminalized pursuant to article 287 of the CC. However, this article does not cover the situation where the purpose of the offence is to help any person who is involved in the commission of a predicate offence to evade the legal consequences of his or her action. The CC criminalizes the different aspects of criminal participation, as well as the attempt (attempt: arts. 22 and 23; participation, conspiracy, aiding, abetting, facilitating and counselling: arts. 25, 26, 27 and 287/dh).

Albania adopts an “all-crimes” approach to defining predicate offences (art. 287 CC). Predicate offences include offences committed both within and outside Albania, provided the dual criminality condition is met. Article 287 of the CC explicitly criminalizes self-laundering.

Concealment is not established as a separate offence; however, the offender can be prosecuted pursuant to articles 26 (collaborators) or 287/b (money-laundering) of the CC.

*Embezzlement, abuse of functions and illicit enrichment (arts. 17, 19, 20 and 22)*

Articles 135, 143, 256, 257 and 258 of the CC partially address the requirements of article 17 of the Convention. For example, article 256 is limited to the misuse of funds “given by the State or State institutions to be used in works and activities of public interest” and does not seem to cover private funds. Moreover, the cited articles do not explicitly cover the diversion of funds or third party benefits.

Abuse of functions in the public sector is criminalized pursuant to article 248 of the CC. However, this article subjects the offence to a condition, which is the actual obtaining of “unjust material or non-material benefits” or when the offence “has brought damages to the legitimate interests of the State, citizens and other legal entities, when it does not constitute another criminal offence”.

Illicit enrichment is not criminalized.

Embezzlement of property in the private sector is criminalized (arts. 135, 143 and 164 CC).

*Obstruction of justice (art. 25)*

The use of physical force, threats or intimidation or the promise, offering or giving of an undue advantage is criminalized pursuant to articles 312 and 312/a of the CC when the purpose is to induce false testimony or to interfere in the giving of testimony, but not when the purpose is to interfere in the production of evidence.

The CC, in particular articles 237, 238, 316 and 317, addresses threats and the use of force against public and judicial officers to interfere with the exercise of their official duties.

*Liability of legal persons (art. 26)*

The CC (art. 45) and the Law on the Criminal Liability of Legal Persons provide for the criminal liability of legal persons for criminal acts performed by their bodies or representatives on their behalf or for their benefit. Civil liability of legal persons can also be recognized pursuant to article 61 (Civil lawsuit in criminal proceedings) of the Criminal Procedure Code (CPC), while criminal and administrative liability, in money-laundering cases, is recognized pursuant to article 26 of Law No. 9917 (Anti-Money-Laundering Law).

The criminal liability of legal persons does not preclude the criminal liability of the natural persons who have committed the offences.

Albanian legislation, in particular articles 8 to 13 of the Law on the Criminal Liability of Legal Persons, subjects legal persons held liable to adequate sanctions, including fines, termination and closure of one or more activities or structures.

*Participation and attempt (art. 27)*

Criminal participation is dealt with under articles 25 to 27 of the CC, and attempt is dealt with under articles 22 and 23 of the CC. While the attempt of any crime is criminalized, attempted contraventions are not. All offences covered by the Convention and criminalized in Albania, with the exception of “threatening a public official on duty” (art. 238 CC), can be sentenced to more than two years’ imprisonment and fall under the category of crimes. This makes their attempt a criminal offence.

The preparatory acts for an offence are not criminalized.

*Prosecution, adjudication and sanctions; cooperation with law enforcement authorities (arts. 30 and 37)*

Albania has adopted penalties for corruption offences that range from a fine up to 20 years’ imprisonment, taking into account the gravity of the offence, in addition to accessory or supplementary penalties.

Immunities do not seem to constitute legal impediments to the effective prosecution of corruption-related offences. The Constitution provides for the immunity of parliamentarians and judges. They may not be arrested, deprived of liberty or subject to control over their person or dwelling without authorization from the Assembly or the relevant judicial body, unless caught *in flagrante delicto* or immediately after the commission of a crime. According to article 90 of the Constitution, the President of the Republic may be discharged for serious violations of the Constitution and for the commission of a serious crime (which is not defined). Ministers enjoy the same immunity as parliamentarians. Immunities are limited to search and arrest and do not cover investigations.

Albania follows a system of mandatory prosecution (art. 290 CPC).

The CPC (arts. 227-267) provides for measures, including prohibition to leave the country, obligation to appear before the judicial police, and prohibition or obligation to reside in a certain place, and for property security to ensure that decisions on release pending trial or appeal take into consideration the presence of the defendant at subsequent criminal proceedings. Early release by court order is possible if a period ranging from half to three-quarters of the prison sentence has been completed.

A public official accused of an offence for which the law provides a prison sentence of not less than one year may be suspended from duty by the court (art. 241 CPC). This applies to all offences covered by the Convention and criminalized in Albania. Other relevant provisions can be found in the Law on the Organization of the Judicial Power and the Law on Civil Servants.

The CC contains the sanction of removal or disqualification from holding public office (arts. 30 and 35). Several articles of the Constitution are also relevant.

Albania does not explicitly provide for the disqualification from holding office in State-owned enterprises, although article 30, paragraph 6, of the CC could be used for the deprivation of the right to undertake leading positions in such enterprises.

Article 58 of the Law on Civil Servants provides for disciplinary sanctions of civil servants. Both disciplinary and criminal sanctions can be imposed in corruption cases.

Albania does not have customized programmes to promote the reintegration into society of persons convicted of corruption offences.

Albania has measures in place to encourage the cooperation of offenders with law enforcement and judicial authorities, including a range of protection measures for “justice collaborators” and “related persons”, as stipulated in the Law on the Protection of Witnesses and Justice Collaborators and the CPC (art. 361/a). Such cooperation might also be considered a mitigating circumstance (arts. 49 and 52/a CC).

Albania does not provide for the possibility of granting immunity from prosecution to persons who provide substantial cooperation in investigations or prosecutions. However, article 52/a of the CC provides for a permissive exemption from punishment by court decision if the offender reports and gives assistance during the criminal proceedings of a number of offences relevant to the implementation of the Convention.

Albania can enter into agreements to provide for the possibility of mitigating or exempting from punishment persons collaborating with justice abroad.

*Protection of witnesses and reporting persons (arts. 32 and 33)*

Albania has a comprehensive Law on the Protection of Witnesses and Justice Collaborators, which also covers their relatives and other persons close to them. Protection measures include change of identity, relocation and physical protection. The law also establishes two bodies responsible for the protection programme: the Commission for the Assessment of the Protection Programme for Justice Witnesses and Justice Collaborators and the Directorate for the Protection of Witnesses and

Justice Collaborators. The Law also applies to victims insofar as they are witnesses (art. 3).

However, the application of this Law is limited to crimes committed intentionally, for which the Law provides for a four-year minimum prison sentence. This excludes a number of corruption-related offences. Moreover, the Law does not provide for the protection of experts, their relatives and other persons close to them.

Albania permits testimony to be given through the use of communications technology (arts. 361 and 361/a CPC; art. 12/d, Law on the Protection of Witnesses). This enables the views and concerns of victims to be presented and considered at appropriate stages of criminal proceedings.

Albania has signed relocation agreements with 20 European countries, pursuant to article 27 of the Law on the Protection of Witnesses.

Albania has a draft law on whistle-blowing, which would provide legal protection for reporting persons.

*Freezing, seizing and confiscation; bank secrecy (arts. 31 and 40)*

Article 36 of the CC regulates the confiscation, upon criminal conviction, of proceeds of crime and instrumentalities used or destined for use in the commission of offences. The same article also provides for value-based confiscation and for the confiscation of transformed, converted and intermingled criminal proceeds, in addition to income or other benefits derived therefrom.

The CPC (mainly arts. 198-220) and the Anti-Money-Laundering Law (mainly art. 22) provide for a wide range of investigative measures available for the identification, tracing, freezing or seizure of criminal proceeds and instrumentalities.

The CPC provides some general measures to regulate frozen, seized and confiscated property; however, such measures do not seem to be enough to deal with perishable, depreciable and complex assets. Although Albania has established an Agency for the Administration of Seized and Confiscated Assets, the mandate of this Agency is limited to assets related to the Albanian anti-mafia law (Law No. 10192).

Bank secrecy does not seem to be an obstacle to effective criminal investigations. Article 210 of the CPC empowers the court, and in urgent cases the prosecutor, to order the seizure of bank documents, negotiable instruments, sums deposited in current accounts and any other thing, even if they are in safety vaults. Financial and commercial documents can also be seized by a judge or prosecutor (art. 208 CPC).

An offender can be required to demonstrate the lawful origin of alleged proceeds of crime or other property liable to confiscation, pursuant to the Law on the Prevention and Combating of Organized Crime and Trafficking through Preventive Measures against Assets, for a number of offences covered by the Convention.

The CPC (art. 276) provides for the protection of the rights of bona fide third parties.

*Statute of limitations; criminal record (arts. 29 and 41)*

The statute of limitations for offences covered by the Convention and criminalized in Albania ranges from 5 to 20 years, with the exception of “threatening a public official on duty” (art. 238 CC), for which the statute of limitations is two years. A longer statute of limitations or the suspension of the statute where the alleged offender has evaded the administration of justice do not appear to be covered.

Pursuant to article 10 of the CC, foreign convictions of alleged offenders can be taken into consideration for the effect of recidivism, the execution of sentences comprising additional punishment, the implementation of security measures and the compensation of damages or other civil law effects.

*Jurisdiction (art. 42)*

Albania has established jurisdiction with regard to the circumstances referred to in article 42 of the Convention (arts. 5-8 CC and art. 77 CPC), with the exception of corruption offences when the alleged offender is present in its territory and it does not extradite him or her.

*Consequences of acts of corruption; compensation for damage (arts. 34 and 35)*

Although corruption is a factor for exclusion from public tenders during the awarding stage, pursuant to the Law on Public Procurement (art. 26) and the Law on Concessions and Public-Private Partnership (art. 11), corruption does not seem to be a relevant factor in legal proceedings to annul or rescind contracts, withdraw concessions or similar instruments, or take any other remedial action.

Article 608 of the Civil Code establishes civil liability for damages. In trials for criminal offences, civil compensation for damage caused by the accused can be sought in the criminal proceedings (art. 61 CPC).

*Specialized authorities and inter-agency coordination (arts. 36, 38 and 39)*

Albania has several competent bodies in the fight against corruption. Seven specialized directorates dealing with corruption and economic crimes have been set up within the framework of the prosecutor offices, led by the prosecutor. Those directorates involve other substructures such as the judicial police office, officers from tax and customs, FIU, the High State Audit, and the secret services. They include around 40 prosecutors and 60 police officers, in addition to contact points.

Moreover, a new structure, composed of a Chair and four prosecutors, has been established under the prosecution of serious crimes to investigate cases related to judges, prosecutors and high-ranking officials.

Regarding the State police, a directorate against economic and financial crimes has been established at the central level. It comprises three sections: the corruption section, the money-laundering section and the economic and financial crimes section. This structure is mirrored at the local level.

According to Law No. 108 of 2014 on the State Police, a national investigative bureau dealing only with the corruption of high-ranking officials should be established. However, the Constitutional Court suspended the related articles. An amendment of the Law is planned for the future.

The Albanian FIU also plays an important role in the fight against money-laundering and corruption.

These bodies appear to receive training and adequate resources and to be sufficiently independent.

Regarding cooperation between national authorities, article 281 of the CPC establishes an obligation on public officials who, during the course of their work or because of their functions or service, receive notice of a criminal offence, to report the matter to a prosecutor or judicial police officer. Other articles of the CC (arts. 304 and 305/a) establish an obligation to provide, upon request, to the prosecutor all necessary information in the context of a criminal investigation. The Anti-Money-Laundering Law also contains relevant provisions on cooperation between the FIU and national authorities, including the Prosecutor's Office, regarding money-laundering offences (art. 22/e). Additionally, several memorandums of understanding (MoUs) and joint instructions have been signed or issued to foster cooperation between competent national authorities.

Regarding cooperation between national authorities and the private sector, the Anti-Money-Laundering Law establishes the obligation of a number of private sector entities, including banks, exchange offices, insurance companies, audit firms and lawyers, to report to the FIU any suspicious transactions and to provide it with any additional information it may request (arts. 12 and 16/4). The FIU has been also engaged in training and awareness-raising activities for private sector entities (art. 22/i Anti-Money-Laundering Law).

Article 298 of the CPC establishes an obligation on all citizens who receive notice of a criminal offence to report it to a prosecutor or judicial police officer. Anonymous reports are also accepted. Moreover, the CC (art. 300) establishes a general obligation to report crimes. Albania has several hotlines and web portals in place to report corruption.

## **2.2. Successes and good practices**

In general, the following are highlights of the successful experiences and good practices in the implementation of chapter III of the Convention against Corruption:

- The offence of bribing foreign public officials and officials of public international organizations covers members of foreign public assemblies, members of international parliamentary assemblies, members of foreign juries, judges or officials of international courts and foreign arbiters (art. 16, paras. 1 and 2).
- The offence of trading in influence extends to foreign public functionaries (art. 18).

## **2.3. Challenges in implementation**

The following steps would allow further enhancement of existing anti-corruption measures:

- Explicitly criminalize the active and passive bribery of national public officials when the undue advantage is for an entity (art. 15(a) and (b)).
- Explicitly criminalize the active bribery of foreign public officials and officials of public international organizations when the undue advantage is for



an entity (art. 16, para. 1), and consider doing the same regarding the passive bribery of foreign public officials and officials of public international organizations (art. 16, para. 2).

- Criminalize embezzlement, misappropriation or other diversion of property by public officials, in line with article 17 of the Convention.
- Consider aligning article 248 of the CC with the Convention (art. 19).
- Consider criminalizing “illicit enrichment” (art. 20).
- Criminalize money-laundering when the purpose of the offence is to help any person who is involved in the commission of a predicate offence to evade the legal consequences of his or her action (art. 23, para. 1(a)(i)).
- Criminalize the use of physical force, threats or intimidation or the promise, offering or giving of an undue advantage to interfere in the production of evidence (art. 25(a)).
- Establish a longer statute of limitations period or provide for the suspension of the statute where the alleged offender has evaded the administration of justice (art. 29).
- Consider establishing procedures for the disqualification of persons convicted of corruption-related offences from holding office in State-owned enterprises (art. 30, para. 7(b)).
- Consider taking further measures to promote the reintegration into society of persons convicted of corruption offences (art. 30, para. 10).
- Adopt additional measures to regulate the administration of frozen, seized and confiscated property (art. 31, para. 3).
- Extend the scope of available protection to all offences covered by the Convention, and provide for the protection of experts, their relatives and other persons close to them (art. 32, para. 1).
- Continue efforts to incorporate into the domestic legal system appropriate measures to provide protection against unjustified treatment for reporting persons in corruption-related cases (art. 33).
- Adopt additional measures to address the consequences of acts of corruption, especially after the awarding of tenders (art. 34).
- Establish its jurisdiction over the offences covered by the Convention when the alleged offender is present in its territory and it does not extradite him or her (art. 42, para. 4).

### **3. Chapter IV: International cooperation**

#### **3.1. Observations on the implementation of the articles under review**

*Extradition; transfer of sentenced persons; transfer of criminal proceedings (arts. 44, 45 and 47)*

Extradition is governed principally by chapter I (arts. 488-504) of the CPC, arts. 10 and 11 of the CC and chapter III (arts. 31-52) of Law No. 10193 on Jurisdictional Relations with Foreign Authorities in Criminal Matters. Albania can proceed in

extradition matters on the basis of international treaties or, in the absence of a treaty, on the basis of reciprocity as a matter of discretion by the Minister of Justice, in accordance with article 9 of Law No. 10193. As a matter of practice, Albania requires a reciprocity undertaking in cases where there is no bilateral or multilateral treaty in place. At the time of review, Albania was party to 10 bilateral and multilateral extradition treaties. Albania recognizes the Convention against Corruption as a basis for extradition (art. 122 of the Constitution).

Conditions on extradition and grounds for refusal are established (principally, art. 11 CC; arts. 490 and 491 CPC; and arts. 8 and 32 Law No. 10193). Dual criminality is a requirement for extradition under article 11 of the CC, article 491 of the CPC and article 32 of Law No. 10193, and under Albania's treaties. Moreover, there is a requirement that the foreign State has imposed a sentence of imprisonment of at least one year (art. 32(a) Law No. 10193). Extradition is therefore limited to the extent that not all offences covered by the Convention have been criminalized. There is no legal restriction on extradition for fiscal matters.

Accessory extradition is not provided for in Albanian legislation, and Albania would apply the Convention directly in such cases.

Albania does not consider offences covered by the Convention to be political offences (art. 11 CC, art. 491 CPC and art. 9 Law No. 10193). However, a judicial decision on the matter may be overridden by the Minister of Justice, who makes the final decision in determining what constitutes a political offence. There have been no corruption-related cases to date where the issue of political or military offences has arisen.

The procedure for handling requests for the extradition of Albanian nationals is contained in article 38(5) and (7) of Law No. 10193. Article 6 of the CC provides for the application of Albanian criminal law to acts committed by Albanian citizens. Articles 53-61 of Law No. 10193 provide for the recognition and execution of foreign criminal judgments, including against nationals. No Albanian citizens have been extradited to date in corruption-related matters.

Requests are submitted to the courts for examination within 40 days of receipt. Following a decision by the Minister within 30 days of receipt, the request is transmitted to the relevant prosecutor, who submits it to the court for examination within 10 days of receipt, in accordance with Law No. 10193. If there is no objection to the extradition, the matter is handled within three months from the date of receipt (art. 492 CPC). Albania has ratified the Third Additional Protocol to the European Convention on Extradition, which provides for simplified extradition among member States.

Albania has adopted measures to ensure the fair treatment of persons in extradition proceedings (principally, arts. 17 and 18 Constitution; arts. 4-9, 496 and 497 CPC; art. 11 CC; and arts. 8 and 32, Law No. 10193). Albania has further ratified the European Convention for the Protection of Human Rights and Fundamental Freedoms. The discriminatory purpose of a request is addressed (art. 11 CC, art. 491 CPC and arts. 8 and 32 Law No. 10193).

No corruption-related requests for extradition have been received or refused by Albania to date, including requests under the Convention.

Articles 60 and 64 of Law No. 10193 regulate the transfer of prisoners. Albania has entered into two prisoner transfer treaties.

Law No. 10193 regulates the transfer of criminal proceedings to and from Albania.

*Mutual legal assistance (art. 46)*

Mutual legal assistance (MLA) is governed principally by chapter II (arts. 505-511) of the CPC, article 10 of the CC and chapter II (arts. 13-30) of Law No. 10193. As for extradition, Albania can proceed, in the absence of a treaty, on the basis of reciprocity as a matter of discretion by the Minister of Justice. As a matter of practice, Albania requires a reciprocity undertaking in cases where there is no bilateral or multilateral treaty in place.

Albania has concluded several bilateral and multilateral treaties and also recognizes the Convention against Corruption as a basis for MLA. In the case of a conflict between international treaties and domestic law, the treaty provisions prevail (art. 1 Law No. 10193).

Dual criminality is a fundamental requirement for MLA (art. 506(4)(b) CPC). However, there is no requirement to render non-coercive action in the absence of dual criminality. A *de minimis* threshold is not established.

Requests are executed in accordance with domestic law and, where possible, procedures specified in the request (arts. 507 and 511 CPC; arts. 16, 17 and 20 Law No. 10193). A judicial decision is required for Albania to render certain forms of assistance (arts. 506 and 507 CPC).

Albania may provide a wide range of assistance in relation to investigative acts, as provided for in the CPC and Law No. 10193. The spontaneous transmission of information is addressed (arts. 27 and 28 Law No. 10193). There is no provision that establishes a limitation on the use of information obtained through MLA.

The temporary transfer of prisoners is regulated in articles 19 and 21 of Law No. 10193. However, there is no obligation to guarantee the protection and return of the person within a defined period or to ensure that consent is provided.

Hearings may be conducted by telephone or videoconference or in the presence of foreign judicial authorities (art. 20(3) and (4) CPC; art. 16 Law No. 10193).

The central authority for MLA is the Albanian Ministry of Justice. Requests received directly between judicial authorities must be transmitted simultaneously to the Ministry. Requests may also be received through the International Criminal Police Organization (INTERPOL).

Article 121 of Law No. 10193 and internal orders in the Ministry of Justice and General Prosecution ensure the confidentiality of information.

No corruption-related requests for MLA have been received or refused by Albania to date, including requests under the Convention.

Albania recognizes grounds for refusal (principally, arts. 505 and 506 CPC; arts. 8 and 11 Law No. 10193). Assistance may not be refused on the sole ground that the offence also involves fiscal matters.

Albanian legislation provides that the expenses of executing MLA requests are borne by the requesting State. Provisions regulating the exchange of public records are not established in domestic legislation.

*Law enforcement cooperation; joint investigations; special investigative techniques (arts. 48, 49 and 50)*

Albanian law enforcement authorities cooperate internationally through INTERPOL and European Police Office (Europol) channels. Albanian State police cooperate with counterpart bodies of the region through various forms of cooperation such as bilateral and multilateral agreements, MoUs and protocols. The Albanian State police also implement the Convention on police cooperation in South-East Europe (Vienna Convention) for cross-border cooperation. Albania recognizes the Convention against Corruption as a basis for law enforcement cooperation, although there has been no experience in its application.

Albanian State police has posted liaison officers in a number of countries and at INTERPOL, Europol and the South-East European Law Enforcement Centre (SELEC). A network of foreign liaison officers is also posted in Albania.

Albania participates in joint investigations on a case-by-case basis on the basis of bilateral and multilateral agreements or arrangements, including treaties under the United Nations framework, the Vienna Convention and the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters.

Albania employs special investigative techniques, including surveillance, undercover operations and controlled delivery, on the basis of domestic legislation (arts. 221, 294/a and 294/b CPC), as well as bilateral and multilateral agreements and arrangements.

### **3.2. Challenges in implementation**

The following recommendations would further strengthen existing anti-corruption measures, notwithstanding the direct applicability of the Convention against Corruption on matters related to international cooperation:

- Improve systems to collect data on the types of international cooperation requests (e.g. underlying offences), the time frame for responding to requests and the response provided, including grounds for refusal.
- Continue to ensure that no offences established in accordance with the Convention are considered to be political offences (art. 44, para. 4).
- Provide that extradition requests cannot be refused solely on the basis that they involve fiscal offences (art. 44, para. 16).
- Consider removing the requirement for judicial authorization for MLA to streamline the provision of assistance (art. 46, para. 1).
- Adopt measures to ensure that non-coercive assistance is rendered in the absence of dual criminality (art. 46, para. 9(b)).
- Regulate the transfer of prisoners for MLA in accordance with the Convention and consider specifying the grounds on which the temporary transfer of prisoners may be refused (art. 46, paras. 10 and 11).

- Ensure that the notification of the central authority for requests under the Convention remains up to date (art. 46, para. 13).
  - Adopt a provision establishing a limitation on the use of information obtained through MLA (art. 46, para. 19).
  - Provide that MLA requests cannot be refused solely on the basis that they involve fiscal offences (art. 46, para. 22).
  - Regulate the costs of executing MLA requests in line with the Convention (art. 46, para. 28).
  - Consider adopting a provision regulating the exchange of public records for MLA in domestic legislation (art. 46, para. 29).
-