

Institutional Capacities of HIDAA

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27 May 2008

Institutional Capacities

Discussing the following issues:

- ❖ the training and qualification of HIDAA staff
- ❖ Publications
- ❖ International support and assistance
- ❖ Training session provided for the public administration
- ❖ Transparency

Specialized Staff

The training of HIDAA staff

- ❖ The High Inspectorate is an Independent Public Institution and has its own budget, set by the Assembly. HIDAA reports to the Assembly each year about its activity.
- ❖ The specialized HIDAA staff has 10 High Inspectors and 8 Assistant High Inspectors.
- ❖ 4 High Inspectors are certificated as "Experts on the Prevention of Conflicts of Interests" (a six month training course in collaboration with USAID (July-December 2006)).
- ❖ In collaboration with USAID, HIDAA staff had a 2-week training seminar with experts from USAID for "Ethics in the Public Administration" (February 2007).

Exchange of Experience

- ❖ **The High Inspectorate has exchanged experience on the fight against corruption with:**
 - a. United States of America
 - b. France
 - c. Australia
 - d. Netherland

- ❖ **HIDAA has offered legal expertize for counterpart agencies in:**
 - a. Macedonia
 - b. Kosova
 - c. Ukraine



Exchange of Experience

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- ❖ **The participation in Meetings with regard to sharing the experience provided in:**
 - a. Indonezia (IAACA)
 - b. China (IAACA)
 - c. Lithuania and Latvia
 - d. Macedonia
 - e. Tunisia
 - f. Jordan
 - etc.

Publications

❖ For the enforcement of its capacities HIDAA has issued:

1. HIDAA Methodology

“On the declaration and audit of assets ...” and “On the prevention of conflicts of interest ...”

2. Legal Commentaries (No. 1,2,3,4)

Unifying the techniques and the mechanisms on the prevention of conflicts of interest and hiding the assets

3. Explanatory Manual

A training manual on the prevention of conflicts of interest

4. HIDAA Regulation

“On the Prevention of Conflicts of Interest in the exercise of public functions at HIDAA”

International Support

Partners

- ❑ **USAID** (Program “Rule of Law” of Cassals and DPK Consulting)
 - a. Technical and legal assistance for the staff
 - b. Specialized training for the staff and the public administration
 - c. Providing possibilities with regard to the exchange of experience with counterpart agencies

- ❑ **OSBE**
 - a. Trainings for the public administration (mainly locally)
 - b. Support for the publication of commentaries

Trainings for the Public Administration

Legal framework

Article 42 of the Law No.9367, dated 7 April 2005 “On the prevention of conflicts of interests in the exercise of public functions”:

The High Inspectorate as the Central Responsible Authority for the implementation of this law, has the following duties and responsibilities:

- a) the management and improvement of the polices and mechanisms of preventing and avoiding conflicts of interest
- b) the offering of technical assistance for advising and supporting legal and substatutory initiatives undertaken by the public institutions for the prevention of conflicts of interest;



Trainings for the Public Administration

Legal framework

Article 42 of the Law No.9367, dated 7 April 2005 “On the prevention of conflicts of interest in the exercise of public functions”:

The High Inspectorate as the Central Responsible Authority for the implementation of this law, has the following duties and responsibilities:

- ç) the strengthening of the capacities for the administration of conflicts of interest in the public institutions
- f) counseling particular officials, superiors, and superior institutions, at their request, about specific cases of the appearance of a conflict of interests and questions of ethics related to them, as well as on the period registration of interests;

Trainings for the Public Administration

Main focus of our training

1. Training on the law No.9049 dated 10 April 2003 “On the Declaration and Audit of Assets, Financial Obligations of the Elected and certain Public Officials ”
 2. Training on the law No.9367 dated 7April 2005 “On the Prevention of Conflicts of Interest in the Exercise of Public Functions ”
- ❖ Training on the completion of the declaration forms
 - ❖ Training on the role and duties of the Responsible Authorities
 - ❖ Training on draft Internal Regulations
 - ❖ Training on Conflicts of Interest



Trainings for the Public Administration

Trained Groups


- ✦ Representatives of the Local Government (Mayors and Chairmen of Communes and Districts)
- ✦ Responsible Authorities
- ✦ Directors of Directorates and General Secretaries of the central institutions
- ✦ Regional Directors and Directors of juridical directorates
- ✦ Officials of General Directory of Taxation and Customs

Year 2007- 600 public officials have been trained (the majority of them from Local Government)

May 2008 - 150 Officials of General Directory of Taxation and Customs

Trainings for the Public Administration

Conclusions as a result of the trainings:

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- ❖ Suggestions have been made, which have improved the sample of the declaration form
 - ❖ Sample of regulations which have served as the basis for drafting other regulations have been delivered.
 - ❖ Case study have been drafted, developed from the raised questions, which have served as a basis for the commentary no. 4
 - ❖ Questions have been raised in a written form and through telephone, with regard to Conflict of Interest

Trainings are performed with the collaboration of:
USAID, OSCE, TIPA

TRANSPARENCY

Legislation on publication

- Article 34, law “On declaration of assets”
 - Article 18, law “On conflict of Interests”
 - Law “On public Information” (30 June 1999)
 - The decision no.11 of the Constitutional Court (2004)
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- ❖ Year 2007, HIDAA has submitted: 590 copies of declarations
 - ❖ Year 2008, HIDAA has submitted: 300 copies of declarations



THANK YOU!