

**LAW**  
**No. 39/2025**  
**ON THE STATE BORDER CONTROL <sup>1</sup>**

Pursuant to Articles 78 and 83, point 1, of the Constitution, upon the proposal of the Council of Ministers,

**THE PARLIAMENT**  
**OF THE REPUBLIC OF ALBANIA**

**DECIDED:**

**CHAPTER I**  
**GENERAL PROVISIONS**

**Article 1**  
**Subject matter**

This law sets out the rules for the regime of border control of persons crossing the state border of the Republic of Albania and the cooperation between the national authorities responsible for the control and surveillance of the state border of the Republic of Albania.

**Article 2**  
**Definitions**

In this law, the following definitions have the following meanings:

1. “Border control” is the activity carried out in accordance with and for the purpose of this law at the state border of the Republic of Albania, specifically in response to an intention to cross or the act of crossing the border, regardless of the circumstances, and consists of border checks and border surveillance.
2. “Border surveillance” is the entirety of measures implemented by the Border and Migration Police and other law enforcement agencies along the segments of the state border between border crossing points and at the border crossing point, including internal waters and territorial waters, for the purpose of preventing and combating cross-border crime, illegal border crossing, and irregular migration.

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<sup>1</sup> This Law is partially aligned with:

- Regulation (EU) 2016/399 of the European Parliament and of the Council, dated 9 March 2016 on the European Union Code on the rules governing the movement of persons across borders (Schengen Borders Code), as amended. CELEX No. 32016R0399, Official Journal of the European Union, L Series, No. 77, date 23.03.2016, pp. 1–52;
- Regulation (EU) 2019/1896 of the European Parliament and of the Council, dated 13 November 2019 “On the European Border and Coast Guard” and repealing Regulations (EU) No. 1052/2013 and (EU) 2016/1624. CELEX No. 32019R1896, Official Journal of the European Union, L Series, No. 295, 14 November 2019, pp. 1–131;
- Commission Implementing Regulation (EU) 2021/581, dated 9 April 2021 “On the reporting of information related to the European Border Surveillance System (EUROSUR)”. CELEX No. 32021R0581, Official Journal of the European Union, L Series, No. 124, date 12.04.2021, pp. 3–39;
- Regulation (EC) No. 1931/2006 of the European Parliament and of the Council, dated 20 December 2006 “Determining the rules on local border traffic at the external land borders of the Member States and amending the provisions of the Schengen Convention”. CELEX No. 32006R1931, Official Journal of the European Union, L Series, No. 405, date 30.12.2006, pp. 1–22.

3. "Integrated border management" is the coordination and cooperation at the national and international level by the relevant authorities and agencies involved in border management in accordance with the legal framework, the international agreements ratified by the Parliament, as well as treaties, bilateral or multilateral, concluded with other countries.
4. "Border crossing point" is any crossing place, authorized by the competent authorities for the crossing of the state border of the Republic of Albania.
5. "Joint border crossing point" is any border crossing point, located on the territory of the Republic of Albania or on the territory of a neighbouring state, in which the Albanian border guards and the border guards of the neighbouring state carry out border checks on entry and exit, one after the other, in accordance with the relevant national legislation and according to the relevant bilateral agreement.
6. "Border guard" is any employee of the Border and Migration Police, assigned at the border crossing point of the border or along or near the state border to perform border control duties in accordance with this law.
7. "Border check" is the activity carried out at the border crossing point to ensure that persons, including their means of transport and belongings in their possession, may be allowed to enter the territory of the Republic of Albania or to exit from it.
8. "Second line check" is a further check, which may be carried out in a special place, beyond the location of the first line, in which minimal or full checks are performed for all persons.
9. "Border check area" is a defined and marked area in which checks according to the provisions of this law may be carried out.
10. "Local border traffic" is the regular crossing of a land state border by border residents, with the purpose of staying in a border area for social, cultural or economic reasons, based on or for family reasons, for a period of time that does not exceed the time limit specified in this law.
11. "Special border crossing points" are crossing points approved by agreement only for cross-border local traffic.
12. "Automated border check" is the use of electronic devices, where data is collected for identification and for the purposes of border checks.
13. "Passenger" is any person, including persons in transit in the Republic of Albania, except for crew members and those appearing on the passenger list.
14. "Advance Passenger Information (API)" is part of the data from the Passenger Name Record and includes the type, number, place of issue and expiration date of each travel document, citizenship, surname, name/other name(s), gender, date of birth, flight line, number of flight, date of departure, date of arrival, departure airport, arrival airport, time of departure and time of arrival, as well as the total number of passengers being transported.
15. "Passenger Information Unit" is the structure within the General Directorate of State Police, which processes passenger data.
16. "Passenger database" is the database that contains all data from the Passenger Name Record and is administered by the Passenger Information Unit.

### Article 3

#### **Integrated Border Management**

1. For the implementation of this law, the responsible authorities act in accordance with the concept of "Integrated Border Management", which is guided by the principle of solidarity and cooperation, in accordance with the strategic framework of integrated border management and consists of the following elements:
  - a) border control, including measures undertaken with all law enforcement authorities for the prevention, detection, and investigation of cross-border crime;
  - b) analysis of risks to internal security and analysis of threats that may affect the functioning or security of the borders;

- c) cooperation between national authorities and agencies operating in the field of border management and migration, customs control, food control, health control, as well as any other authority, which has duties related to the border;
  - ç) cooperation with other countries, in particular with neighbouring countries and other countries, who are identified through risk analysis, as countries of origin and transit for irregular migration;
  - d) technical and operational measures, which are related to border control and aim to prevent irregular migration and combat cross-border crime;
  - dh) the return of foreign nationals who are staying irregularly in the territory of the Republic of Albania;
  - e) the use of technology and systems for information exchange;
  - ë) quality control mechanism.
2. Integrated border management does not alter the respective competences of the customs authorities in the customs field, especially with regard to controls, risk management and the exchange of information.

#### Article 4 **Fundamental rights**

1. The responsible authorities act in full compliance with fundamental human rights and freedoms, as defined in the Constitution of the Republic of Albania, the European Convention for the Protection of Human Rights and Fundamental Freedoms, the Geneva Convention of 28 July 1951, “On the status of refugees”, as well as with the international law binding upon the Republic of Albania and obligations related to the acquisition of international protection, together with the principle of non-refoulement.
2. During the conduct of border control, no one may be unfairly discriminated against on grounds such as: gender, race, religion, ethnicity, language, political, religious or philosophical beliefs, economic, educational social status parentage.
3. Border guards, in the course of fulfilling their duties, give priority and special care to minors, persons with special needs or other vulnerable categories.
4. The decisions and measures implemented under this law are proportional to the intended objectives and are taken on the basis of a case-by-case review.

### CHAPTER II BORDER CONTROL

#### Article 5 **Competent authorities for border control**

1. Border control is under the administrative jurisdiction of the minister responsible for Public order and security.
2. The tasks of border checks and border surveillance are carried out by the Border and Migration Police, which acts in accordance with the obligations set forth in this law and the responsibilities arising from other legal and bylaw acts, in cooperation with other state agencies operating at the border.
3. For the implementation of this law, the Border and Migration Police is authorized to install and use technical means, including technological video-photographic means for border surveillance, both stationary or mobile, service dogs, as well as to set up barriers to prevent persons from evading border control or to cross the state border outside the authorized border crossing points and to detect criminal offences.
4. At border crossing points, the Border and Migration Police is authorized to photograph and record video-photographic images and to use other automatic devices, to the extent that they are necessary, to verify the identity of persons and to prevent and detect criminal offences, as

well as to apprehend their offenders. The devices are installed in visible places and the public is informed of their presence.

5. The Border and Migration Police is authorized to implement automated border verification systems, where, using electronic devices, identification data are collected and for the purpose of automated border verification.

6. The Border and Migration Police has at its disposal human resources, financial resources, appropriate equipment and technology necessary for the performance of border verification and border surveillance, as to ensure an effective, high and uniform level of control at the state border of the Republic of Albania.

## Article 6

### **Competencies of the Border and Migration Police at the border**

1. Border guards, within the scope of border control, are authorized to verify the identity of persons, subject of control, the reason for crossing the state border, their means of transport, and the items they have in their possession, from outside and inside. Every person is obliged to cooperate in the verification of identity and reasons for crossing the state border, to enable the immediate implementation of this measure, as well as to ensure that the vehicle and the items therein can be inspected.

2. Border guards, within the framework of border verification, must provide customs officers or officials of any other competent authority operating at the state border, the opportunity to perform joint verifications, when they are present during the border verification. The rules for the performance of joint border verifications are determined by decision of the Council of Ministers.

3. Border guards have the right, within the scope of border control:

a) to verify:

i. the authenticity of travel documents, using the certificates provided in accordance with the legislation on civil status, identification documents, and travel documents;

ii. in case of reasonable doubt, the identity of the holder of travel documents or the visa, is compared by the biometric identifiers, deposited in specific/concrete databases to be accessed, by restricting levels of access, except for DNA, to the person being verified;

b) to seize travel documents, when there is reasonable doubt that:

i. the travel document or the visa in the travel document is forged or fraudulent;

ii. have been used to provide false information about a person.

4. If it is established that a seized document is not subject to any measure provided by The Penal Code, it is handed over to the competent authorities for as long as the seizure is necessary and after that it is returned to the person or the state that issued the document.

5. Border guards, in order to carry out border control, have the right to enter any parcel of land and in all waters, as well as to operate vehicles on any road, for as long as this is necessary for the fulfilment of their duties.

6. Border guards, for border verification reasons, have the right to refuse the entry and exit of a foreign citizen, in accordance with the provisions of the law on foreigners.

7. Border guards, for border verification reasons, also have the right to refuse exit to persons:

a) who do not have a valid travel document;

b) for whom there is a court order prohibiting exit from the Republic of Albania;

c) who seek to evade prosecution, detention, arrest or the execution of a prison sentence;

ç) whose passport, identity card, passport for foreigners or refugee passport has been blocked, refugees for whom there is an order or decision for freezing or restriction of territorial validity of the above-mentioned documentation or for whom there is substantial evidence leading to the conclusion that there is reason to seize the person's document or to restrict its territorial validity;

d) who have been refused the issuance of travel documents, as mentioned in letter “ç” of this point;

dh) who, during exit from the Republic of Albania, use the document of another person or a forged document;

e) who are registered in the travel document of another person and, during exit from the territory of the Republic of Albania are not accompanied by the person in whose document they are registered.

8. Border guards have the right to enforce by force the measures mentioned in points 1, 3, 4, 5, and 6 of this article, in a proportionate manner and as a last resort, after all other effective means have been exhausted, according to the specific situation and risk assessment.

#### Article 7

##### **Powers of the Border and Migration Police within the territory**

1. The Border and Migration Police have the right, within the territory of the Republic of Albania, to take measures to detect foreigners who are staying or transiting in the territory of the Republic of Albania, illegally, as well as to prevent, detect, and combat cross-border crime.

2. The Border and Migration Police have the right to verify and interview persons, to inspect their means of transport and the items in their possession, within the territory of the Republic of Albania, for the purpose of preventing the illegal entry, transit, and stay of foreigners in the Republic of Albania.

3. The Border and Migration Police also have the right to undertake investigative and procedural actions in cases of criminal offences related to the border, except for those offences that are specifically pursued by other police structures or other agencies.

#### Article 8

##### **Border crossing points**

1. A border crossing point is opened and designated by decision of the Council of Ministers. In cases of land border crossing points, the decision is based on international acts which are binding on the Republic of Albania. On the agreements with neighbouring countries or on the decision of the Council of Ministers the location and possible restrictions for groups of persons, the type of traffic or geographical restrictions are also determined.

2. As an exception to point 1 of this Article, the local head of the Border and Migration Police, after consultation with the central authority of the Border and Migration Police and the customs authority of the relevant area of jurisdiction, has the right to issue a reasoned order for the opening of a temporary border crossing point in the respective area of his jurisdiction. The temporary border crossing point operates for up to 14 consecutive days, when it is necessary to ensure the implementation of local cross-border traffic projects, such as cultural, touristic, scientific, sports activities, conduct of civil emergencies, measures for the diversion of road traffic or agricultural or forestry activities. The order for the opening of the temporary border crossing point includes the location, official schedule, as well as the possible restrictions for groups of persons, the type of traffic or geographical restrictions and this order is based on consultations with local authorities related to border control.

3. The expenses from the opening of temporary border crossing points, which do not serve the cross-border movement of the general public, but only certain persons, are borne by the party making the request for the opening of the temporary border crossing point.

4. During the conclusion of the agreement with neighbouring countries or the issuance of the decision by the Council of Ministers, mentioned in point 1 of this article, and during the drafting of the order, mentioned in point 2 of this article, are taken into account the aspects of public order and security, economic relations and existing cross-border connections, the expected traffic and the capacity of appropriate human resources to meet with personnel at the border crossing point, customs or aviation provisions and existing agreements bilateral.

Article 9  
**Joint border crossing points**

1. Joint border crossing points are opened and determined by decision of the Council of Ministers based on the bilateral international agreement.
2. The agreement with neighbouring countries for the establishment of joint border crossing points is ratified by law.
3. The location and manner of operation of the joint border crossing point is provided for in the agreement.
4. The organization of work, functioning and implementation of joint border checks, work procedures, the joint use of equipment, payment of expenses and any other technical detail are determined in the implementation protocol, approved by the parties.

Article 10  
**Infrastructure at border crossing points**

1. Border crossing points are adapted so that border checks can be carried out in accordance with the provisions of this law.
2. Airport and port operators, as well as the authorities responsible for road maintenance must ensure, through appropriate infrastructure and organizational measures, that the border checks at airports and ports are carried out in accordance with the provisions of this law. The expenses arising from these activities are borne by airport and port operators, as well as by the authorities responsible for road maintenance.

Article 11  
**Border check zone**

1. Each border crossing point, in a circular form, as well as along the entire border line, at the land borders, has a border check zone, which is 2 km inside the territory. Within this zone, border guards are authorized to carry out border checks according to the competences given to them by this law.
2. Around each border crossing point, a border security zone is designated, which is defined by decision of the Council of Ministers.
3. Within the border security zone, no construction or development of any private activity is permitted, except for those serving the proper functioning of state agencies operating at the border and providing services.
4. The border check zone in rail traffic, covers the tracks and other premises of the railway, from the border crossing point to the interior of the country, to the extent necessary to carry out effective border checks.
5. The border check zone in airports and ports, that are border crossing points, covers the entire territory of the airport and the port.
6. For border crossing points located in a neighbouring state, the border check zone in the neighbouring state is determined in the bilateral international agreement regulating the joint border crossing point. In the agreement with neighbouring countries, border guards are also authorized to perform their duties in a designated area in the neighbouring country. Any check carried out within this designated area of the joint border crossing point is considered to have been carried out in the area of competence of the local authority of the Border and Migration Police, which also has territorial competence for the border crossing point.

## Article 12

### **Signs and symbols at border crossing points and in the border check zone**

1. Border crossing points, in their vicinity, are marked with signs. The signs contain national symbols and the inscription "Border crossing point". The official schedule of the cross border point and possible restrictions for the type of traffic are indicated with additional signs.
2. Signs are not placed or affixed for:
  - a) border crossing points for railway traffic;
  - b) temporary border crossing points;
  - c) border crossing points that extend more than 100 meters along the state border.
3. On all main roads leading to the border, as well as in ports and airports, the border check zone is marked with signs.
4. To facilitate the smooth conduct of border checks, at air border crossing points, separate lanes are provided, marked with signs. Separate lanes with specific signs may also be provided at land and sea border crossing points.
5. In the event of a temporary imbalance of traffic flow, the rules regarding the use of separate lanes may be avoided, for as long as necessary to eliminate this imbalance. The decision for this is taken by the highest-ranking border guard on duty at the crossing border point.
6. The signs and symbols mentioned in points 1, 3, and 4 of this Article are determined by decision of the Council of Ministers.
7. The owners of premises serving border traffic must allow the placement of signs and of additional signs.

## Article 13

### **Border crossing**

1. Crossing the state border is allowed only at authorized border crossing points. At the border crossing points that are not open 24 hours, the official schedule is displayed visibly.
2. By way of exception from the rule set out in point 1 of this Article, in cases of force majeure or if it is expressly provided in an international agreement binding on the Republic of Albania, the state border may be crossed at any place and at any time. The first local authority or state authority, who is made aware of the event, shall inform without any delay the Border and Migration Police, the ministry responsible for public order and security, the ministry responsible for defence and civil emergencies, the ministry responsible for foreign affairs.

## Article 14

### **Border checks**

1. All cross-border movements at the state border of the Republic of Albania are subject to border checks by the border guards.
2. Crossing the state border at a border crossing point, as well as entry under extraordinary and emergency circumstances into the territory of the Republic of Albania, by ship or by airplane, outside the territory of the airport or port, designated as a border crossing point, obliges the person to undergo border check.
3. Anyone who intends to cross the state border or who has just crossed it at an authorised border crossing point, is subject to border check and is obliged, within the border check area:
  - a) to provide information on whether they have crossed or intend to cross the border;
  - b) to proceed, without any delay, to the lanes designated for border checks in the border check area, as well as to comply with orders to perform border checks appropriately and promptly.
4. Border checks may include means of transport and items in the possession of persons who cross the state border.

Article 15  
**Border checks of persons**

1. On entry and exit, all persons are subject to minimal border check, which consists on:
  - a) verification of the identity and nationality of the person, as well as the validity and authenticity of the travel document, by using technical equipment and consulting the relevant databases, especially:
    - i. national databases containing information on stolen, misappropriated, lost, and invalidated travel documents;
    - ii. the INTERPOL database for stolen and lost travel documents;
    - iii. international databases, recognized by the Republic of Albania.
  - b) verification that the person, his means of transport, and the items he is transporting do not pose a risk to public order and security, public health, and international relations with other states, by consulting the relevant registers and databases. When there are doubts about the authenticity of the travel document or the identity of its holder, verification includes the verification of biometric identifiers integrated into passports and travel documents.
2. Foreigners, in addition to the verifications mentioned in point 1 of this article, are subject to comprehensive checks on entry and exit, which consist of verifying the fulfilment of all conditions for crossing the state border.
3. Comprehensive border checks on entry consist of:
  - a) verification of the foreigner, whether he possesses, for crossing the state border, a travel document recognized by the Republic of Albania, accompanied by a visa or residence permit, when this is required by legislation;
  - b) thorough examination of the document for any signs of forgery, counterfeiting or alteration;
  - c) examination of entry/exit stamps in the travel document, by comparing them with the data in entry/exit databases, to verify whether the foreigner has exceeded the authorized period of stay in the territory of the country;
  - ç) verification of documentation regarding the departure, destination and reason for the person's stay;
  - d) verification of the foreigner as to whether he has sufficient financial means for the period and purpose of stay, as well as for return to the country of origin or for transit to a third country where entry is permitted or verification that he is able to secure these financial means in a lawful manner.
4. Comprehensive border checks on exit consist of:
  - a) verification as to whether the person possesses a valid visa, if required, except where he holds a valid residence permit, issued in the Republic of Albania, or other documents that authorize stay or re-entry into the territory of the Republic of Albania;
  - b) verification as to whether the person has exceeded the permitted period of stay in the territory of the Republic of Albania, if he is subject to a limited period of stay.
5. By way of exception, nationals of the European Union, the European Economic Area, Switzerland, Andorra, Monaco and San Marino, as well as foreigners who are their family members and who enjoy the right of the European Union to free movement or who are family members of Albanian nationals, if their identity and family ties are proven, are subject to minimal verification. The definition of family members in the law for foreigners is also valid for this law.
6. Persons who are subject to minimal border checks, based on risk analysis and in a non-systematic manner, may be subjected to thorough checks.
7. If, from the results of the first line check, further checks are deemed necessary, the person shall be required to undergo a second line check, which may include detailed personal checks, detailed checks of items in possession, and detailed vehicle inspections.
8. Where conditions allow, second line checks are carried out in premises specifically adapted for this purpose.
9. All persons who are subject to a second line check shall be informed in writing of the purpose



and the procedures followed during this check, in a language they understand or for which there is reason to believe they understand, or in another effective manner. The information reflects the right of the person, subject of the second line check, to request the name or identification number of the border guard conducting the thorough second line check, the name of the border crossing point, and the date on which the border was crossed. The content of this information is determined by instruction of the minister responsible for order and public security.

10. By way of exception from the general rules of border checks, for certain categories of persons and means of transport, special rules are applied, which are determined by decision of the Council of Ministers.

## Article 16

### **Verification of belongings and means of transport**

1. The verification of belongings includes personal items possessed by the person crossing the state border.

2. In case there are suspicions of prohibited items or objects being hidden or to verify the identity of a person, the border guard requests the person to present all items in their possession in order to conduct an inspection of the objects from the inside and the outside.

3. The verification of their means of transport includes visual inspection, from the inside and the outside, and verification in the relevant databases, recognized by the Republic of Albania.

4. Objects or other items discovered during verification and inspection procedures, which are not the responsibility of the Border and Migration Police, are handed over to the customs authorities or other responsible authorities operating at the border. Verification and inspection procedures are applied and the decisions resulting therefrom are made in cooperation with the authorities involved.

## Article 17

### **Stamping of travel documents**

1. The travel documents of foreigners are regularly stamped upon entry and exit at the state border.

Whenever possible, the foreigner is informed about this obligation. Specifically, the stamps for entry and exit are placed on:

- a) documents with a valid visa, which allows persons to cross the state border;
- b) documents which allow persons to cross the state border, after having been issued a visa at the border;
- c) documents which allow persons who do not require a visa to cross the state border.

2. No stamp is placed upon entry or exit on:

- a) the travel documents of nationals of the Republic of Albania, of the European Union, of the European Economic Area, of Switzerland, Andorra, Monaco and San Marino;
- b) the travel documents of heads of state and dignitaries, whose arrival has been previously notified through diplomatic channels;
- c) pilot licenses or certificates of aircraft crew members;
- ç) the travel documents of seafarers, within the border check area of the port where their vessel is anchored;
- d) the travel documents of the crew and passengers of cruise ships, who are not subject to border check;
- dh) the documents of border residents who benefit from the local border traffic regime;
- e) the travel documents of foreigners who present a valid residence permit, in accordance with the legislation on foreigners;
- ë) the travel documents of the crew of passenger and freight trains on the international lines.

3. The travel documents of foreigners who are family members of citizens of the Republic of Albania, nationals of the European Union, nationals of the European Economic Area, and nationals of Switzerland, Andorra, Monaco, and San Marino, who do not present a valid residence permit, must be stamped upon entry and exit.

4. By way of exception, at the request of the foreigner, the entry and exit stamp may not be affixed if its placement may create serious difficulties for the person. In this case, the entry and exit stamp is placed on a separate sheet, where the person's first and last name, as well as the passport number, are specified. This sheet is handed over to the foreign national. The Border and Migration Police keep statistics on these exceptional cases.

5. The format and technical specifications of the stamps, as well as the practical rules for stamping, are determined by decision of the Council of Ministers.

#### Article 18

#### **Facilitation of border checks**

1. Border checks may be facilitated in special and unforeseeable situations that cause traffic load at the border crossing point and when all resources related to personnel, equipment, premises, and organization, are exhausted.

2. The decision to facilitate, in accordance with point 1 of this Article, is taken by the highest border guard who is on duty at the border crossing point.

3. The facilitation of checks is temporary, in accordance with the justifying circumstances and is implemented gradually.

4. When border checks are facilitated, as a rule, border checks of entries are given priority over border checks of exits.

5. In cases where border checks are facilitated, border guards may not carry out registration, but after verifying the validity of the document and the identity of the holder, must stamp the travel documents of foreigners on entry and exit, as provided in Article 17 of this law.

6. At the border crossing point, records are kept of the reasons, the start time, and the end time of the facilitation.

### CHAPTER III

### **RULES OF LOCAL BORDER TRAFFIC**

#### Article 19

#### **Implementation of local border traffic**

1. For the purpose of implementing the local border traffic regime, the Council of Ministers may sign bilateral agreements with neighbouring countries, in accordance with the rules set out in this law.

2. Local border traffic applies only to nationals residing no more than 30 km from the border state and 5 km from the nearest border crossing point, for at least 1 year, as provided in the bilateral agreement with neighbouring countries. The list of inhabited areas shall be an integral part of the agreement.

3. Local border traffic, in addition to the border crossing points, is also carried out through special border crossing points, which are approved by agreements, concluded solely for local border traffic.

#### Article 20

#### **Exceptions**

The rules of local border traffic do not affect the rules provided for by the legislation, who are related to:

- a) the long-term stay of foreign nationals in the Republic of Albania;
- b) the access to and exercise of economic activity by foreign nationals in the Republic of Albania;
- c) customs and tax matters.

#### Article 21

##### **Local border traffic regime**

1. Nationals who reside in the land border areas may cross the land border, in accordance with the rules of the local border traffic regime, provided that:

- a) they are in possession of a local border traffic permit and a valid identification or travel document;
- b) are not persons who have been prohibited from entering the Republic of Albania;
- c) are not persons who are considered to be a threat to public security, public health, or the international relations of the Republic of Albania.

2. Foreign nationals who reside in the designated border areas of the neighbouring country have the right to stay in the border areas of the Republic of Albania, for no longer than 90 days, within 180 days.

3. Minors under the age of 16 are exempt from the obligation to be in possession of a valid identification or travel document.

4. Minors who, due to local circumstances, attend 9-year and secondary schools in Republic of Albania are exempt from the requirement stipulated in point 2 of this Article.

#### Article 22

##### **Local border traffic permit**

1. For the purpose of implementing the local border traffic regime, the ministry responsible for border management, through the competent authorities, guarantees the issuance of local border traffic permits to citizens residing near the border area of the country with which this regime is applied, based on their request.

2. The format and content of the application are approved by mutual agreement of the parties involved in the agreement. The application to obtain a local border traffic permit is done through the unique government portal "e-Albania".

3. The validity of the local border traffic permit is limited only to the border area and has a validity period of up to 5 years but not exceeding the validity of the identification or travel document of the border resident who applies for such a permit.

4. The local border traffic permit is revoked when the border resident who has been issued the permit is no longer a resident of the border area.

5. The local border traffic permit is cancelled in cases where one of the conditions provided for in letters "b" and "c" of point 1 of Article 21 of this law, when the holder acts repeatedly, in contrary to the provisions of point 2 of Article 21 and letter "c" of point 1 of Article 24 of this law.

6. The local border traffic permit is not an identification document, except in the case provided for in point 3 of Article 21 of this law.

#### Article 23

##### **Content, form, and security elements of the local border traffic permit**

1. The local border traffic permit contains, at least:

- a) the holder's photograph;
- b) the holder's first name, last name, date of birth, nationality, and place of residence;
- c) the issuing authority and the period of validity;
- ç) the border area in which the holder is authorized to move and reside;

- d) the number/numbers of the identification or travel documents with which the holder is authorized to cross the border.
- 2. The local border traffic permit contains a notice that the holder of the permit is not authorized to move outside the border area.
- 3. The form and security elements of the border traffic permit are determined in a regulation, adopted by decision of the Council of Ministers.

#### Article 24

##### **Conditions for obtaining a local border traffic permit**

- 1. The local border traffic permit may be issued to citizens residing within the border areas, who:
  - a) possess a valid identification or travel document;
  - b) prove that they are residents of the border area, which is part of the signed agreement;
  - c) are not persons who have been banned from entering the Republic of Albania;
  - ç) are not persons considered to be a threat to public security, public health, or to the international relations of the Republic of Albania.
- 2. The procedures for applying for and obtaining the border traffic permit are determined in a regulation, adopted by decision of the Council of Ministers.

#### Article 25

##### **Facilitation of local border traffic**

- 1. Bilateral agreements with neighbouring countries, as provided for in point 1 of Article 19, may provide for the facilitation of border crossing through:
  - a) the opening of special border crossing points for border residents;
  - b) the reservation of special lanes for citizens residing within the border areas at the usual border crossing points; or
  - c) the authorization of border residents to cross their land border at designated locations, in addition to authorized border crossing points and outside the designated hours, taking into account local circumstances and, when, in particular cases, there is a request of a specific nature.
- 2. The locations where the crossing of the land border will be permitted shall be provided for in the relevant agreement.
- 3. In cases where the facilitation of border crossing is established for citizens residing within border areas, in accordance with point 1, border crossing shall be facilitated for any person enjoying the right of free movement residing in the respective border area.
- 4. In cases where the facilitation of border crossing for border residents is provided for in the agreement, according to the provisions of letter “c” of point 1 of this article:
  - a) the local border traffic permit must contain, in addition to the information provided for in Article 23 of this law, the details of the location and circumstances under which the land border may be crossed;
  - b) The Border and Migration Police conduct random checks and carry out regular surveillance of the border in order to prevent illegal border crossings.

### CHAPTER IV BORDER SURVEILLANCE

#### Article 26

##### **Border surveillance**

- 1. Border surveillance is carried out in order to prevent unauthorized border crossings, to detect

and to combat cross-border crime, as well as to take measures against persons who have crossed the border illegally.

2. Surveillance between border crossing points is carried out by border guards. The methods of operation and the number of border guards are adapted and changed according to the risk.

3. Surveillance is carried out with stationary or mobile units, which perform their duties by patrolling or positioning themselves in places based on risk analysis and police information, with the aim of preventing and suppressing illegal cross-border activity.

#### Article 27

##### **Border surveillance system**

1. For the purpose of border security and information exchange, as well as for cooperation in the field of border surveillance, the Border and Migration Police and other national agencies cooperate and exchange information through the border surveillance system, which consists of the following components:

a) The National Coordination Centre for Integrated Border Management;

b) the national border security situation;

c) the regional and European border security situation;

ç) the communication network;

d) information on the situation in the border and pre-frontier area;

dh) joint implementation of surveillance methods.

2. The regulation of the border surveillance system is approved by decision of the Council of Ministers.

#### Article 28

##### **National Coordination Centre for Integrated Border Management**

1. The National Coordination Centre for Integrated Border Management is a inter-institutional structure, established by decision of the Council of Ministers, in which its functioning is determined.

2. The National Coordination Centre for Integrated Border Management operates continuously twenty-four hours a day, seven days a week, and is responsible:

a) to ensure the real-time exchange of information and immediate cooperation between all national authorities responsible for border surveillance with national coordination centres of other countries, as well as with the European Border and Coast Guard Agency;

b) to ensure the timely exchange of information with the search and rescue authorities, law enforcement, asylum and migration, at the national level;

c) to contribute to effective and efficient management of human resources;

ç) to prepare and manage national border security situation reports and regional and European border security situation reports, with potential impact on the national security situation;

d) to support the planning and implementation of border surveillance activities;

dh) to coordinate the implementation of the national border surveillance system;

e) to contribute to the regular assessment of the national effects of border surveillance activities;

ë) to coordinate operational measures with the authorities of other countries and international organisations and agencies, based on cooperation agreements;

f) to inform the public regarding the flow situation and the travellers data processing time at border crossing points;

g) to manage the border in the event of armed conflict, global epidemic, and mass migration.

3. The structure and staffing of the Centre, the Centre's standard operating procedures, job descriptions, the functional duties of the Centre's personnel, the reporting formats and templates are approved by joint order of the minister responsible for public order and security, the minister responsible for finance, and the minister responsible for agriculture.

## Article 29

### **Assessment of security at the national and regional level**

1. The authorities responsible for ensuring border security cooperate in drafting national and regional assessments of the border security situation.
2. The national assessments of the border security situation are the product of the collection, evaluation, comparison, analysis, interpretation, generation, and dissemination of information and contain information on events and incidents, operational information, and analytical reports.
3. The National Coordination Centre for Integrated Border Management, through responsible structures collects, processes, and evaluates operational information on the situation in the border and pre-border area and any other information regarding events and incidents and drafts reports and analyses related to the security situation at the border.
4. The National Coordination Centre for Integrated Border Management cooperates with the European Border and Coast Guard Agency and exchanges information in the context of drafting and information of the reports on the European border security situation.

## Article 30

### **The communication network**

1. The Border and Migration Police establishes and maintains a communication network that enables the communication of the National Coordination Centre for Integrated Border Management with its partners, for the purpose of secure and timely information exchange. The network operates twenty-four hours on seven days a week and ensures:
  - a) the timely exchange of information at the bilateral and multilateral level;
  - b) the secure handling, storage, transmission, and processing of classified and non-classified information
2. The National Coordination Centre for Integrated Border Management exchanges, processes and retains classified and non-classified information in the communication network, in accordance with the legislation in force.

## Article 31

### **Cross-border cooperation**

1. The authorities responsible for integrated border management cooperate with counterparts authorities of other countries or with international organizations and agencies based on international, bilateral or multilateral, agreements.
2. This cooperation consists of, but is not limited to:
  - a) information exchange for the prevention and combating of cross-border crime and irregular migration;
  - b) joint risk analysis;
  - c) basic, advanced and specialized training, as well as the exchange of experience;
  - ç) pursuit in the act of flagrante delicto;
  - d) cross-border surveillance;
  - dh) controlled delivery;
  - e) joint search and rescue operations;
  - ë) joint patrols along the shared state border;
  - f) the establishment of police and customs cooperation centres;
  - g) participation in operations abroad and the implementation of joint operations in our country.

3. The National Coordination Centre for Integrated Border Management cooperates with the European Border and Coast Guard Agency to enable the coordination of the application of joint surveillance methods, in order to supply the national coordination centres with information on border surveillance and in the pre-frontier area.
4. The modalities of cooperation are provided for in the respective agreements and protocols, as well as in operational plans, jointly prepared and approved.

## CHAPTER V ADMINISTRATION OF PERSONAL DATA

### Article 32 **Processing of personal data**

1. The Border and Migration Police has the right to directly collect personal data of persons who are subject to border control and:
  - a) to manually register data;
  - b) to manually or electronically record the data in a computer system for the processing of the data;
  - c) to identify and register data for the purpose and duration of automated border checks, in the case of the use of automated border verification devices;
  - ç) to use them for searches, for the purpose of security management and activity with the security authorities, which serve the criminal justice;
  - d) in cases of suspicion of a criminal offence, to make them available to another security authority, for the purposes of law enforcement, within the legal competence of that authority.
2. Decisions on entries and exits are stored in a computer system for data processing.
3. The rules for the management of data, collected from the implementation of this law, are determined by a joint guideline of the minister responsible for order and public security and the Commissioner for The Right to Information and the Protection of Personal Data.

### Article 33 **Rights of the data subject**

1. Every data subject has the right to obtain from the data protection officer or the structure responsible for the protection of personal data within the Border and Migration Police confirmation as to whether or not personal data concerning him or her are being processed, and, where applicable, to have access to personal data, in implementation of the applicable legislation on the protection of personal data
2. Preliminary passenger information is disseminated by the passenger information unit at the competent authorities for border control, for the purpose of preventing illegal migration and the improvement of border control.
3. The data subject shall enjoy the rights provided for in the applicable legislation on the protection of personal data, as well as the right to appeal and receive compensation for damages, in accordance with the legislation on the adjudication of administrative disputes.

### Article 34 **International transfer of personal data**

The Border and Migration Police, regarding the international transfer of personal data to third parties, shall implement the provisions and rules provided for in the applicable legislation on the protection of personal data.

## CHAPTER VI SANCTIONS

### Article 35 **Sanctions**

1. Violations of the provisions of this law, when they do not constitute a criminal offence, constitute an administrative offence and are sanctioned by the Border and Migration Police in accordance with Law No. 10 279, dated 20.5.2010, "On administrative offences", for the actions or omissions of any person who:

- a) fails to fulfil obligations regarding border control, in accordance with point 1 of Article 6 of this law;
  - b) obstructs border guards from entering, for border control duties, the areas provided for in point 5 of Article 6 of this law;
  - c) fails to fulfil the obligations in accordance with point 2 of Article 10 of this law regarding the conditions that assist in appropriate border control;
  - ç) obstructs the placement, erases, covers or alters any of the signs provided for in Article 12 of this law;
  - d) crosses the border in violation of the provisions of Article 13 of this law;
  - dh) fails to fulfil obligations regarding informing the border guard, in accordance with point 2 of Article 13 of this law;
  - e) does not present themselves for border verification at the border crossing point in accordance with point 2 of Article 14 of this law;
  - ë) despite a warning, refuses to provide information on whether they have crossed the state border or whether they intend to do so or provides false information, contrary to the provisions in letter "a" of point 3, of Article 14, of this law;
  - f) intends to cross the state border or has crossed the border and, although has received instructions, does not follow the designated lanes for border crossing, in accordance with point 3, of Article 14 of this law;
  - g) despite warnings, does not comply with a decision taken in accordance with letter "b" of point 3 of Article 14 of this law, thus causing obstacles and delays in border verification or delay for means of transport crossing the border according to a set schedule.
2. The misdemeanours provided for in letters "a", "ç" and "f" of point 1 of this Article, when committed by natural persons, are punished with a fine from 5,000 up to 50,000 ALL.
3. The misdemeanours provided for in letters "b", "c", "d", "dh", "e", "ë" and "g" of point 1 of this article, when committed by natural persons, are punished with a fine from 10,000 up to 100,000 ALL.
4. The misdemeanours provided for in letters "a", "b", "c", "dh", "e", "ë", "f" and "g" of point 1 of this article, are fined respectively with three times the amount provided for natural persons, in case of their commission by legal persons or by their legal representatives.
5. The misdemeanours provided for in letters "a", "b", "d", "ë", "f" and "g" of point 1 of this Article, are fined respectively with five times the amount provided in points 2 and 3 of this article, for natural persons or with five times the amount provided in point 4 of this article in case the person commits them using vessels or aircraft.

### Article 36 **The right to appeal and the enforcement of fines**

1. The fines provided for in this law are imposed by the border guards and constitute an enforceable title.



2. The right to appeal and the enforcement of the sanctions provided for in this law are applied in accordance with Law No. 10 279, dated 20.5.2010, “On administrative offences”.

## CHAPTER VII FINAL PROVISIONS

### Article 37

#### **Transitional provision**

1. The restrictions on cross-border movement, arising from other provisions for certain routes for rail, air and vessel transport, are not affected by the provisions of articles 8 and 12 of this law.
2. The border crossing points and transit zones, which were opened before the entry into force of this law, are border crossing points and transit zones according to this law. The list of all open, existing, border crossing points and transit zones, is determined by an instruction of the minister responsible for public order and safety within 6 months from the entry into force of this law and is updated within 2 months, in case of changes.
3. The border crossing points, mentioned in point 2 of this article, from the entry into force of this law, shall be equipped with special signs, as specified in article 12 of this law.

### Article 38

#### **Issuance of bylaws**

1. The Council of Ministers is tasked, within 6 months from the entry into force of this law, with issuing the bylaws pursuant to articles 6, point 2; 11, point 2; 12, point 6; 15, point 10; 17, point 5; 23, point 3; 24, point 2; 27, point 2, and 28, point 1, of this law.
2. The minister responsible for public order and security and the Commissioner for the Right to Information and Protection of Personal Data, within 6 months from the entry into force of this law, shall issue a joint guideline pursuant to point 3 of article 32 of this law.
3. The minister responsible for public order and security is tasked, within 6 months from the entry into force of this law, with issuing a guideline pursuant to point 9 of article 15 of this law.
4. The minister responsible for public order and security, the minister responsible for finance, and the minister responsible for agriculture are tasked to issue a joint order pursuant to point 3 of article 28 of this law.

### Article 39

#### **Repeals**

Law no. 71/2016, “On border control”, as amended, is repealed.

### Article 40

#### **Entry into force**

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

Approved on 26.6.2025.

**Proclaimed by Decree no. 217, dated 7.7.2025, of the President of the Republic of Albania,  
Bajram Begaj.**