



SPAI STABILITY PACT ANTI-CORRUPTION INITIATIVE
9TH STEERING GROUP MEETING
(SKOPJE, 4TH -5TH NOVEMBER 2005)

REPORT ON ANTI-CORRUPTION EFFORTS IN

ALBANIA

TIRANA, OCTOBER 2005

TABLE OF CONTENTS

I. <i>Summary of the Reports from the Previous Steering Group Meeting</i> _____	3
II. <i>Progress Made From the Last Steering Group Meeting in Achieving the SPAI Objectives</i> _____	3
III. <i>Anticorruption Initiatives Planned for the Next 6 Months</i> _____	5
IV. <i>Specific Requests to the SPAI Regional Secretarial Liaison Office</i> _____	5

FOR ANY ADDITIONAL INFORMATION PLEASE CONTACT:

Anti-Corruption Unit
COUNCIL OF MINISTERS, BULEVARDI "DËSHMORET E KOMBIT"
Tel: + 355 4 245 560 / 277 399; Fax: + 355 4 245 560
E-mail: permanent_unit@km.gov.al

I. SUMMARY OF THE REPORTS FROM THE PREVIOUS STEERING GROUP MEETING

- The *"Action Plan on the Prevention and Fight against Corruption 2005"*, was in process of being drafted;
- *Inventory of Achievements* that monitors the implementation of the Action Plan of the Prevention and Fight against Corruption, 2003-2004, has been developed;
- Adoption of the law no. 9275, dated 16.09.2004, *"On some amendments of the law no. 7895, dated 27.01.1995, "Criminal Code of the Republic of Albania"*;
- Adoption of the law no. 9276, dated 16.09.2004, *"On some amendments of the law no. 7905, dated 21.03.1995, "Criminal Procedure Code of the Republic of Albania"*;
- *Adoption of the law dated 30.09.2004 "On the Preventing and Combating Organised Crime"*;
- Well functioning of the *Triangle Commission* on Exchange of information and Cooperation on data in the Field of Corruption between the Minister of State for Coordination, Prosecutor General, and head of the Albanian Coalition Against Corruption (ACAC);
- In the *process of simplification and standardisation of the criteria and procedures of the public services offered by the central administration institutions*, important steps have been taken with the update of the inventory of the public services and at the same time, the experts of the institutions involved have prepared the legal, sub-legal and procedural changes;
- A working group has been established by the Order of the Prime Minister no. 108, dated 03.06.2004, with the aim of revision of the legal framework on the issue of conflict of interest. An overall material *draft law on the conflict of interests* has been prepared.
- A project *Decision of the Council of Ministers* was prepared aiming at the implementation of the law on Rules of Ethics in Public Administration, which defines rules and procedures for: *a) external activities and b) gifts*.
- *Trainings "On Ethics and Anti-Corruption"* of the civil servants in the central and local level have continued.

II. PROGRESS MADE FROM THE LAST STEERING GROUP MEETING IN ACHIEVING THE SPAI OBJECTIVES

Form the last Steering Group Meeting, in the efforts for prevention and fight against corruption, some of the main developments in achieving the SPAI objectives are:

- In the framework of drafting the new strategy, with purpose of having a more transparent and constructive work process for the composing, completion and

improvement of measures in the draft actions plan, there have been organized a series of consultations with representatives of all the central and independent institutions. Simultaneously, meetings have been organised with representatives of business community, civil society and other interested actors, so as to have proposals of joint measures for a more active inclusion and participation of these actors. It is important to mention that during this process the office of the Minister of State for Coordination, through the Anti-corruption Monitoring Group, with the technical support of the Council of Europe, organised on December 9-10, 2004, the 4th Conference of the Fight Against Corruption "Together for a real and long-lasting partnership". With the *Decision of the Council of Ministers no. 137, dated 18.03.2005* was adopted the *Action Plan for the Prevention and Fight against Corruption 2005*, giving special attention to concrete measurable anticorruption measures by taking into consideration recommendations of the European Union and other international bodies on this regard.

- In the process of monitoring the achievements of the anti corruption measures, in the "Action Plan on the Prevention and Fight against Corruption 2003-2004", and identify the problems faced, assisted by success indicators, the Anti Corruption Unit has developed the annual *Inventory of Achievements 2003 – 2004*, in which are included the main fields of the reform in the public administration, improvement of the legislation, management of the public finances and control mechanisms, increase of transparency and integrity in the business operations and enhancing public information and encouraging an active civil society. Out of 119 measures included this action plan there have been achieved (including also those measures in process) 105 or 90% and remain unfulfilled 12 or 10%, which are postponed measures.
- An important development has been finalization of the initiative undertaken with regard to the revision of the legal framework on the issue of conflict of interest. Starting with a detailed comparative study and continuing with a wide consultation within a working group set up by order of Prime Minister was finalized the draft law "On prevention of conflict of interests in the exercise of public functions", which was adopted by the Albanian Government, with the decision no. 98, date 18.02.2005. After the discussion of this law in the parliamentary commissions, where it found a wide consensus between the political parties, the *Albanian parliament adopted the law no. 9367, dated 07.04.2005 "On the prevention of Conflicts of Interest in the exercise of Public Functions"*.
- For better implementation of the law on the rules of ethics in the public administration, there has been adopted the *Decision of the Council of Ministers no. 714, dated 22.10.2004, pertaining to the procedures for the external activities of civil servants and gifts* (administration, procedures).

- There have been adopted by the Council of Ministers the *draft laws on the criminal liability of the legal persons and the draft law for the amendments of the law ratifying the European Criminal Convention against Corruption, lifting some unnecessary reserves.*
- Training "*On Ethics and Corruption*" of the civil servants in the central and local level has continued throughout 2005.

III. ANTICORRUPTION INITIATIVES PLANNED FOR THE NEXT 6 MONTHS

- Drafting and adoption of the new "*Action Plan on the Prevention and Fight against Corruption 2006*".
- Monitoring the process of the implementation of the *Action Plan of the Prevention and Fight against Corruption, 2005.*
- *Renewal of the Memorandum of Understanding* between the Government, law enforcement bodies, and civil society with regard to the Triangle Commission on Exchange of information and Cooperation on data in the Field of Corruption. In order to further enhance the effectiveness of this commission, it is being discussed with the relevant institutions so as to include in this Triangle Commission other relevant actors.
- Continuing the process of *the simplification and standardisation of the criteria and procedures of the public services offered by the central administration institutions.*
- Revision of the legal framework for *financing of political parties and electoral campaigns.*
- Review the existing legislation related to *Immunities for Members of Parliament* and at a latter stage for other of High Officials.
- *Ratification of the United Nations Convention Against Corruption* signed by Albania on 18.12.2003.
- Continuation of the training "*Ethics and anti-corruption*" for other civil servants of the central and local level, which have not been covered so far.

IV. SPECIFIC REQUESTS TO THE SPAI REGIONAL SECRETARIAL LIAISON OFFICE