



**NATIONAL ANTI-CORRUPTION COORDINATOR**

# **MONITORING REPORT FOR JANUARY-JUNE 2018**

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## **ANTI-CORRUPTION CROSSCUTTING STRATEGY 2015 – 2020**

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## LIST OF ACRONYMS

AASCA	Agency of the Administration of Seized and Confiscated Assets
NAIS	National Agency of Information Society
NFA	National Food Authority
ACSS	Agency for Civil Society Support
PPA	Public Procurement Agency
AARD	Agency for Agricultural and Rural Development
SPGD	State Police General Directorate
HIDAACI	High Inspectorate for the Declaration and Audit of Assets and Conflict of Interests
CRIPDP	Commissioner for the Right to Information and Personal Data Protection
NACC	National Anti-Corruption Coordinator
HSA	High State Audit
CEC	Central Elections Commission
MESY	Ministry of Education, Sport and Youth
MoI	Ministry of Interior
MARD	Ministry of Agriculture and Rural Development
MoJ	Ministry of Justice
MEFA	Ministry for Europe and Foreign Affairs
MFE	Ministry of Finance and Economy
MIE	Ministry of Infrastructure and Energy
MoC	Ministry of Culture
MoD	Ministry of Defense
MHSP	Ministry of Health and Social Protection
MTE	Ministry of Tourism and Environment
GPO	General Prosecutor's Office
AP	Action Plan
CACS	Crosscutting Anti-Corruption Strategy
SPAK	Special Anti-Corruption Unit
SIAC	Service for Internal Affairs and Complaints

## **I. EXECUTIVE SUMMARY ON THE ANTI-CORRUPTION CROSSCUTTING STRATEGY 2015-2020 AND ACTION PLAN 2018-2020 FOR JANUARY-JUNE 2018.**

Corruption is a threat to democracy, good governance, fair competition, sustainable economic, social and political development of a country.

It seriously impedes economic growth, creating a system of inequality, prejudice and nepotism, undermining people's trust in their state, therefore the fight against corruption is presently one of the primary challenges of any state with a democratic culture, vision and high integrity.

The government has and will firmly continue to have unshaken will in the fight against corruption through preventive actions, punitive measures and public awareness raising activities.

The priority of the government in the field of combating corruption best corresponds to the conditions set by the European Union to open negotiations for membership in the EU. The fight against corruption is one of the five policies Albania is advised to follow with priority in the country's European integration process. Likewise, the prevention and punishment of corruption is an obligation deriving from the accession of Albania to international instruments for the fight against corruption such as the United Nations Convention against Corruption, the Council of Europe Criminal Convention against Corruption, the Council of Europe Civil Convention against Corruption etc.

Since 2015, Albania has been pursuing and implementing the Anti-Corruption Crosscutting Strategy. The 2015-2020 vision of the Anti-Corruption Crosscutting Strategy is: "Albanian institutions with a high level of transparency and integrity, enjoying the trust of citizens and guaranteeing quality and non-corrupt service".

The major goals of the Anti-Corruption Crosscutting Strategy are prevention, punishment and public awareness / education about corruption. These goals are long-term and extend over time throughout the implementation of the strategy and action plan.

The Anti-Corruption Crosscutting Strategy covers a period of 6 years, as it envisages the objectives and the relevant measures to be implemented to meet these objectives in accordance with the deadlines detailed in the Anti-Corruption Action Plan. The Anti-Corruption Crosscutting Strategy, being a crosscutting strategy, is based on the principle of coordination between institutions in order to achieve the objectives included in the NSDI by implementing a systematic and integrated approach.

An annual review of the Action Plan for the Strategy implementation was carried out by the National Anti-Corruption Coordinator, in order to allow the adaptation of the Strategy to the new realities and sector-based priorities.

This Action Plan has undergone a comprehensive consultation process with the participation of key stakeholders, who play an important role in the fight against corruption, including state administration institutions at central and local level and independent institutions, international organizations and partners, civil society etc.

In drafting this document, the changes that have taken place as a result of reforms such as Justice Reform and Territorial Administrative Reform have been taken into account and reflected.

With a view of drafting this document, initially by the National Anti-Corruption Coordinator, an assessment of the development of the Anti-Corruption Crosscutting Strategy was conducted, the Action Plan 2015-2017 of this strategy was analyzed, and the problems faced by institutions for the implementation of measures set out in this action plan, were analyzed.

A key role in the process of drafting Action Plan 2018-2020 is also attributed to the Passport of Indicators of the Anti-Corruption Crosscutting Strategy, through which measurable indicators of the realization of the objectives of this strategy have been determined.

The Action Plan 2018-2020 for the implementation of the Anti-Corruption Crosscutting Strategy 2015-2020 was approved by Decision of Council of Ministers No. 241, dated 20.04.2018, Passport of Indicators, establishment, functioning and duties of the Coordinating Committee for the Implementation of the CACS and the Inter-Institutional Anti-Corruption Task Force.

The establishment of the Inter-Institutional Anti-Corruption Task Force, responsible for inter-institutional inspections under the Action Plan of the Crosscutting Anti-Corruption Strategy, is chaired by the Minister of Justice, National Anti-Corruption Coordinator and is composed of representatives from the Prime Minister's Office, Public Procurement Agency and Central Inspectorate.

The Coordinating Committee is chaired by the Minister of Justice and consists of 10 members at the level of Deputy Minister from each Line Ministry (excluding 2 Ministries without portfolio).

## **II. ON THE ACTION PLAN 2018–2020 PURSUANT TO THE ANTI-CORRUPTION CROSSCUTTING STRATEGY.**

The new Action Plan 2018 - 2020 consists of a total of 18 objectives, of which 11 are part of the preventive approach, 4 in the punitive approach and 3 in the public awareness-raising approach, as follows:

***The Preventive Approach***, which aims to eradicate corruption firstly from the public administration and all state segments and mainly from institutions providing public services to citizens, consists of the following objectives:

- A.1 Increasing Transparency in State Activity and Improving Citizens' Access to Information;
- A.2 Increasing transparency in planning, managing and controlling public funds;
- A.3 Strengthening the electronic infrastructure of public institutions;
- A.4 Improving the treatment of corruption denunciations/reports;
- A.5 Strengthening the regime of declaration and control of assets of public officials and conflicts of interest cases;
- A.6 Strengthening the regime of controls over the financing of political parties;
- A.7 Improving the efficiency of internal audit and inspection and systematic use of risk analysis;
- A.8 Systematic use of the mechanism for identifying areas for corruption;
- A.9 Strengthening the integrity of public officials;
- A.10 Analyzing trends of corruption, effectiveness of anti-corruption measures and improving

statistics related to the activity of anti-corruption law enforcement agencies;  
A.11 Articulating and adopting anti-corruption policies at the local government level.

***The Punitive Approach*** is intended to ensure that law enforcement institutions and especially independent bodies, which have a key role in this process, should monitor law enforcement and rule of law, thus ensuring the transparency and integrity of state bodies. This approach consists of the following objectives:

- B.1 Improving the efficiency and effectiveness of criminal investigations against corruption;
- B.2 Improving cooperation between law enforcement institutions in prosecution and criminal punishment of corruption;
- B.3. Review of the legal framework for the prosecution of economic and financial crime;
- B.4. Improving judicial and international police cooperation in the fight against corruption.

The Public Awareness Approach aims for the public to participate in the fight against corruption by denouncing it and being active in initiatives aimed to prevent corruptive phenomena. This approach consists of the following objectives:

- C.1 Public awareness raising and education of the general public on the consequences of corruption;
- C.2 Encouraging the public to actively use mechanisms for reporting corruption;
- C.3. Encouraging cooperation with civil society.

The performance indicators<sup>1</sup> total **37**, where 21 thereof take part in the preventive approach, 9 in the punitive approach and 7 in the public awareness approach. This action plan consists of a total of **97 measures**, respectively 52 measures for the preventive approach, 19 measures for the punitive approach and 26 measures for the public-awareness approach.

The number of institutions involved in the process of drafting the Action Plan is 84 (11 Ministers, 12 central-level Institutions and 61 Municipalities).

Pursuant to the Decision of Council of Ministers no. 241, dated 20.04.2018 "On the approval of the Action Plan 2018-2020 for the implementation of the Crosscutting Anti-Corruption Strategy 2015-2020, of the Passport of Indicators, establishment, functioning and duties of the Coordinating Committee for the Implementation of the Crosscutting Anti-Corruption Strategy 2015-2020 and the Inter-Institutional Anticorruption Task Force ", in July 2018 the Ministry of Justice started the monitoring process of CACS for the first half of 2018.

The Crosscutting Anti-Corruption Strategy aims to achieve the major objectives of this strategy through the implementation of specific anti-corruption measures, in order to develop a society in which a

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<sup>1</sup> In order to achieve the planned objectives and evaluate the performance indicators, a Passport of Indicators is drafted for CACS implementation, explaining the detailed methodology for the calculation of baseline values and targets introduced by the institutions. A more complete information can be found in the Annex attached hereto.

responsible and efficient anti-corruption system is in place, capable of tangible results and to show a tendency toward maximum elimination of corruption threats, as well as the will to prevent and combat corruption. To monitor the performance of the 2015-2020 Crosscutting Anti-Corruption Strategy, a report has been drafted in the framework of the implementation of the Action Plan 2018-2020, which is the second monitoring report for 2018 and covers the period from 1 January 2018 to 30 June 2018. The monitoring report is realized through reporting by the Anti-Corruption Contact Points. The goal is to have information on the achievements, progress and challenges to meet the above-mentioned objectives of the strategy regarding the level of implementation of each measure, allocated budget and performance for this six-month term.

### **III. KEY ACHIEVEMENTS DURING JANUARY-JUNE 2018.**

The most significant achievements for the semi-annual term pursuant to the Action Plan 2018-2020 of the Anti-Corruption Crosscutting Strategy, are as follows:

#### **Preventive Approach**

1. All ministries have approved and published in their webpages the transparency programs.
2. Public consultation process of transparency model program has ended for local government, drafted by IDM in cooperation with Commissioner's Office. 5 public consultation rounds have been developed where Mayors, different civil society stakeholders, as well as coordinators of the right for information in the local government.
3. PPA has already taken some measures toward the fulfillment of the objective A.2. For the first half of 2018, the percentage of modified elements in the register of forecasts is 18%, percentage of the procedures by negotiation without prior announcement of the contract notice towards the total of procedures, earned by the end of the first half is 13.9%, whereas the percentage of the contracts amendments from administrated data is 1.4%.
4. Referring to this period NAIS has added 48 new electronic services. By the end of June 2018 the total number of electronic services is 575. For this period there are 188,100 registered users in e-Albania portal. In total, there are over 580,000 portal users who can use its electronic services reducing physical presence at the institutions help desks. Over 2.1 million usages of electronic services of the portal by the citizens, businesses and administration employees are registered during the first half of 2018.
5. During this period the number of corruption investigations generated by the citizens criminal reports to the State Police is 168 cases, in terms of which police and investigative actions have been carried out and have been referred to the Prosecutor's Office.
6. 7 mutual trainings have been conducted between Prosecutor's Office and State Police, in the area of corruption and duty-related crimes between law enforcement institutions.
7. During this period **54** mutual meetings and analysis have been implemented with the Prosecutor's Office and other law enforcement Agencies/ Institutions.

8. Procurement procedure and contract assignment for software development has been finalized concerning the declaration of financial audit of assets and conflict of interest.
9. An ad-hoc Parliamentary Commission has been set up for the Election Reform. CEC has regularly participated in all Commission sessions regarding the financial audit of the political parties, providing its contribution regarding the possible law improvements.
10. CEC, in cooperation with Council of Europe's experts, has designed the standard model drafts for the financial report of the calendar year, which are in consultation process with IKEA's experts.
11. In the framework of increasing internal audit capacity at MFE for the semi-annual term, 198 internal auditors have been trained and 6 quality external evaluations are performed.
12. For the period January – June 2018, a criminal charge has been filed by the Directorate of Public Financial Inspection (MFE), as well as three public financial inspections are performed.
13. From the examination and verification (administrative investigation) of law enforcement and/or denunciations/reports on abusive, corruptive or arbitrary practices at all the public administration institutions and national agencies, it results that during the first half of the year, a large number of the institutions have performed internal audits and inspections, where 117 disciplinary measures were taken, 928 administrative measures, 28 criminal reports and 1 recommendation for a criminal report.
14. In the framework of Anti-Corruption Task Force, for the months May- June 2018, the Anti-Corruption Task Force has inspected 35 institutions and 25 inspections have ended, by which 162 disciplinary measures, 95 administrative measures, 6 criminal reports are recommended.

### **Punitive Approach**

15. School of Magistrates has conducted 4 training activities concerning Anti-Corruption where a total of 21 judges, 100 prosecutors and 1 inspector of HCJ have been trained
16. The Agreement between the General Prosecutor's Office and the Minister of Interior has been signed pursuant to DCM No. 06.11.2017, "On Action Plan Against the Organized Crime". The task force "Force of Law", is established and in place, for the purpose of strengthening and cooperation in the fight against organized crime, serious crimes of high social impact, crime against corruption and financial crime, seizure of criminal assets.
17. The Cooperation Agreement between the General Prosecutor's Office and the Central Immovable Property Registration Office" On granting access to the Prosecutor's Office to the electronic register of immovable properties". The liaison is under technical process.
18. The General Prosecutor's Office has addressed to the National Agency of Information Society with a request for access to some modules of e-Albania portal, where already have access for printing 5 documents free of charge.
19. The State Police has ensured access to the national database and electronic registers of some institutions, such as the General Tax Directorate, General Customs Directorate, General Directorate of the Road Transport Service, Central Immovable Property Registration Office, National Business Center, Ministry of Finance and Economy. During this period 37 meetings and joint analysis have been performed with General Prosecutor's Office and other law enforcement

Agencies/Institutions. 2 mutual trainings concerning the amendments on the Criminal Procedure Code have been conducted.

20. The State Police cooperates with “EUROPOL, “INTERPOL”, liaison officers of the Albanian Police affiliated in foreign countries, as well as liaison officers of countries affiliated in Albania CARIN, SELEK, BAMIN, INTERFORCE, etc., and based on the mutual agreements with other countries. The number of exchanged information between counterpart agencies in the area of economic and financial crimes includes 240 information reports with Interpol; 133 information reports with Europol; with the network of offices for tracing and recovery of criminal assets CARIN 3 information reports; 8 information reported sent by Interforca.
21. During the reporting period the Ministry of Interior has signed 7 mutual and multilateral agreements in the fight against crime, as the Memorandum of Intent between Republic of Albania and United States of America, with a view of installing and using the system for comparison and safe evaluation of personal identification; Cooperation Document, a letter of intent between the Ministry of Interior and the Ministry of Justice of the Republic of Albania and the Ministry of Justice and Security of the Netherlands for cooperation in the fight against International Crime etc.,
22. 16 police operations concerning corruption and duty-related crimes of the officials have been performed. 80 perpetrators were implicated in these operations, 47 of whom have been arrested/detained, 22 under probation, 11 others subject to police search.

### **Public awareness Approach**

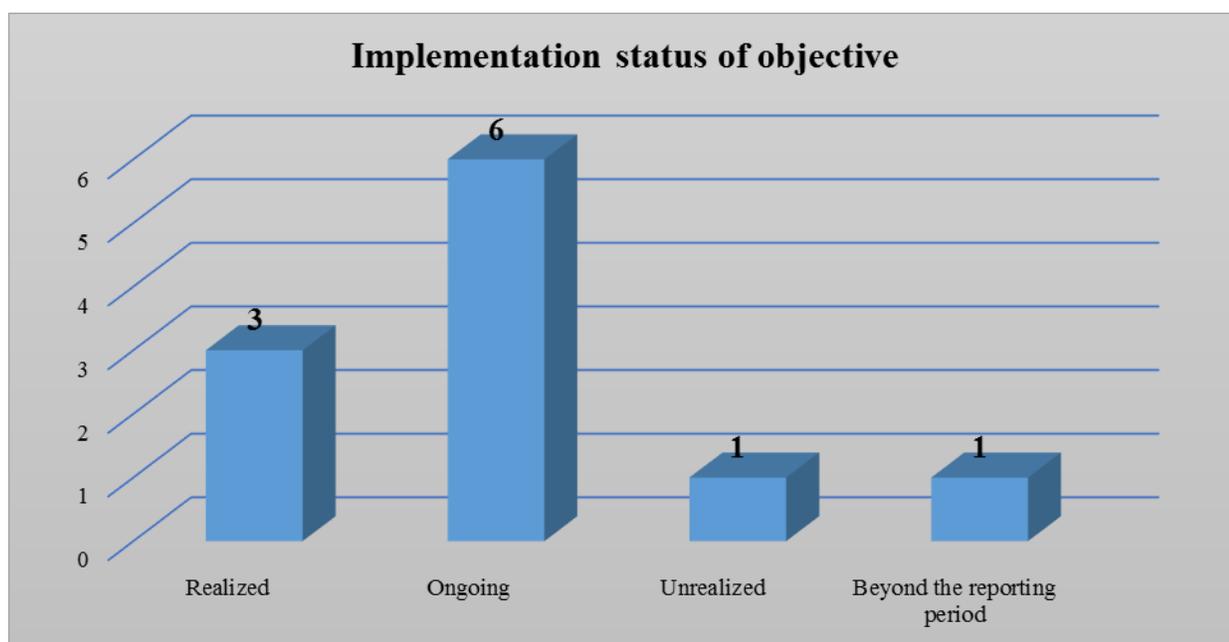
23. On March 20, 2018, the first Consultative Forum was held within the premises of the Ministry of Justice, where the Passport of Indicators of CACS and Draft-Plan of Anti-Corruption Action 2018-2020 were introduced. In this meeting, representatives of 17 responsible Institutions participated predetermined by the Passport of Indicators for drafting Anti-corruption Action Plan 2018-2020, in the framework of the Anti-Corruption Crosscutting Strategy, as well as other representatives from non-governmental organizations, representatives of civil society, lecturers, donor representatives and international organizations etc., where ideas/opinions were shared about the Action Plan, Law enforcement on whistleblowers and their protection and raising awareness of public and private sector to inform about corruptive cases.
24. The coordinating meeting with our partners and donors on anti-corruption was held on 30.05.2018 by the Ministry of Justice in cooperation with The Twinning Project “Support on formulation, coordination and implementation of anti-corruption policies in Albania”.
25. In cooperation with the Italian Anti-corruption Agency and (HIDAACI), the workshop with topic “Transparency and Public Procurement” has been organized, which was promoted in the Media.

#### IV. APPROACH-BASED PROGRESS OF ACTION PLAN IMPLEMENTATION

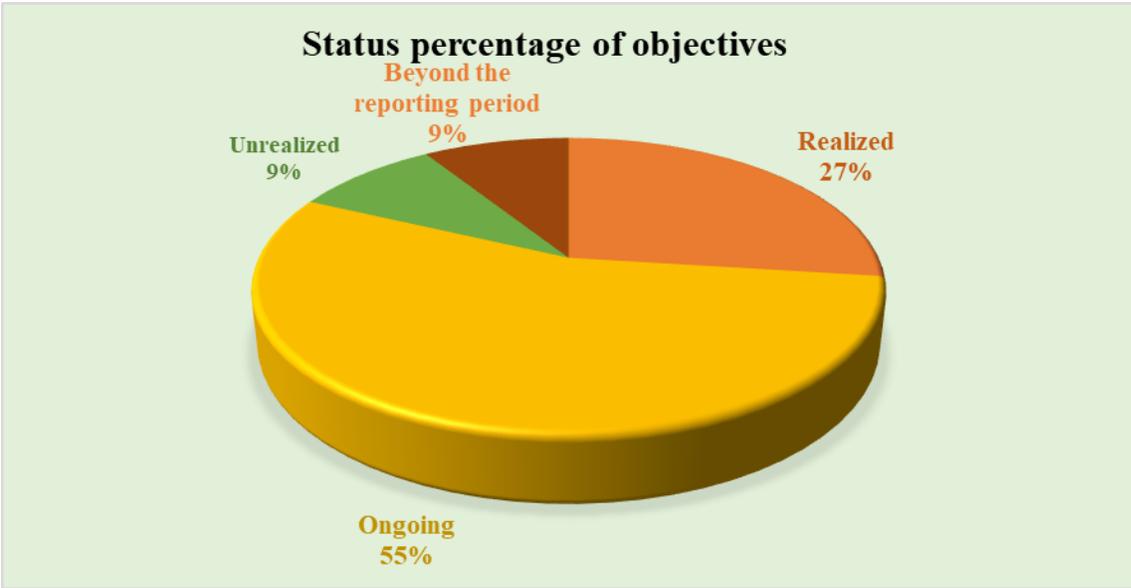
This chapter describes the achieved progress in the context of fulfillment of three approaches of the strategy related to the implementation status of measures for the period January-June 2018, as well as in general all the measures of Anti-corruption Crosscutting Strategy<sup>2</sup>.

##### Number of objectives under Implementation according to Approach A (Preventive Approach)

January-June 2018		
Number of objectives under Implementation according to Approach A (Preventive Approach)	Number of objectives of Approach A	Percentage to total of objectives of Approach A
Realized	3	27%
Ongoing	6	55%
Unrealized	1	9%
Beyond the reporting period	1	9%
<b>Total</b>	<b>11</b>	<b>100%</b>



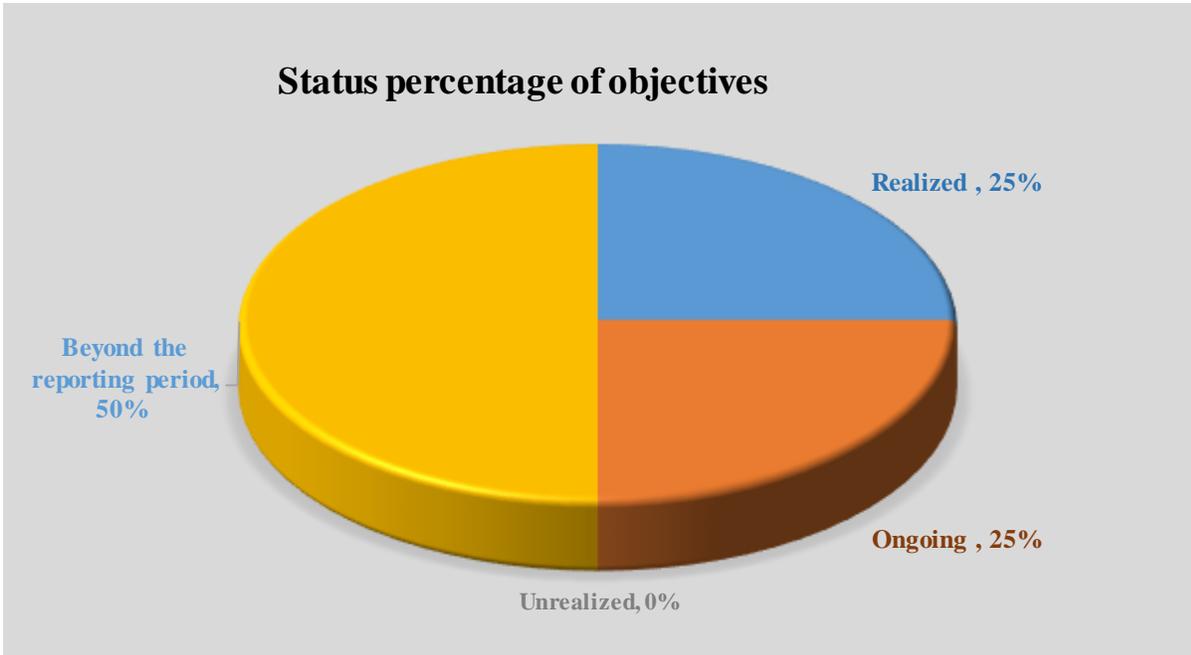
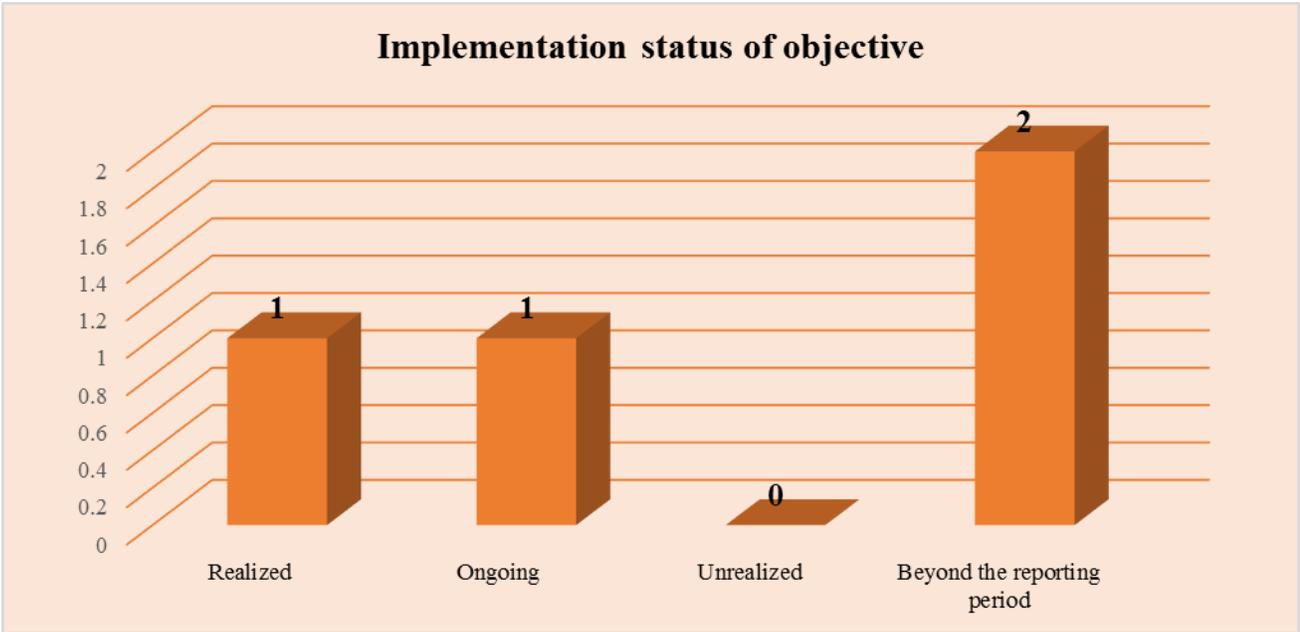
<sup>2</sup> Action Plan and progress for each objective will be in the annex of this report



*It results that of 11 foreseen objectives in the Action Plan of the Strategy for Approach A (Preventive Approach), 3 are realized, 6 are still ongoing and 1 unrealized objective from the responsible institution, and 1 objective falls beyond the realization period. The percentage to the total of implementation progress of Action Plan of this Approach is realized at a level of 27%, 55% are ongoing and 9% unrealized which will start implementation after the first half of the year by the Responsible Institutions.*

**Number of ongoing objectives according to Approach B (Punitive Approach)**

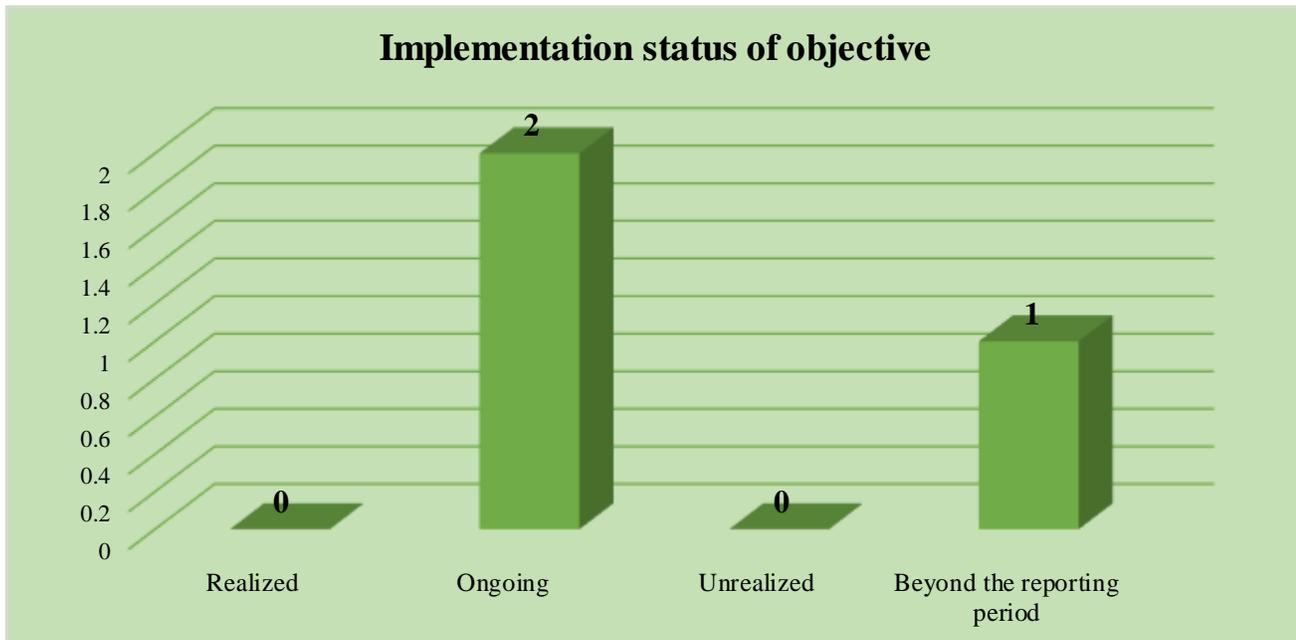
January-June 2018		
Number of ongoing objectives according to <b>Approach B (Punitive Approach)</b>	Number of objectives of Approach B	Percentage to total of objectives of Approach B
Realized	1	25%
Ongoing	1	25%
Unrealized	0	0%
Beyond the reporting period	2	50%
<b>Total</b>	<b>4</b>	<b>100%</b>



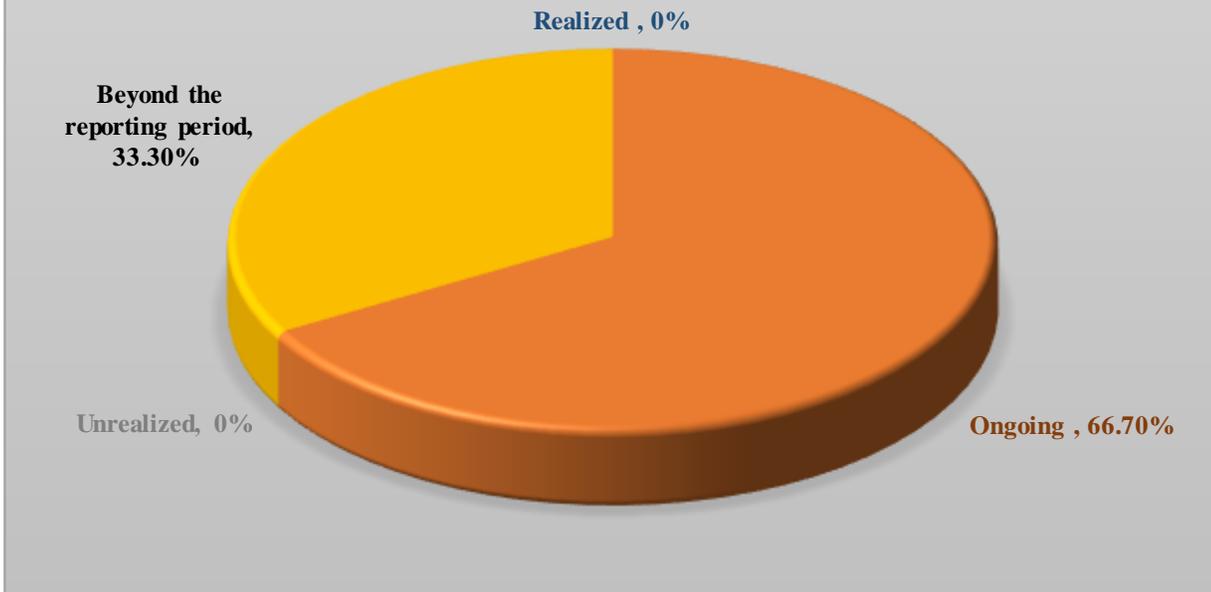
*It results that of 4 foreseen objectives in the Action Plan of the Strategy for Approach B (Punitive Approach), 1 is realized, 1 is still ongoing and 2 objectives fall beyond the realization period. The percentage to the total of implementation progress of Action Plan of this Approach is realized at a level of 25%, 25% are ongoing and 50% will start implementation after the first half of the year by the Responsible Institutions.*

**Number of ongoing objectives according to Approach C (Public awareness)**

<b>January-June 2018</b>		
<b>Number of ongoing objectives according to Approach C (Public awareness)</b>	<b>Number of objectives of Approach C</b>	<b>Percentage to total of objectives of Approach C</b>
Realized	0	0%
Ongoing	2	66.7%
Unrealized	0	0%
Beyond the reporting period	1	33.3%
<b>Total</b>	<b>3</b>	<b>100%</b>



## STATUS PERCENTAGE OF OBJECTIVES



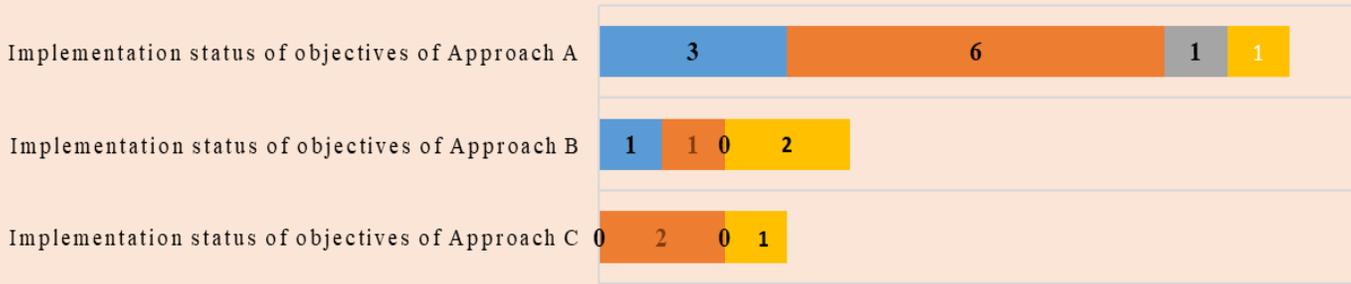
*It results that of 3 foreseen objectives in the Action Plan of the Strategy for Approach C (Public Awareness), 2 are still ongoing and 1 objective falls beyond the realization period of report. The percentage to the total of implementation progress of Action Plan for this reporting period, results to be at level of 66.7% are ongoing and 33.3% will start implementation after the first half of the year by the Responsible Institutions.*

### Number of ongoing objectives according to Approach A - B - C

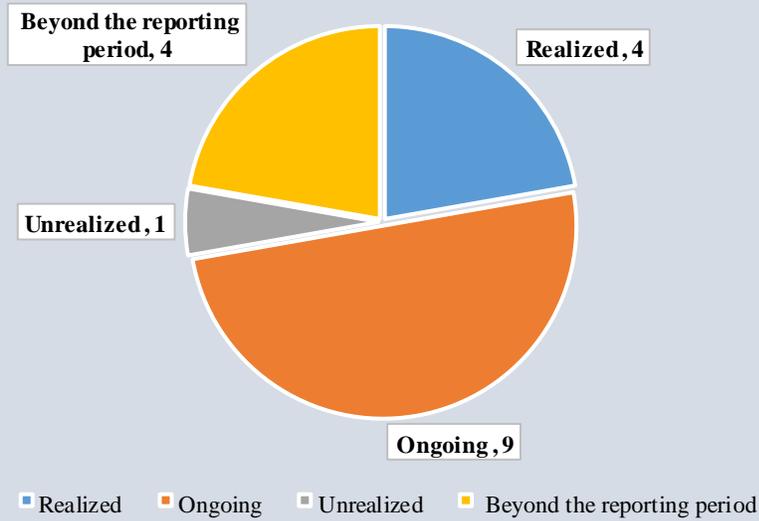
Objectives	Realized	Ongoing	Unrealized	Beyond the reporting period
Implementation status of objectives of Approach A	3	6	1	1
Implementation status of objectives of Approach B	1	1	0	2
Implementation status of objectives of Approach C	0	2	0	1
<b>TOTAL</b>	<b>4</b>	<b>9</b>	<b>1</b>	<b>4</b>

### Total status of objectives implementation

■ Realized 
 ■ Ongoing 
 ■ Unrealized 
 ■ Beyond the reporting period



### Total status of objectives



For January – June 2018, in total for the three Approaches 4 objectives have been realized, while 9 are still ongoing, 1 unrealized objective, 4 other objectives are planned to be realized after the first half of 2018, and for the ongoing period.

In the framework of monitoring the implementation activities of Action Plan 2018 – 2020, the responsible Institutions have been required to report on financial disbursement measures based on their performed activities. Based on the analysis of reported activities, it results that:

- ✚ **Financing for the first half of 2018 from the State Budget amount to 17,933,684 ALL.**
- ✚ **Financing for the first half of 2018 from the donors amount to 15,342,420 ALL.**

## **V. ISSUES ENCOUNTERED DURING THE SEMI-ANNUAL REPORTING**

- ✦ An issue for this period still remains the delay of institutions to report within the required time limit (exceeding the reporting period), which directly affect the delayed drafting of Monitoring Reports.
- ✦ Failure to send the information on financial disbursement of planned activities in CACS (from some of the institutions), which affects the unrealistic reflection of costs for the Strategy implementation.
- ✦ During the monitoring phase, a large number of contact points has been observed, which have reported for special activities of the Action Plan, by not coordinating within the reporting Institution, therefore a comprehensive report on all respective activities of responsible Institution would be sent to the Ministry of Justice.
- ✦ Another issue is the quality of contributions that have been partly reported, when often they are returned to be completed based on the requests and the Action Plan format.