



NATIONAL COORDINATOR AGAINST CORRUPTION

**PROGRESS REPORT
MONITORING FOR THE PERIOD
JULY-SEPTEMBER 2020**

**INTER-SECTORAL STRATEGY
AGAINST CORRUPTION 2015 – 2023**

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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
NBI	National Bureau of Investigation
GDSP	General Directorate of State Police
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
NCAC	National Coordinator against Corruption
HCP	High Council of Prosecution
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
MoFE	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
SIPI/IPSIS	State Database System of Integrated Planning Information System
ISAC	Inter-Sectoral Strategy Against Corruption
SPAK	Special Anti-Corruption Unit
SIAC	Service for Internal Affairs and Complaints

INTRODUCTION

Since 2015, Albania has been pursuing and implementing the Inter-Sectoral Strategy against Corruption (ISAC). With decision no. 516, dated 1.7.2020 of the Council of Ministers, the implementation period of ISAC was extended until 2023, and the new Action Plan 2020-2023 was approved, reconfirming the three major goals of anti-corruption policy: prevention - punishment - awareness/education about corruption.

The 2015-2023 vision of the ISAC is: *“Albanian institutions with a high level of transparency and integrity, enjoying the trust of citizens and guaranteeing quality and non-corrupt service”*.

The Inter-Sectoral Strategy against Corruption, 2015-2023, contains 18 specific objectives, which are:

Prevention:

- 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.

Punishment:

- 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.

Awareness:

- 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 Action Plan 2020-2023 envisages specific measures and activities that need to be implemented to meet these objectives, according to the deadlines detailed in it. The Anti-Corruption Strategy, being an inter-sectoral strategy, is based on the principle of coordination between institutions in order to achieve the objectives included in the NSDI, implementing a systematic and integrated approach. This is an 83 measures action document that includes 22 institutions, which will work

together for more transparency, accountability and efficiency in the pace of the fight against corruption in the country.

The Action Plan 2020-2023, is drafted in accordance with the *SIPI/IPSIS* methodology, based on indicators based performance in order to achieve the policy goal. The *SIPI/IPSIS* methodology envisages the preparation of 6-month and annual monitoring reports. The Monitoring Report January - June 2020, approved by decision no. 262, dated 7.10.2020, at the meeting of the Anti-Corruption Thematic Group, contains the analysis and evaluation of the Action Plan 2020-2023 implementation in four levels: implementation of activities, implementation of measures (products), achievement of performance indicators according to the annual values, as well as the degree of achieving 18 objectives versus products and indicator values.

In line with the scale of implementation of the Action Plan, the challenges and risks identified for that monitoring period, the 6-month monitoring report provided some recommendations to be followed by implementing institutions which are important for the ongoing implementation process and of that the annual rate.

The Ministry of Justice in the role of National Coordinator Against Corruption has continued to follow the implementation progress for the following new period and in order to identify the progress of the implementation of the Action Plan as a whole and also the recommendations given in the 6-month monitoring report and coordinating the drafting of the annual monitoring report, has drafted this progress report for the period *1 July - 30 September 2020*. The report is based on the data reported by the implementing institutions of the Strategy, in the Annex section: Nine-month (progress) report of monitoring for the Action Plan 2020-2023.

The report records the progress in the implementation of the Action Plan for the 3-month period, taking as a basis the data reported in the 6-month monitoring report and identifying the implementation of ongoing activities and measures and those initiated during the monitoring period.

The report also highlights the implementation progress of the **recommendations** given in the 6-month monitoring report as follows:

- implementation of measures aimed at achieving the annual value of the performance indicator,
- improving the activity performance of institutions that report activities and measures in the implementation process,
- reducing the number of not implemented measures,
- further internalization of the *SIPI/IPSIS* methodology and reporting on the implementation of activities and measures in accordance with this methodology.

The 6-month monitoring report also set out the **steps** for implementing the recommendations as follows:

- to continue the implementation of measures in the status “in process” according to the deadlines;
- to start the timely implementation of the measures foreseen for the following period;
- to show care for the organization of work and relevant processes for the progress of measures and activities;
- to ensure the operability of human resources and capacities and the necessary expertise to perform them;

- to guarantee the missing financial resources that affect the implementation of the measures and activities;
- to ensure the necessary institutional cooperation for joint measures and activities;
- to ensure sufficient coordination to effectively exchange information and resolve obstructive problems that may be resolved by responsible and cooperating institutions.

Drafting methodology for the progress report

The Directorate of Programs and Projects in the Field of Anti-Corruption (DPPFA), through the Sector of Programs in the Field of Anti-Corruption, coordinates with all responsible and implementing institutions of the Action Plan 2020-2023. This report covers the period *1 July to 30 September 2020* and is based on the input provided by all institutions included in the ISAC Action Plan 2020 - 2023.

The monitoring of the Action Plan for this monitoring period consisted of the following main phases:

1. Reporting of institutions through anti-corruption contact points, on the implementation of measures for which they are responsible;
2. Analysis of the measures implementation (realization of products) giving a quantitative and qualitative result of their realization versus performing the respective activities related to them; and
3. Drafting and consulting the monitoring report on the implementation of the AP in its entirety.

Each institution has reported on the level of implementation of each policy goal, specific objective and measures implemented (based on activities performed), budget foreseen for the reporting period, budget allocated for the reporting period, problems encountered, further steps and assessing the progress of the strategy as a whole. In order to monitor the implementation of the commitments undertaken, in terms of the measures implementation, the monitoring process is carried out for each policy goal/strategy approach.

After drafting the report, the Ministry of Justice in support of the monitoring process sent the document for consultation to reporting institutions, civil society, and published the draft on the official website of the Ministry of Justice, where an email address is provided for receiving comments. At the end of the consultation process, the Ministry of Justice reflects the relevant comments/suggestions on the draft monitoring report before being approved by the Coordination Committee in implementation of the Inter-Sectoral Strategy Against Corruption, 2015-2023.

A consultation roundtable with the presence of all representatives of reporting institutions was also held to discuss the monitoring methodology performed, evaluation and analysis of information received, issues and challenges.

Progress in the monitored period is classified into the following categories:

- **Implemented:** Institutions have reported “Implemented” status for those measures and activities that have been accomplished.
- **Partially implemented/In process:** Institutions have reported the status “In process” for those measures and activities, which in the reporting period have been partially implemented and/or continue to be applicable by them.
- **Not implemented:** Not implemented are those measures and activities that have not registered development for the reporting period, as well as those measures and activities for which no reporting has been provided by the responsible institutions.

SUMMARY OF KEY ISSUES

Description of the implementation progress of activities and measures

The progress achieved in the framework of fulfilling the foreseen activities and measures, for the monitoring period, *July - September 2020*, in the implementation of the Action Plan 2020-2023, of the Inter-Sectoral Strategy Against Corruption is as follows:

- Transparency of public authorities has been in the spotlight and monitored by the Commissioner for the Right to Information and Personal Data Protection; The monitoring of the coordinators of the right to information has continued, is continued with the monitoring for the publication of the transparency program, the data of the coordinator and register of requests and responses, in the central government and local self-government units with 1/4 for each quarter. Thus, currently the Office of the Commissioner has carried out controls to the extent of ¾ of public authorities out of 420 in total that are in the Republic of Albania - (objective A1);
- The Public Procurement Agency continues its proactive activity with issued recommendations and strengthening the capacities of the technical staff - (objective A2);
- Mutual cooperation between SP-SIAC continues in order to train anti-corruption denunciations, progressively reported data testify to 31 referrals of investigative materials against 64 police officers for the criminal offenses “*abuse of duty*”, “*passive corruption of persons exercising public functions*” and “*cultivation of narcotic plants*”; executed 13 coercive and restraining orders for 13 police officers; continues to monitor/track cases of corruption but also other violations reported by citizens under the “*Case Management System - SIAC/Portal – Complaints*” and strengthening the capacity of SIAC staff, which enjoys the attributes of the JPO-s.
Statistical data: complaints: recorded and handled 972 public complaints; Green line 0800 90 90: Received and reviewed 6698 calls; Conducted 19 scheduled inspections; Conducted 48 unscheduled inspections; for 209 employees of structures (*police officers*) it was suggested to start disciplinary proceedings, as the persons responsible for the identified violations and 14 employees of structures (police officers) referred the procedural materials to the Prosecution body - (objective A4);
- Procurement procedures and conclusion of the contract with the operator that has been declared the winner for the “Maintenance Service of the Asset Declaration and Conflict of Interest System EACIDS” has continued - (objective A5);

- With the approval of the amendments by the Assembly of the Republic of Albania with law no. 101/2020, dated 23.07.2020 “On some additions and changes to law no. 10019, dated 29.12.2008 “The Electoral Code of the Republic of Albania” (Electoral Reform) in July, paved the way for interventions and improvement, further review of reporting formats and relevant guidelines for financial reporting of political parties, reports by monitoring experts and statutory auditors for the use of approved reports, financial reporting guidelines - (objective A6);
- The finalization (drafting and consultation) of two final instruments of anti-corruption prevention policies has been completed, “Integrity Risk Assessment Methodology for Central Government” and “MoJ Integrity Plan, 2020-2023” - (objectives A8 and A9);
- Data collection and administration of statistical information on the activity of anti-corruption law enforcement institutions, harmonized data, including institutions such as; State Police, General Prosecutor's Office, SPAK, Courts of all three levels. Also, these data have been collected and processed, both for Corruption and Organized Crime - (objective A10);
- Strengthening of professional capacities through joint trainings with all law enforcement agencies involved in the fight against corruption, the latter and the judiciary, for this period monitoring with 1 (one) judicial police officer (female); The format of reporting statistical data related to seizures has been reviewed (approved) and reporting according to the new format has started by the prosecutions of general jurisdiction; Special sections for the investigation of money laundering and economic crime have been established in 7 prosecutor's offices of general jurisdiction with section management and prosecutors, in the other 15 prosecutor's offices a prosecutor has been appointed to prosecute these cases; 1 additional training “Investigation/ inquiry of criminal assets and money laundering” was conducted with 1 beneficiary; 2 of the 7 bylaws to conduct the fight against corruption within the administration and management of sequestered and confiscated assets arising from corruption have been adopted, as mentioned: the instruction “On procedures for collection and administration of income, rules on how to keep and recording of expenditures, limits for performing expenditures ”, and the order “On determining the criteria and rules for drafting the list of property administrators, at the agency for the administration of sequestered and confiscated assets”; the electronic register of assets seized and confiscated under the administration of AASCA has been implemented, and has been updated with the changes that have occurred, pending use by users who will have access to it (Objective B1);
- Statistical data on criminal cases from the law enforcement body, State Police and SIAC: 175 criminal referrals for 260 subjects, of which: 1 mid-level police officer; 84 police officers of the first management level; 166 law enforcement officers; 1 administrative employee; 4 members of the Guard; 4 FPRP staff and 88 citizens.

Police operations carried out: January - Operation “Abusers of duty” Durrës; 18 decisions on the personal security measure “Prison arrest”, for: 4 police officers of the first management level; 6 enforcement level police officers; 8 citizens; 1 decision on the personal security measure “Suspension from duty” for; 1 administrative employee (structures of the State Police); February - Operation “Abusers of duty 2”, Kruja: - “suspension from duty” & “ban on going abroad”, for 7 subjects of this proceeding, who perform the functions of assistant/assistant-specialist for order at the Police Station Kruja, near LPD Durrës; May- Operation “ShënMëri2020” Kukës, Lezhë, Shkodër, Tirana and Gjirokastër. This operation was conducted by the Kukës Local Police Directorate, with the support of the OFL, in coordination with the Criminal Police Department and in cooperation with the SIAC, under the direction of the Kukës Judicial District Prosecutor's Office; Security measures for 19 citizens, suspected of the criminal offense “*Cultivation of narcotic plants*”, in cooperation, and arrested 2 *police officers*, A.K, and R.C, for the criminal

offense “*Abuse of duty*” and the police officer N.K, the security measure “*suspension from duty or public office*” was taken. April - Operation “PANDEMIA” by the Section for Investigation of Illegal Trafficking and Narcotics in LPD Fier with the structures of Fier and the Prosecutor's Office of Lushnja Judicial District. On the basis of information obtained on the operational road, the performance of rapid procedural actions and the application of special investigation methods, as a result of this operation, 3 citizens and 1 police officer were arrested in flagrante delicto, effective of the Tirana Traffic Police Commissariat, suspects for the criminal offenses “*Production and sale of narcotics*” and “*Illegal production and possession of hunting and sporting weapons*”; Operation “Golem” carried out in cooperation with the Special Prosecution against Corruption and Organized Crime (SPAK), in function of Criminal Proceedings no. 182/2020, for the criminal offense of “*Passive Corruption*” and “*Abuse of Duty*”; special investigative methods were used, led by this prosecution - (objective B1).

- Joint meetings and analyzes were conducted with the Prosecution, and other law enforcement agencies/Institutions, 47 meetings for this monitoring period of 2020; (objective B2)
- Cooperations between the State Police and "INTERPOL", EUROPOL, CARIN, SELEK, BAMIN, INTERFORCE, etc have increased; Strengthening professional capacities through joint trainings and conferences with international counterpart institutions through online seminars attended by 12 prosecutors and heads of prosecutors of general jurisdiction, 15 prosecutors and Special Prosecutor's JPOs and 10 State Police JPOs (Objectives B4).
- Preparations and organization of awareness campaigns and approach of citizens to increase the presence and interaction with effects in denouncing corruption have continued (awareness campaign, Integrity Week 2), drafting an information package on measures and the fight against corruption (Objective C).

Addressing the recommendations given in the 6-month monitoring report 2020 (January - June 2020)

For this monitoring period, *July - September 2020*, data were collected and analyzed specifically for 105 activities and 60 measures envisaged for implementation, in the Action Plan 2020 - 2023, of which specifically: 95 activities and 56 measures are ongoing from the previous period of the year and 10 activities and 4 measures are new/that have started to be implemented in this quarterly and on which an assessment has been made of the follow-up of the recommendations given in the 6-month monitoring report.

Thus, it turns out that the institutions continue their processes for carrying out activities and measures to achieve annual performance values as can be evidenced, mainly are activities and measures in objectives A1, A2, A4, A5, A8, A9, A10, B1, B4, C1; It also turns out that activities and measures in implementation of objective B1 have started for the first time during this period, *July-September 2020*.

Activities and measures that due to financial impossibility of implementing institutions, due to lack of human capacity have not progressed, including the major reason for the Covid-19 Pandemic, respectively in objectives A7, A11, B2, C3 remain problematic.

The internalization of the *SIPI/IPSIS* methodology in the context of reporting by the institutions has continued, but the reporting regarding to the budget used and the evaluation as a percentage of the achievement of the policy goal remains problematic.

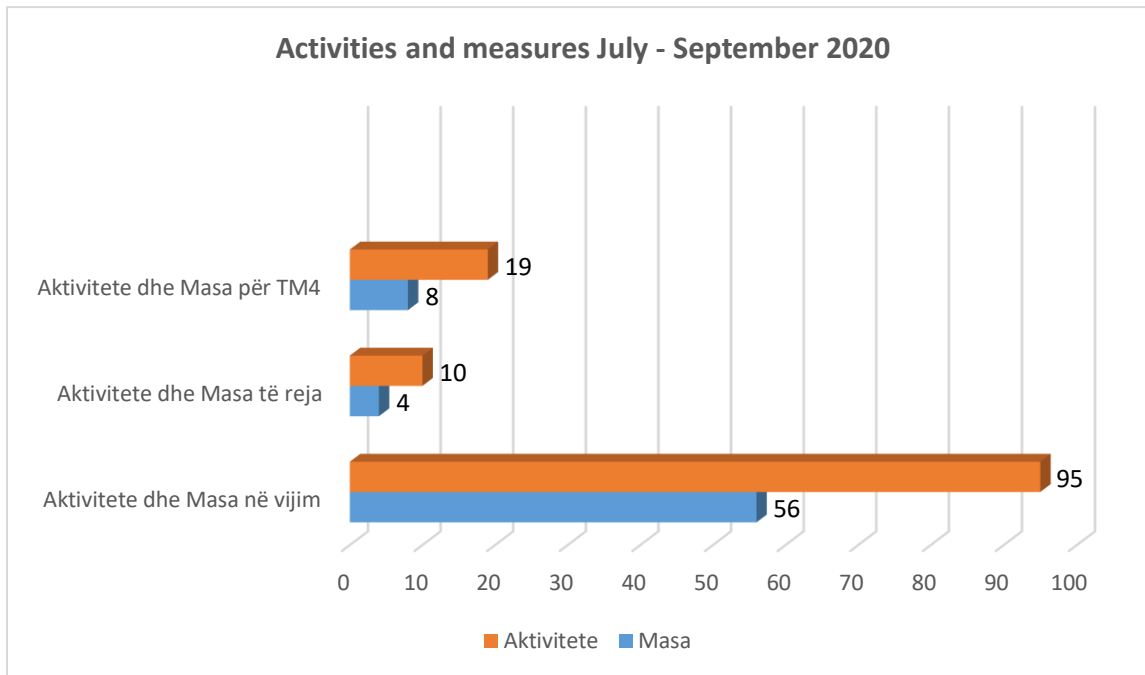
In comparison to the period January - June 2020 of monitoring, during which it resulted that out of 124 activities and 68 measures monitored in the Action Plan 2020 - 2023, in implementation of the Inter-Sectoral Strategy against Corruption were reported: implemented 35 activities and 19 measures of them, 60 activities and 37 measures are in the process of implementation, and 29 activities and 12 measures have been reported not implemented, taking into account that for the new monitoring period, *July - September 2020*, there are 105 activities and 60 monitored measures directly, ***it is noticed that we have a balance of the number of measures in the implemented statuses - in the implementation process – not implemented.***

PROGRESS IMPLEMENTATION OF ISAC

The Action Plan 2020 - 2023, for 2020 envisages the implementation of 124 activities and 68 measures, distributed respectively in 63 activities and 34 measures for the preventive approach, 37 activities and 25 measures for the punitive approach and 24 activities and 9 measures for the awareness approach.

For this monitoring period, *July-September 2020*, it results that: 95 activities and 56 measures are ongoing from the previous period of the year, 10 activities and 4 measures are new/that have started implementation in this quarter and 19 activities of 8 measures are projected to start implementation in the fourth quarter of 2020.

Approach (Policy Goals)	Activities and Measures	Activities and Measures, July - September 2020			
		Activities and Measures foreseen for 2020	Ongoing Activities and Measures	New Activities and Measures	Activities and Measures for Q4
Preventive	Measures	34	30	2	2
	Activities	63	53	4	6
Punitive	Measures	25	18	1	6
	Activities	37	28	2	7
Awareness	Measures	9	8	1	0
	Activities	24	14	4	6
Total	Measures	68	56	4	8
	Activities	124	95	10	19

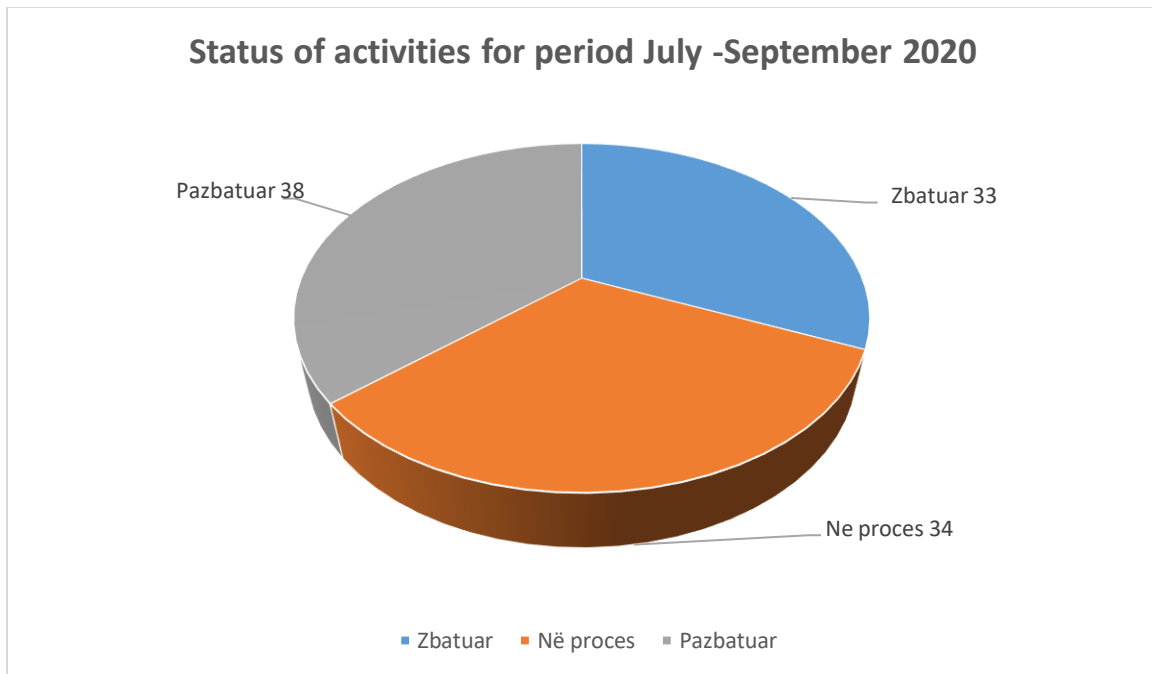


The total progress achieved in fulfilling the three approaches of the strategy regarding the status of implementation of activities and measures is as follows:

Ongoing activities and activities initiated during the reporting period:

Out of the total of 105 activities foreseen in the AP 2020-2020, 57 of them belong to Approach A, 30 activities belong to Approach B, as well as 18 activities to Approach C.

Status of activities in the Action Plan 2020 - 2023, for the period July-September 2020				
Progress of activities	Approach A (Preventive)	Approach B (Punitive)	Approach C (Awareness)	Total of Approaches
Implemented	19	8	6	33
In process	27	5	2	34
Not implemented	11	17	10	38
Total	57	30	18	105



Turns out that out of 105 activities foreseen for the period July - September, ongoing and new activities, their status for all 3 approaches (for the period January-September 2020) is reported as follows:

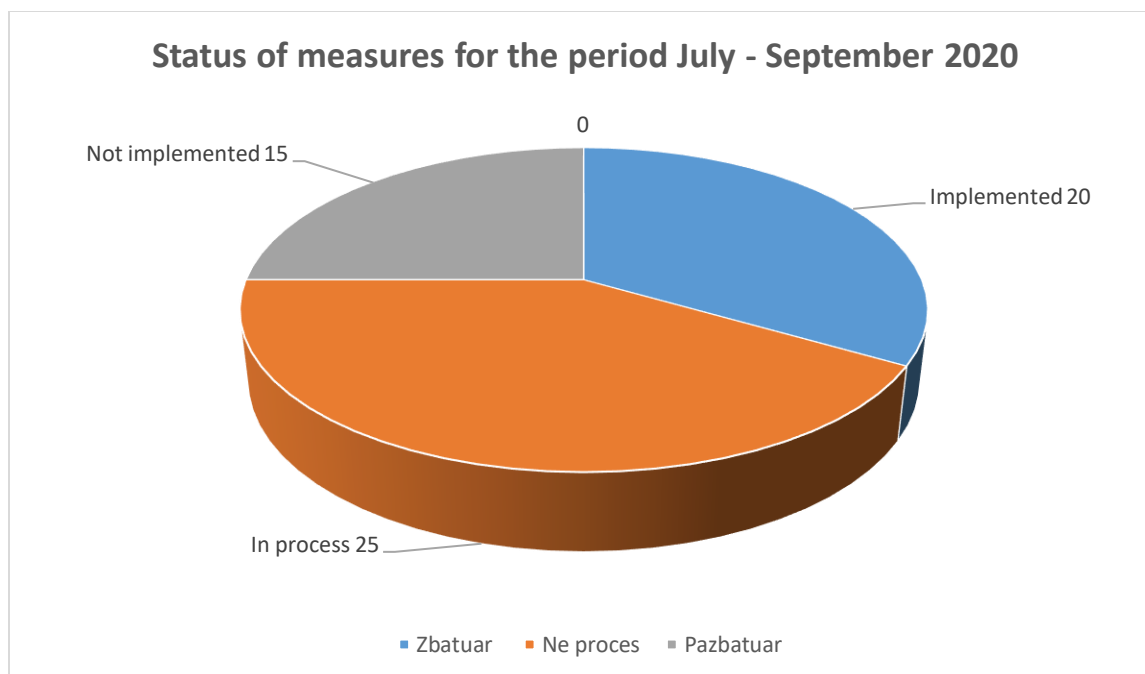
- 33 implemented activities;
- 34 activities are still in the process of implementation;
- 38 activities not implemented by the responsible institution,

Activities according to their three statuses, implemented, in the process of implementation and not implemented belong to all three approaches of the Strategy.

Ongoing measures and measures initiated during the reporting period:

Out of the total of 60 measures foreseen in the PV 2020-2020, 32 of them belong to Approach A, 19 measures belong to Approach B, as well as 9 measures to Approach C.

Status of activities in the Action Plan 2020 - 2023, for the period July-September 2020				
Progress of activities	Approach A (Preventive)	Approach B (Punitive)	Approach C (Awareness)	Total of Approaches
Implemented	8	9	3	20
In process	19	5	1	25
Not implemented	5	5	5	15
Total	32	19	9	60



Turns out that out of 60 measures envisaged for the period July - September, the following measures and new, their status for all 3 approaches (for the period January-September 2020) is reported as follows:

- 20 measures implemented;
- 25 measures are still in the process of implementation;
- 15 measures not implemented by the responsible institution,

Measures according to their three statuses, implemented, in the process of implementation and not implemented belong to all three approaches of the Strategy.

BUDGET EXECUTION

According to the Strategy, the financing of the Action Plan is realized from two main sources: the state budget and the financial support of international partners.

In the framework of monitoring the implementation of the measures and activities of the Action Plan 2020 - 2023, also for this period the responsible institutions were asked to report on the budget used based on the activity performed.

From the analysis of progressively reported measures/activities, for the period *January-September 2020*, the budget used showed that:

- The financing for this monitoring period from the state budget is in the amount of 1,383,528,000 ALL.
- Funding from donors is in the amount of 10,668,000 ALL.

Many activities carried out during this reporting period are at “administrative costs”, enabled and covered by the human and financial capacities of the implementing institutions, without presenting additional costs for the implementing institutions, in accordance with the forecast made in the Action Plan. Thus, in total, there are 39 activities that are reported to be performed with “administrative costs” and 16 activities with 0 (zero) costs.

For this monitoring period, *July - September 2020*, there continue to be institutions that have not had financial support and thus have affected the implementation of measures/activities, we mention Objectives A1, A4 and C3, which continues to be in a state of non-sufficient of the budget to implement the planned activities and measures and this situation as a consequence affected by the Covid-19 Pandemic.

CONCLUSIONS AND RECOMMENDATIONS

Based on the results of the monitoring conducted, it turns out that for the period *July 1 - September 30, 2020*, the areas that have shown performance but also accompanied by problems are activities and measures distributed across specific objectives in the three approaches to ISAC, prevention-punishment- awareness.

Institutions have demonstrated continuity, effort and willingness to implement measures, carry out activities in their function, in accordance with the budgets provided in the action plan, the support of international and domestic partners; as well as relying on their human resources and internal professional technical capacities.

In addressing the performance by the institutions it results that the lack of specific human resources (institutional capacities and why foreseen to be added at the time of anticipation of the measures in the action plan); lack of specific budgets for carrying out the envisaged activity; Delays in the completion of procedures/phases of the performance of specific activities are reasons and causes that have led to the failure of achieving the objectives set for the reporting period.

The period *July - September 2020* also coincided with a difficult social situation with a global effect Covid-19 Pandemic, which had its immediate and irreversible impact on the progress of institutional and inter-institutional activities in the country in the implementation of measures and activities foreseen in the Action Plan 2020-2023.

From the incoming reports, the measures envisaged in specific objectives A7, B1, B4 and C3 are directly affected by the obstruction caused by Covid-19.

Recommendations

At the end of this report, the recommendations are:

- to continue the carry out of activities and measures aimed at achieving the annual value of the performance indicator, which will affect the next reporting that will be in function of the annual report on the implementation of the action plan 2020-2023,

- to improve the performance of the institutions activity that report measures/activities in the implementation process,
- to internalize the *SIPI/IPSIS* methodology of reporting the implementation of measures and activities for the implementation period,
- to report the information on budget used for action plan measures, as well as the budget spent for the activities covered by donors (information not provided from the Anticorruption focal points); the budget covered by the state budget and to be established a better cooperation with the finance/budget offices in the responsible reporting institutions. As to the reporting responsibility, this is a responsible duty of the anticorruption focal points/representatives.