



REPUBLIKA E SHQIPËRIË

MUNICIPALITY _____

MUNICIPAL COUNCIL

No. ____ Prot.

Date ____/____/ 2021

REGULATION

"ON THE ORGANIZATION AND FUNCTIONING OF THE LOCAL PUBLIC SAFETY COUNCILS"

Context

The economic and social development of the country is closely linked with public safety, reducing crime, enforcing the law, eliminating violence and protecting vulnerable groups, combating violent extremism, combating the cultivation and use of narcotics, or tackling any other phenomenon of crime.

Communities at the local level in urban and rural areas are faced with a variety of dynamics related to law enforcement, property, or economic, social and developmental challenges. An open and democratic society will always be under the pressure of constant safety threats which can only be faced through an integrated and inclusive approach, which ensures a peaceful coexistence and social cohesion.

A multi-stakeholder local approach would be an effective mechanism in dealing not only with the aforementioned threats but also with new phenomena, such as coping with migration flows, and reintegration of asylum seekers and refugees fleeing from armed conflicts. Likewise, our society and local communities are facing challenges in the process of sustainable rehabilitation and reintegration of Albanian citizens returning from conflict zones such as Syria and Iraq.

It is now widely acknowledged that these challenges go far beyond the current capacity of institutions, including law enforcement, to cope successfully without cooperating and sharing responsibilities locally among themselves and citizens.

Since 2016¹, the Local Public Safety Council (LPSC) was established in Elbasan, as a practice which was gradually extended to many municipalities in the country.

The Ministry of Internal Affairs, the State Police and various domestic and international organizations have invested in operationalizing this model that brings together local institutions, civil society, businesses and other actors.

¹ With the support of the Organization for Security and Co-operation in Europe (OSCE)

The experience so far in different municipalities of the country proves that the regulatory basis on which the establishment and functioning of the Local Public Safety Councils is based, is different. These changes affect the objectives and organizational structure, consultations and decision-making processes, the level of civic involvement, and the role of various institutions in this process, which hinder the sustainability and effectiveness of the Local Public Safety Councils.

The experience in about 20 municipalities of the country, where the so-called “triangle model”² for the institutional cooperation Municipality-Police-Prosecution was piloted by the Institute for Democracy and Mediation (IDM), bring the experience and basis of an innovative model for the establishment and functioning of the LPSCs. At the core of this approach, is the aim for every public institution, non-public actors, and citizens, to feel the local ownership of all processes in the fight against crime, for a sustainable community, for the protection of vulnerable groups, community cohesion and social development.

CHAPTER I GENERAL PROVISIONS

Article 1 Object of the regulation

1. The object of this regulation is to determine the rules for the organization and functioning of the Local Public Safety Council (LPSC) at the municipality_____, in the realization of its meetings and activities, according to the obligations arising from the legislation on local self-governments in force.
2. The LPSC functions as a collegial advisory body on matters of public order and safety to the municipality_____

Article 2 Purpose of the regulation

1. The purpose of the regulation is to provide the necessary internal regulatory framework for the running of the LPSC.
2. The regulation aims to ensure a sustainable partnership between the institutions involved in LPSC, cooperation between them and the community, with the ultimate goal of creating a safe environment for the community.

Article 3 Legal basis

1. National legislation:
 - Constitution of the Republic of Albania;
 - Law no. 139/2015 “On local self-government”, article 29/1;
 - Law no. 108/2014 "On the State Police" as amended and bylaws in its implementation;
 - Cross-cutting Community Safety Strategy 2021-2026;
 - National Strategy for Combating Violent Extremism;

² Institute for Democracy and Mediation. (2020). Bulletin: no.8 “Integrity-Accountability-Partnership”, Tirana: <https://bit.ly/3hnM8Nc>.

- Mid-term Strategy of the General Prosecutor's Office 2018-2020.
2. International legislation:
- Universal Declaration of Fundamental Human Rights and Freedoms;
 - Convention for the Protection of Human Rights and Fundamental Freedoms.

CHAPTER II

FUNCTIONING OF THE LOCAL PUBLIC SAFETY COUNCIL

Article 4

Composition of LPSC

1. The Local Public Safety Council consists of the following members:
 - a) Mayor;
 - b) Chairman of the Municipal Council;
 - c) Head of the Police Commissariat;
 - d) Head of the Judicial District Prosecutor's Office in which jurisdiction the municipality is included;
 - e) Head of the Local Education Office;
 - f) Head of the Local Directorate of Public Health;
 - g) Representative of the Regional Directorate of Social Services;
 - h) A representative of religious communities;
 - i) Representatives of the Chamber of Commerce and Industry at the local level;
 - j) Representatives of the Civil Emergency Centre in the respective region;
 - k) Representatives of civil society (youth organizations, women's organizations, local media, businesses, national minority associations, etc.);
 - l) Head of Civil Emergencies in the municipality;
 - m) Head of Social Services in the municipality;
 - n) Representatives from the child protection unit;
 - o) Leaders of educational institutions in the municipality.
2. The Local Public Safety Council, according to the topics of the meetings, notifies representatives of various institutions or interest groups in the capacity of invited members.

Article 5

Chairman of the LPSC

1. The Mayor is the chairman of the LPSC.
2. The Mayor exercises the following responsibilities
 - a) takes all necessary measures to ensure the effective and efficient functioning of the LPSC;
 - b) supports with the necessary organizational and administrative infrastructure the progress of the LPSC;
 - c) signs decisions and any other act related to the activity of LPSC and other relevant documents for communication with third parties;
 - d) informs the Municipal Council about the activity of the LPSC at least once a year.
3. In the absence of the chairman of the LPSC, they are represented by the deputy chairman who is the Chief of the Police Commissariat.

Article 6
Responsibilities of the LPSC

1. Supports and encourages a sustainable partnership with all institutions involved in the LPSC in order to cooperate in the prevention and fight against crime.
2. The activity of the LPSC is based primarily on the partnership and cooperation among the Municipality, the Police and the Prosecution and their interaction with other public and non-public actors.
3. Brings to attention and seeks support from central institutions based on the challenges they deal with, in the framework of crime prevention.
4. The heads of institutions such as the Municipality, the State Police Commissariat and the Judicial District Prosecutor's Office undertake institutional tasks or commitments for the prevention and fight against crime in the territory of the municipality.
5. Supports and coordinates with civil society organizations, religious communities, and the business community concrete commitments in meeting the safety challenges in the community and its sustainable development.
6. Conducts and evaluates public consultation meetings with representatives of local communities to build the local public safety agenda and its ongoing updating.
7. Conducts meetings with a smaller LPSC membership in cases of various unexpected events of local communities or with a special sensitivity (such as the return / reintegration or rehabilitation of returnees from Syria). Responsible institutions in LPSC that are directly related to the issue are invited to participate in these meetings.
8. Acts on the basis and implementation of a local multi-stakeholder plan which is drafted and agreed by consensus by the LPSC membership.

Article 7
Methodology for drafting and implementing the local multi-actor annual plan

1. The multi-actor annual plan for prevention and fight against crime aims at the sustainable engagement of the Municipality, Police and Prosecution, as well as other public and private institutions to reduce the intensity or complete elimination of phenomena that threaten the community or vulnerable groups. The mentioned institutions undertake concrete commitments to share responsibilities in facing the local security challenges.
2. The agenda of the multi-stakeholder local plan stems from the challenges and security threats of local communities from LPSC public consultation meetings with various representatives of local communities (school leaders, parents, student associations, village mayors or community liaisons, representatives of local businesses, civil society and the media).
3. Based on the issues addressed in the consultation meetings, LPSC members draft an annual action plan. This plan lists the problems for crime analyzed on the basis of prioritization (from the priority ones which should be covered by immediate, moderate measures to the low risks which may not need measures).
4. The multi-actor annual action plan envisages a set of measures and activities with responsible institutions and concrete deadlines for their implementation.
5. Monitoring and updating of the annual multi-stakeholder plan is carried out by LPSC through open consultation meetings with the community every 6 months. They aim at analyzing the progress of the implementation of the plan and the needs for its updating with new objectives or measures.

Article 8
LPSC Coordination Secretariat

1. The coordination secretariat functions at the LPSC. This secretariat follows the implementation of the multi-stakeholder annual plan. The Secretariat meets periodically to monitor the implementation of plan activities and measures.
2. The Coordination Secretariat consists of three members, a representative of the Municipality, the Police and the Prosecution appointed by the heads of the respective institutions.
3. The Coordinating Secretariat reports to the heads of the institutions and they present on the findings from the process of monitoring the implementation of the annual plan.
4. The Coordinating Secretariat agrees on the agenda of public meetings and meetings before they are held.
5. The Coordination Secretariat participates in LPSC meetings.

Article 9
Meetings of the LPSC

1. The Chairman of the SCSC convenes and chairs the meetings of the LPSC. The invitation with the agenda and the materials for review are sent to the members of LPSC at least 10 working days before the next meeting.
2. LPSC carries out the work according to the agenda approved by the chairman of LPSC.
3. The Chairman of the LPSC gives the floor, directs the debate and determines the beginning and the end of the consideration of each agenda item.
4. After closing the discussions between them, the members of the LPSC agree on recommendations and decisions by the consensus of the participants at the meeting.
5. LPSC meetings are open and held at least twice a year. They take place on the premises of the municipality, unless the Mayor decides otherwise.

Article 10
Technical Secretariat of LPSC

1. LPSC appoints the Technical Secretariat of LPSC, which consists of employees from the municipality.
2. The Technical Secretariat, in close coordination with the Chairman of the LPSC, performs the following tasks:
 - a) performs actions related to the drafting of the minutes of the meeting, the drafting of various documents or acts of the LPSC, the maintenance of the archive and the protocol of the LPSC;
 - b) sending and following notifications, and other activities of the secretariat;
 - c) prepares materials, recommendations or decisions taken after each LPSC meeting;
 - d) maintains the list-presence of LPSC members present and other persons present at the meeting;
 - e) performs actions for publishing notices and acts on the official website of the municipality or in the media;
 - f) creates the appropriate conditions for the development of meetings and activities of the LPSC.
3. The Technical Secretariat attends LPSC meetings.

CHAPTER III
TRANSPARENCY AND COMMUNICATION WITH THE PUBLIC

Article 11
Communication with the public

1. LPSC communicates with the public after each meeting through a press release, which, according to the nature of the issues addressed, informs at least about: a) the time of the meeting; b) participation; c) issues considered in the agenda; ç) the essence of the LPSC discussions.
2. The announcement to the public is prepared by the technical secretary in cooperation with the LPSC coordination secretariat.
3. The Chairman of the LPSC shall order the publication of the notice within 24 hours of the meeting.

CHAPTER IV
TRANSITIONAL AND FINAL PROVISIONS

Article 12
Transitional provision

Changes and additions to this regulation will be made according to the procedure of its approval.

Article 13
Entry into force

This Regulation enters into force with the approval of the Municipal Council and is published on the official website of the municipality.