

**REPUBLIC OF ALBANIA**  
**Council of Ministers**

**DECISION**  
**No.304, date 25.3.2009**

**ON**

**THE PROCEDURES OF THE STATE EXPORT CONTROL AUTHORITY (AKSHE) TO CARRY OUT THE EXPERTISE AND CONTROL**

Based on article 100 of the Constitution as well as articles 14, last paragraph, 25, of the law no. 9707, dated 5.4.2007, "On State Control of Import-Export of Military Goods and Dual-Use Goods and Technologies", upon proposal of the Minister of Defense, the Council of Ministers

**DECIDED:**

1. The State Export Control Authority (AKSHE) of military goods, goods and technologies of dual use carries out expertise and controls in accordance with the aim envisaged in Article 1, of the Law no. 9707, date 5.4.2007, "On State Control of Import-Export of Military Goods and Dual-Use Goods and Technologies" based on the request of the subjects, physical or juridical, that carry out international transfers of the military goods, dual-use goods, as well as their technology, in order to provide them with import, export, transit licenses, authorizations, international import certificates, end user certificates, distribution certificate and custom certificates, upon the arrival of the goods at the destinations.
2. AKSHE carries out expertise and control during these phases:
  - a. Before the registration of the commercial subjects, which perform international transfers of military goods, as well as brokering activities for these transfers;
  - b. After the registration of the commercial subjects, which perform international transfers of military goods;
  - c. Before the licensing/authorization of the commercial subjects;
  - d. After the licensing/authorization of the commercial subjects.
3. AKSHE mainly carries out expertise and control on:
  - a. The accurate identification of the goods and technology.
  - b. The categorization of the good/technology in the approved list upon Decision of the Council of Ministers No. 1569, date 19.11.2008, "On the approved list of the military goods and goods and technologies of dual use, which are subject to State Control of import-export";

- c. Determining the quantity of goods which will be exported/imported, or will transit in the territory of the Republic of Albania;
  - d. Defining the origin of the goods;
  - e. The verification of the possibility of using the goods/technologies for the scopes as foreseen by Article 1, of the Law no. 9707, dated 5.4. 2007, "On State Control of Import-Export of Military Goods and Dual-Use Goods and Technologies"
  - f. The verification, if the stated end use of the goods/technologies is technically acceptable with the last stated end use.
  - g. The verification, if the stated end use of the goods/technologies is logically in compliance with the activities of the end user.
  - h. Precise confirmation of the existence of the end user as well as the precise identification of the activities of this user;
  - i. Verification of whether the end user has had direct connections in the past with activities of proliferation of mass destruction weapons, or has had direct connections with states which support the proliferation of mass destruction weapons.
3. Documents, which will be presented by the commercial subjects to be equipped with license/authorization, registration certificate, international import certificate, end user certificate, and for expertise and control will be approved by order of the Chairman of AKSHE.
  4. If coordination is required with other interested institutions, the timeline to carry out the expertise and control is 60 (sixty) days from the date of delivery of the complete documentation to these institutions.
  5. The Ministry of Defense, AKSHE, and other institutions with whom AKSHE collaborates, are in charge of the execution of this decision.

This decision comes into force upon publication into the Official Gazette.

**PRIME MINISTER  
SALI BERISHA**

MINISTER OF DEFENSE  
GAZMEND OKETA