



NATIONAL ANTI-CORRUPTION COORDINATOR

MONITORING REPORT FOR JANUARY-SEPTEMBER 2018

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 CROSCUTTING STRATEGY 2015-2020 AND ACTION PLAN 2018-2020 FOR JANUARY - SEPTEMBER 2018.

Corruption is a threat to democracy, good governance, and 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 indicators¹ 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

¹ 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.

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 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 September 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-SEPTEMBER 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 10.8%, whereas the percentage of the contracts amendments from administrated data is 1.2%.
4. Referring to this period NAIS has added 50 new electronic services. For this period there are 271,760 registered users in e-Albania portal. In total, there are over 664,000 portal users who can use its electronic services reducing physical presence at the institutions help desks. Over 3.3 million usages of electronic services of the portal by the citizens, businesses and administration employees are registered during this period.
5. During this period the number of corruption investigations generated by the citizen's criminal reports to the State Police is 175 cases, in terms of which police and investigative actions have been carried out and have been referred to the Prosecutor's Office.

6. 14 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 **70** 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. The deadline for adopting changes to the Electoral Code is November 2018.
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. For the period January - September 2018, four trainings were conducted
11. In the framework of increasing internal audit capacity at MFE for the semi-annual term, 263 internal auditors have been trained and 7 quality external evaluations are performed.
12. For the period January - September 2018, by the Public Financial Inspection Department (MFE), the number of public financial audits referred to by the audit structures resulted in: 2 inputs from the Internal Audit Structure and 2 by HSC.
13. 7 police operations have been conducted for corruption and crimes of incumbent officials. In these operations were implicated 80 perpetrators, of whom 47 were arrested / detained, 22 were in free investigation, 11 in search.
14. 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 January – September 2018, a large number of the institutions have performed internal audits and inspections, where 243 disciplinary measures were taken, 1441 administrative measures, 58 criminal reports and 21 recommendation for a criminal report.
15. In the framework of Anti-Corruption Task Force, for the months May- September 2018, the Anti-Corruption Task Force have ended 46 inspections, by which 282 disciplinary measures (from them 55 are layoffs), 6 criminal reports are recommended.

Punitive Approach

16. 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
17. 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. In this framework, the General

Prosecutor approved Guideline No. 1, dated 20.02.2018, "On the Establishment of Special Sections" in 10 first instance prosecutors.

18. 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". Currently it is being worked on its implementation and for the realization of the interconnection of 2 systems.
19. During this period, 54 joint meetings and analyzes were conducted with the Prosecutor's Office, and other law enforcement agencies / instructions.
20. A cooperation agreement has been signed between the General Prosecutor's Office and the Central Immovable Property Registration Office "On granting the right of access to the prosecutor's office to the electronic immovable property register". In the interconnection process.
21. The General Prosecutor's Office has addressed the National Agency of Information Society with a request for access to several e-Albania portal modules from where they now obtain access for free of cost printing of 5 documents.
22. 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, and 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.
23. 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.
24. During the reporting period the Ministry of Interior has signed 11 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.,

Awareness Approach

25. 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.

26. Forum on "The Role of Internal Audit in Combating Corruption", on Thursday, 26 July 2018. In this forum participated Civil Society Organizations, Director of Internal Audit Directorates and Anti-Corruption of Contact points.
27. The focus of the third forum was "Freedom of Information", organized at 28 September, at the premises of the Commissioner for Freedom of Information and Protection of Personal Data.
28. 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".
29. 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 Strategy².

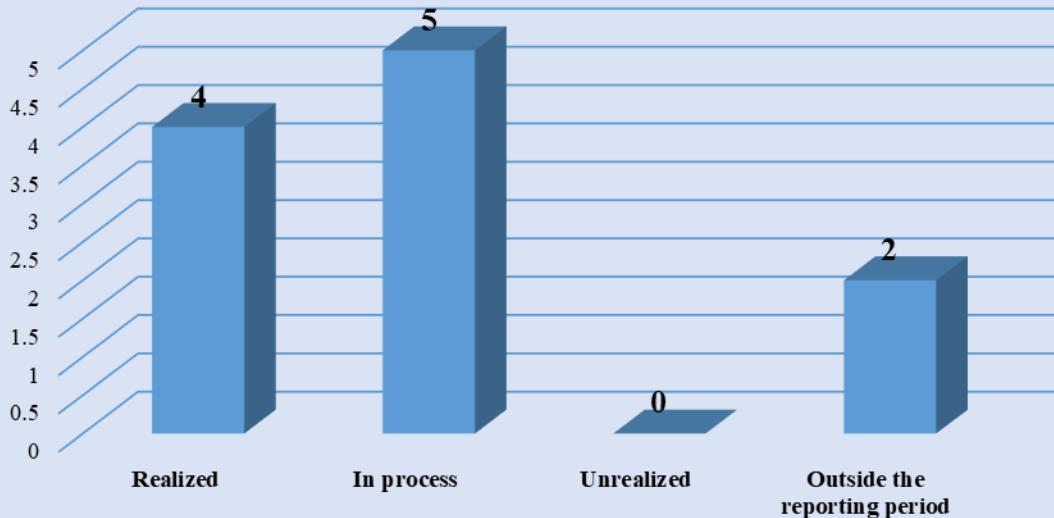
Number of objectives under Implementation according to Approach A (Preventive)

Januaru-September 2018		
The status of implementation of the objectives of A approach (Preventive)	Number of the objectives of A approach	Percentage to total of the objectives A approach
Realized	4 ³	36%
In process	5	46%
Unrealized	0	0%
Outside the reporting period	2	18%
Total	11	100%

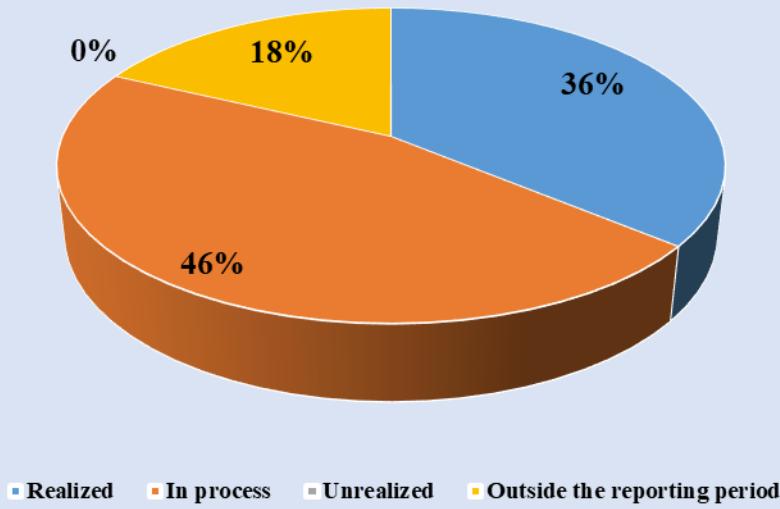
² Action Plan and progress for each objective will be in the annex of this report

³ 2 targets were realized outside the reporting period

The status of implementation of objectives



The percentage of the status of objectives

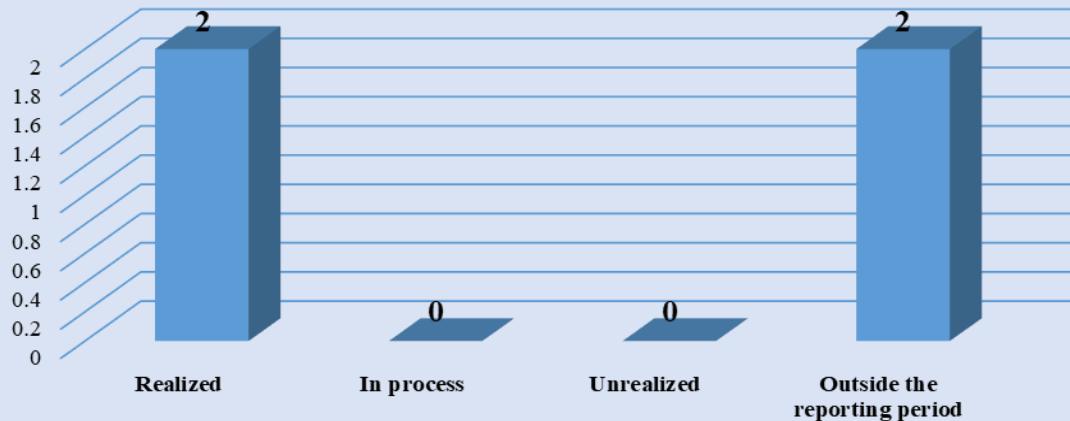


It results that of 11 foreseen objectives in the Action Plan of the Strategy for Approach A (Preventive), 4 are realized,(2 targets are reported by the responsible institutions outside the reporting period), 5 are still in the process of implementation, as well as 2 targets belonging realization outside the reporting period. The percentage to the total of implementation progress of Action Plan of this Approach is realized at a level of 36%, 46% in proces, 0% unrealized, si dhe 18% which are outside the reporting period.

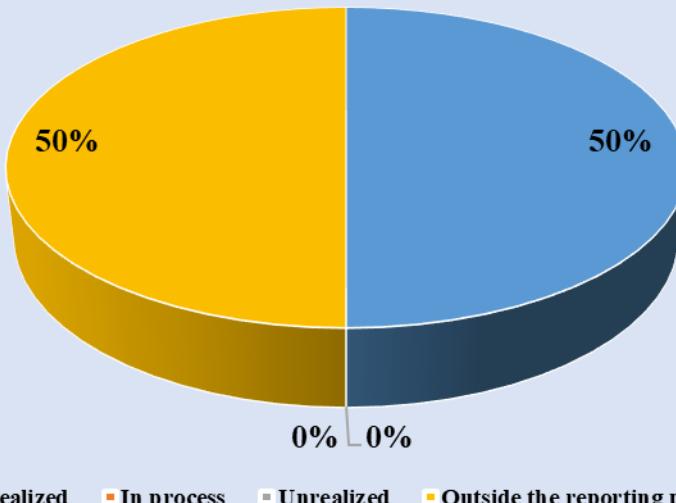
Number of objectives under Implementation according to Approach B (Punitive)

Januaru-September 2018		
The status of implementation of the objectives of B approach (Punitive)	Number of the objectives of B approach	Percentage to total of the objectives B approach
Realized	2	50%
In process	0	0%
Unrealized	0	0%
Outside the reporting period	2	50%
Total	4	100%

The status of implementation of objectives



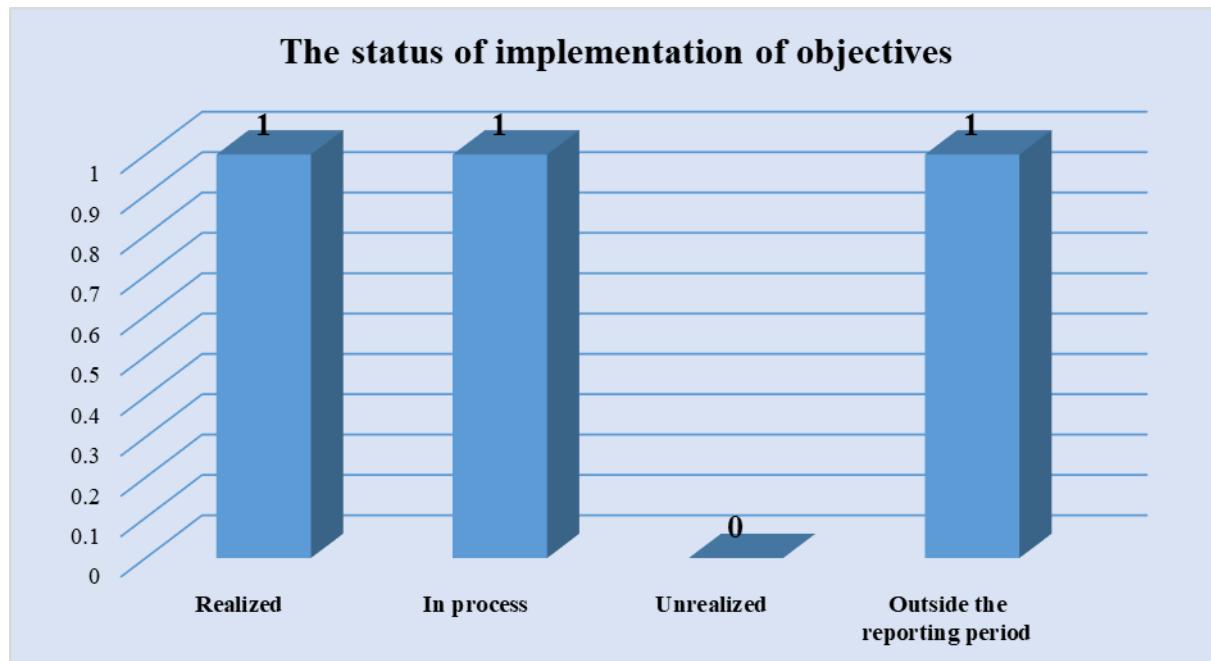
The percentage of the status of objectives

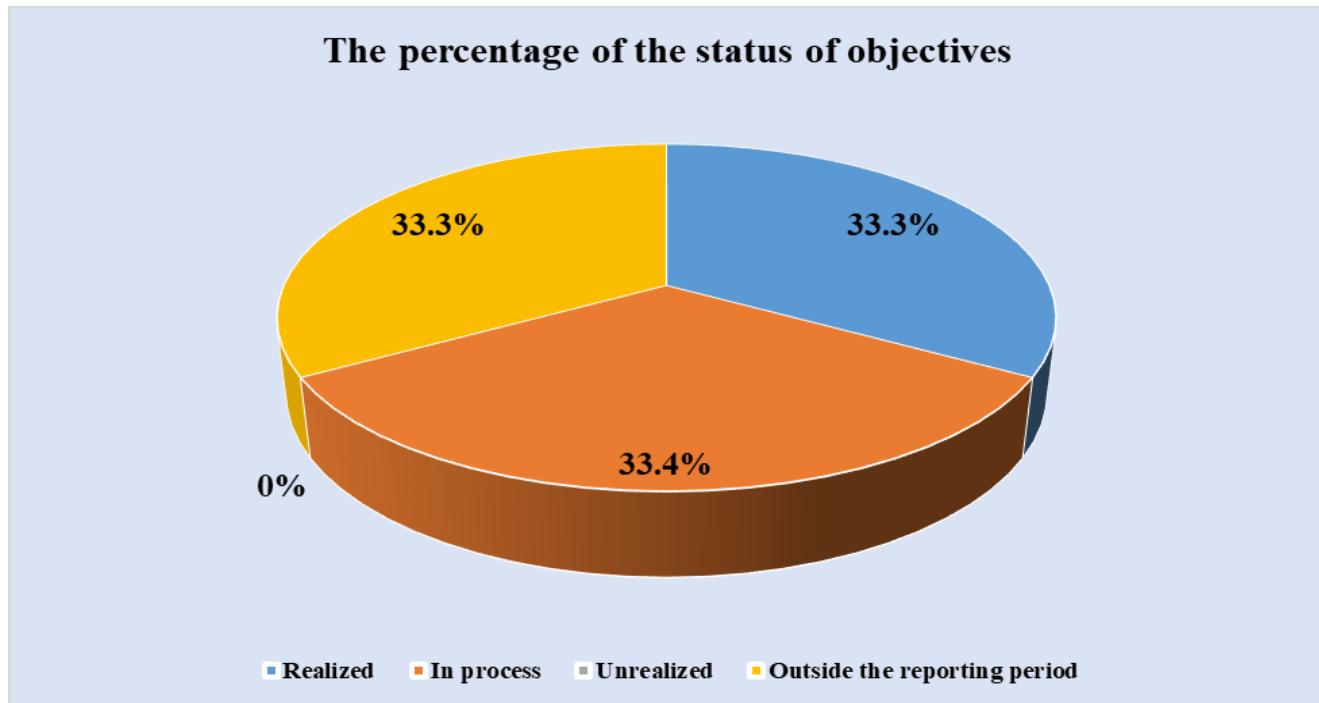


It result that of 4 foreseen objectives in the Action Plan of the Strategy for Approach B (Punitive), 2 iz realized of them, and 2 targets belonging realization outside the reporting period. The percentage to the total of implementation progress of Action Plan of this Approach is realized at a level of 50%, as well as 50% which, although to be implemented after the 9-th of months 2018, by the responsible institutions were reported within this period.

Number of objectives under Implementation according to Approach C (Awareness)

Janaru-September 2018		
The status of implementation of the objectives of C approach (Awareness)	Number of the objectives of C approach	Percentage to total of the objectives C approach
Realized	1	33.3%
In process	1	33.4%
Unrealized	0	0%
Outside the reporting period	1	33.3%
Total	3	100%





It results that of 3 foreseen objectives in the Action Plan of the Strategy for Approach C (Awareness), 1 objective is realized, 1 is still in the process of implementation, 1 objective the realization outside the reporting period. The percentage to the total of implementation progress of Action Plan for this reporting period, turns out to be; 33.3% is realized, 33.4% in process, as well as 33.3 % which, although to be implemented after the 9-th of months 2018, by the responsible institutions were reported within this period.

Number of objectives under Implementation according to Approach A - B - C

Objectives	Realized	In process	Unrealized	Outside the reporting period
The status of implementation of the objectives of A approach	2	5	0	4
The status of implementation of the objectives of B approach	2	0	0	2
The status of implementation of the objectives of C approach	0	2	0	1
TOTAL	4	7	0	7

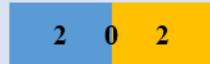
Total status of implementation of objectives

■ Realized ■ In process ■ Unrealized ■ Outside the reporting period

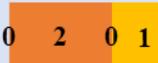
The status of implementation of the objectives of A approach



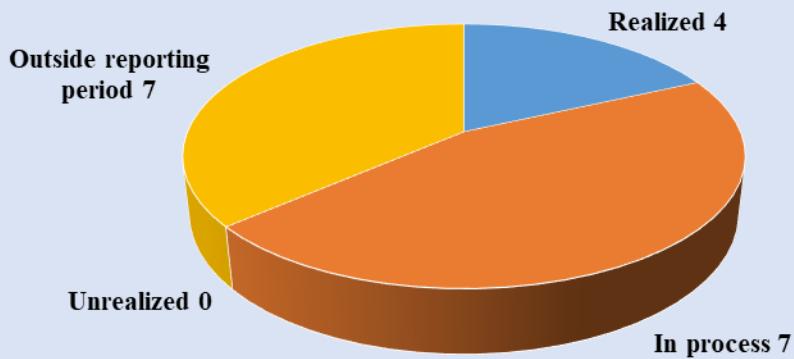
The status of implementation of the objectives of B approach



The status of implementation of the objectives of C approach



Total status of objectives



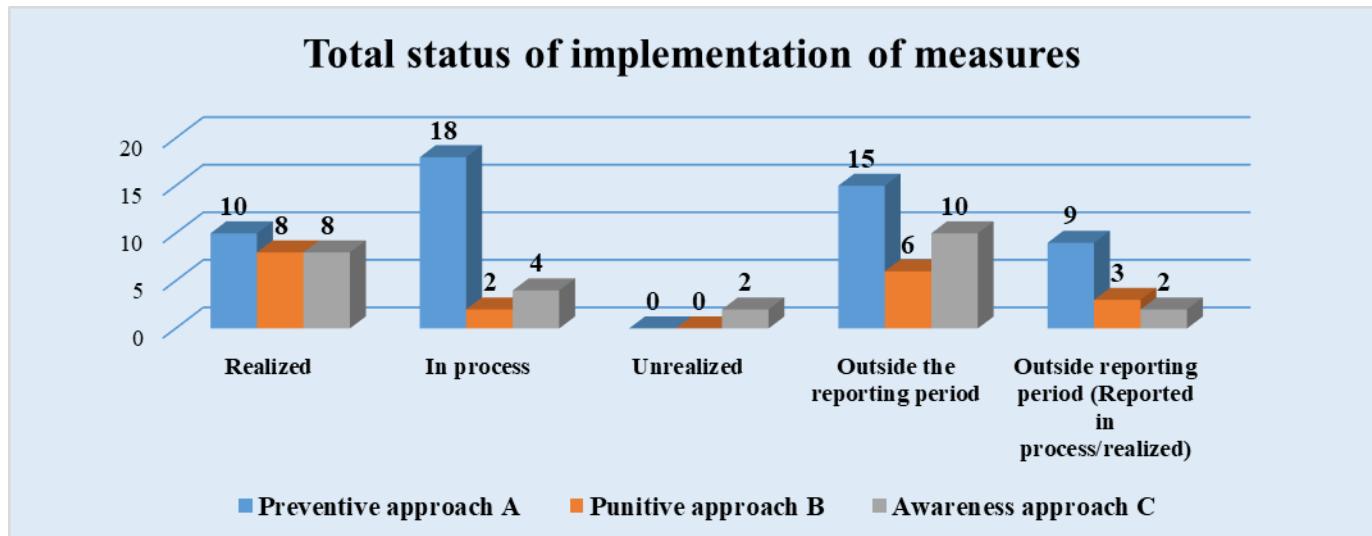
■ Realized ■ In process ■ Unrealized ■ Outside the reporting period

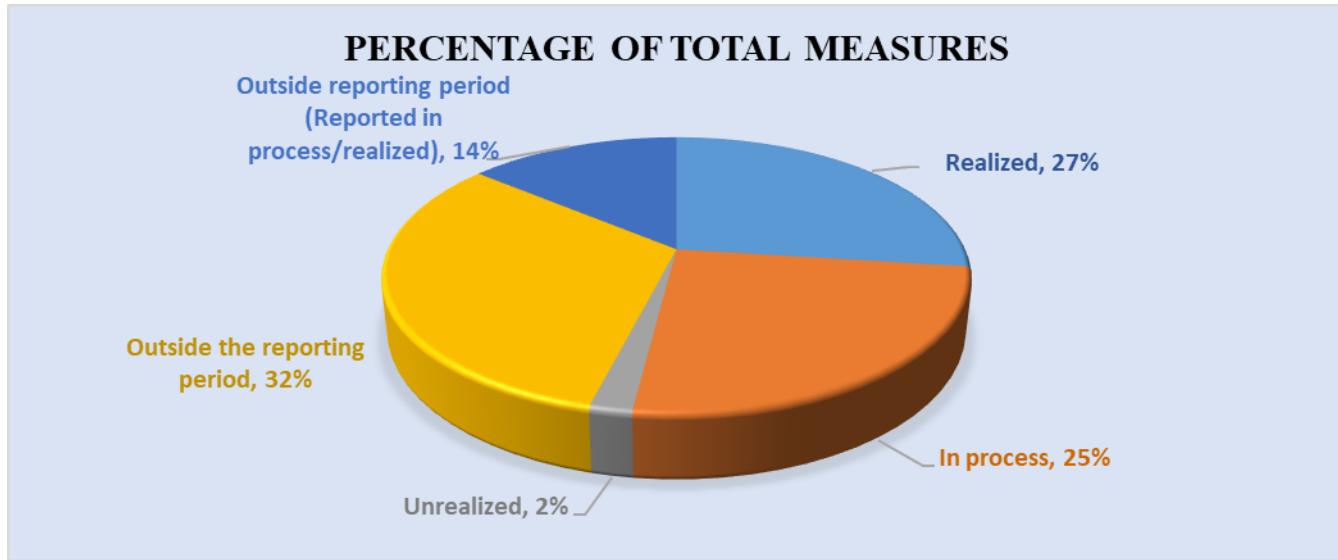
For January – September 2018, in total for the three Approaches **4 objectives** have been realized, while **7 objectives are still in process**, **0 objective unrealized** target, **7 other objectives are foreseen to be realized** after the first nine months of 2018 and onwards.

The 2018-2020 Action Plan for the implementation of the Cross-Sectorial Anti-Corruption Strategy consists of a total of 97 **measures**, respectively 52 measures for the preventive approach, 19 measures for punitive approach and 26 measures for awareness approach.

Their accomplishment for the nine-month period of 2018 is as follows:

Measures	Realized	In process	Unrealized	Outside the reporting period	Outside reporting period (Reported in process/realized)	Total measures by status
Preventive approach A	10	18	0	15	9	52
Punitive approach B	8	2	0	6	3	19
Awareness approach C	8	4	2	10	2	26
Totali	26	24	2	31	14	97





It turns out that out of the 52 measures / activities envisaged in the Action Plan for approach A (Preventive) Access Strategy, 10 measures / activities have been realized, 18 are still in the process of implementation, 15 measures / activities are out of reporting period (foreseen to be applied in the following), as well as 9 measures / activities are reported by institutions implemented or being outside the prescribed period for their implementation.

Out of 19 measures / activities envisaged in the Action Plan for approach B (Punitive), 8 measures / activities have been realized, 2 are still in the process of implementation, 6 measures / activities are out of reporting period (foreseen to be applied in the following), as well as 3 measures / activities are reported by institutions implemented or being outside the prescribed period for their implementation.

Also from 26 measures / activities envisaged in the Action Plan for approach C (Awareness), 8 measures / activities have been realized, 4 measures / activities are still in the process of implementation, 2 measures / activities are unrealized, 10 measures / activities are out of reporting period (foreseen to be applied in the following), as well as 2 measures / activities are reported by institutions implemented or being outside the prescribed period for their implementation.

Percentage of the overall progress of the implementation of the measures / activities of the Action Plan 2018 - 2020 for this reporting period turns out to be; 27% are realized, 25% are still in process, 2 % unrealized, 32% measures / activities are foreseen to be realized after the first nine months of 2018 and onwards, while 14% of the measures / activities are reported by institutions implemented or being outside the prescribed period for their implementation.

V. ISSUES ENCOUNTERED DURING THE JANUARY – SEPTEMBER 2018 REPORTING

During the process of drafting the monitoring report for the implementation of the Action Plan in the framework of the implementation of the Cross-Sectoral Anti-Corruption Strategy, some problems from reporting institutions have been highlighted that should be improved with the aim of drafting qualitative and timely reports.

- 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.
- Non-reporting of financial disbursement information for the activities envisaged in the strategy (from a part of the institutions) mainly to funds donated by donors, which affect the unrealistic reflection of costs for the implementation of the Strategy.
- Institutions do not report on performance indicators / indicators and thus do not reflect the progress of implementation of the action plan and the implementation of the indicator.
- During the monitoring phase, there has been an improvement in the quality of reporting by a significant proportion of contributing institutions, but a higher co-operation of Line Ministries is required, which are also required to report on their subordinate bodies..
- 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.

VI. CHALLENGES

In order to improve the implementation of the Action Plan and increase the quality of contributions of the institutions involved, the important challenges for the following monitoring periods are:

- Increasing the level of accountability of responsible institutions through the strengthening of inter-institutional coordination.

In this framework, the Ministry of Justice had organized in October a meeting with all anti-corruption contact points from all institutions. The purpose of this meeting was to inform about the important role in this process, which has the network of contact points in central, independent and local institutions.

- Discussing the findings and approve the respective reports according to the reporting deadlines provided in the Strategy.

- Evaluating information received from anticorruption points, before the moment of drafting monitoring reports.
- Providing accurate and periodic information to the NCAC regarding all efforts, activities, statistics, plans, consultations and meetings in the fight against corruption within a timely manner.