

# BEST PRACTICES FOR ADDRESSING CORRUPTION



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## Acronyms

EU	European Union
GRECO	The Group of States against Corruption
GJKKO	Special Court against Corruption and Organized Crime
IDM	The Institute for Democracy and Mediation
HIDAACI	High Inspectorate for Declaration and Audit of Assets and Conflict of Interest
ALSAI	The Albanian Supreme Audit Institution
OECD	The Organization for Economic Co-operation and Development
UN	United Nations
SELDI	The Southeast Europe Leadership for Development and Integrity
SPAK	Special Anti-Corruption Structure
UNCAC	United Nations Convention against Corruption

## EXECUTIVE SUMMARY

Corruption remains a troubling phenomenon in Albania and is widespread across all levels of governance, as confirmed by reports from national and international organizations. While Albania's integration into the European Union (EU) is the government's primary priority and a shared aspiration of all institutional actors and citizens, addressing corruption remains a major challenge. Examining best practices from other countries, both similar and more developed, offers valuable insights into effective anti-corruption strategies from which our country can benefit.

This document aims to provide several successful models from the EU and beyond for addressing the phenomenon of corruption, supporting the Albanian Parliament in its effective response.

The key findings and recommendations are as follows:

- Corruption has long been at the center of Albania's political and institutional focus, with efforts to improve legislation and the institutional framework. However, these efforts have not yielded the desired results, and corruption remains widespread, with negative consequences for the economy and society.
- Best practices suggest that successful reforms require coordinated actions from all actors and committed leadership that achieves rapid results.
- An adequate legal and institutional framework is essential for implementing reforms. Albania needs to adopt and update laws to support anti-corruption efforts.
- To succeed in the fight against corruption, Albania must adopt a systematic and sustained approach, implementing effective monitoring and evaluation mechanisms for anti-corruption efforts.
- Albania should adopt a strategy that integrates technology, legal reforms, and cultural changes. Digital governance can enhance transparency and reduce opportunities for corruption.
- The adoption and implementation of comprehensive anti-corruption laws are essential. Anti-corruption bodies must be independent and adequately resourced to investigate and prosecute corruption cases.
- Promoting a culture of integrity and accountability is crucial for sustainable anti-corruption efforts. Political leaders and public officials should demonstrate commitment to ethical behavior and transparency.
- Albania should actively engage with international organizations and other countries to share best practices and receive technical assistance in the fight against corruption.
- Public education and promoting ethical behavior from a young age are fundamental for building a strong foundation for long-term anti-corruption efforts. Integrating anti-corruption education into school curricula is an important step in this direction.

## 1. Introduction

In 2014, Albania was granted candidate status for European Union membership.<sup>1</sup> On July 19, 2022, the European Commission officially opened membership negotiations with Albania. This marked the beginning of a technical process of transforming and aligning the Albanian state administration and legal framework with EU legislation.<sup>2</sup>

Meeting the membership criteria, by harmonizing with the EU acquis, involves three complementary activities: (i) Aligning domestic legislation with the EU acquis; (ii) Creating the necessary institutions for implementing this legislation and enhancing administrative capacities; (iii) Verifying through sustainable performance indicators the implementation of the aligned legislation. For negotiation purposes, the EU acquis is divided into **35 negotiating chapters**, also known as policy areas. For all chapters, Albania has developed a four-year plan to undertake steps for the respective chapters.<sup>3</sup> Despite work on specific chapters, corruption remains a phenomenon that needs to be addressed as soon as possible and effectively. This observation is reflected in all recent progress reports on Albania<sup>4</sup>. The phenomenon of corruption is also marked as a critical issue in other international reports. For example, Transparency International's annual corruption assessment for 2023 rated Albania with 37 out of 100 points, marking a one-point improvement compared to the previous year.<sup>5</sup> The 2023 Human Rights Report published by the U.S. Department of State describes corruption as widespread in many levels of central and local governance.<sup>6</sup> Corruption remains concerning from the public's perspective as well. For instance, the latest report published by SELDI shows that the pressure of corruption remains at high levels.<sup>7</sup> The National Integrity System Assessment Report for Albania produced by IDM in Albania highlights a worsening in the public sector regarding anti-corruption mechanisms.<sup>8</sup> The phenomenon of corruption also appears at alarming levels in the private sector, where it remains a critical factor in deteriorating the business climate.<sup>9</sup>

These and other pieces of evidence indicate that, despite improvements in certain areas to address corruption, Albania has a long way to go to align effectively with EU countries in terms of treatment. In this regard, recognizing successful models for addressing corruption is a good approach to follow and adapt during the EU membership process. This working document aims to provide successful models from the EU and beyond for addressing the phenomenon of corruption, supporting the Albanian Parliament in its effective response to corruption. Public perception reports suggest that there is sufficient support from citizens for the Albanian Parliament to take a much more proactive and visible role in the internal fight against corruption.<sup>10</sup>

This document is divided into 6 chapters. The second chapter presents the methodology used for this work. The third chapter provides an overview of corruption in the country, focusing on the perspectives of different actors. Chapter four presents best practices for addressing corruption. Chapter five focuses on the role played by the Parliament and other actors in addressing corruption. The final chapter concludes the document with conclusions and some recommendations.

<sup>1</sup> <https://www.consilium.europa.eu/media/21900/143354.pdf>

<sup>2</sup> <https://www.consilium.europa.eu/en/policies/enlargement/albania/>

<sup>3</sup> [https://integrimi-ne-be.puneteshashtme.gov.al/wp-content/uploads/2022/02/NPEI\\_2022-2024\\_EN-.pdf](https://integrimi-ne-be.puneteshashtme.gov.al/wp-content/uploads/2022/02/NPEI_2022-2024_EN-.pdf)

<sup>4</sup> [https://neighbourhood-enlargement.ec.europa.eu/document/download/ea0a4b05-683f-4b9c-b7ff-4615a5fffd0b\\_en?filename=SWD\\_2023\\_690%20Albania%20report.pdf](https://neighbourhood-enlargement.ec.europa.eu/document/download/ea0a4b05-683f-4b9c-b7ff-4615a5fffd0b_en?filename=SWD_2023_690%20Albania%20report.pdf); [https://neighbourhood-enlargement.ec.europa.eu/document/download/dde85556-8061-41f3-ba0c-5e921158bc53\\_en?filename=Albania%20Report%202022.pdf](https://neighbourhood-enlargement.ec.europa.eu/document/download/dde85556-8061-41f3-ba0c-5e921158bc53_en?filename=Albania%20Report%202022.pdf).

<sup>5</sup> <https://www.transparency.org/en/countries/albania>

<sup>6</sup> [https://www.state.gov/wp-content/uploads/2024/01/528267\\_ALBANIA-2023-HUMAN-RIGHTS-REPORT.pdf](https://www.state.gov/wp-content/uploads/2024/01/528267_ALBANIA-2023-HUMAN-RIGHTS-REPORT.pdf)

<sup>7</sup> [https://acer.org.al/wp-content/uploads/2024/02/Prezantimi-Aurora\\_workshopi.pdf](https://acer.org.al/wp-content/uploads/2024/02/Prezantimi-Aurora_workshopi.pdf)

<sup>8</sup> <https://idmalbania.org/sq/vleresimi-i-sistemit-kombetar-te-integritetit-shqiperi-2023/>

<sup>9</sup> <https://amcham.com.al/collaborative-efforts-in-the-fight-against-corruption-partnership-between-the-amcham-and-the-ministry-of-justice-positive-business-climate-reflected-in-amchams-index/>

<sup>10</sup> [https://www.ndi.org/sites/default/files/NDI\\_Report\\_EN-merged.pdf](https://www.ndi.org/sites/default/files/NDI_Report_EN-merged.pdf)

## 2. METHODOLOGY

This working document has been developed based on in-depth research of literature, evidence, reports, and laws. Additionally, the selection of best practices has considered the opinions and evaluations of the working group. A detailed description follows below.

### Research and Review of Literature

The working group conducted an in-depth literature review, encompassing a wide range of information sources. This research was carried out through careful use of reports from national and international organizations, academic materials, strategic documents, laws, and relevant draft laws. Additionally, databases that were key sources for compiling evaluations cited in our analysis were utilized. In this process, we considered various aspects of corruption, from its extent and nature to its impact on Albania's economic, social, and political development. We analyzed historical trends in corruption in the country, as well as challenges and opportunities for improvement in existing anti-corruption policies and measures. Our effort to obtain accurate and reliable data involved using diversified sources, supporting our analysis with a strong information base. This allowed us to identify the most effective practices and successful policies in the fight against corruption, as well as to pinpoint key issues that need to be addressed in tackling this complex challenge in Albania.

### Expert Group Assessment

The expert group's assessment was a crucial step in our process of selecting and identifying best practices for addressing corruption in Albania. Based on our in-depth literature review, the team identified a number of best practices implemented in European Union countries and beyond for addressing specific aspects of corruption. To select and tailor these best practices for our context, the team developed a set of indicators that served as criteria for evaluating various cases. These criteria were used to assess the effectiveness and suitability of the identified practices in the specific context of Albania.

Here are some of the key criteria used for evaluating cases and selected practices, which are addressed in the following chapters:

- (i) Effectiveness of Anti-Corruption Reforms: According to this criterion, the expert team evaluated whether the selected practice achieved measurable and effective results in addressing corruption issues in the country.
- (ii) Transparency and Accountability: This criterion focused on practices where implementation enhanced governance transparency, such as the publication of financial data, declarations of public officials' assets, and free access to information for citizens. It also considered practices/countries with strong accountability mechanisms, such as regular public reporting, independent audits, and investigations by free media and civil society organizations.
- (iii) Civil Society Participation: This criterion focused on practices/countries that encouraged and involved civil society organizations in the fight against corruption, including government monitoring and reporting of corruption cases.

## 3. Corruption in Albania

The entirety of national and international reports highlight concerning levels of corruption in Albania. Transparency International, in its annual corruption assessment, rated Albania with 37 points out of 100 for 2023, marking a one-point improvement compared to the previous year. Corruption remains troubling from the public opinion perspective as well.<sup>11</sup> For example, the

<sup>11</sup> <https://www.transparency.org/en/countries/albania>

latest report published by SELDI indicates that the pressure of corruption remains at high levels.

<sup>12</sup> The National Integrity System Assessment Report for Albania produced by IDM in Albania underscores a worsening in the public sector concerning anti-corruption mechanisms.<sup>13</sup> The phenomenon of corruption is also alarmingly evident in the private sector, where it remains a critical factor in deteriorating the business climate.<sup>14</sup>

Corruption remains a phenomenon that needs to be addressed as soon as possible and effectively. This observation is present in all progress reports for Albania over recent years. *The European Commission's report for Albania for 2023*<sup>15</sup> diplomatically indicates that a level of preparation in the fight against corruption has been achieved. However, despite some advances and ongoing efforts in combating corruption, it remains a field of serious concern. Overall, corruption is widespread in many areas of public life and business. Preventive measures aimed at curbing corruption have had limited success, especially in highly vulnerable sectors.

Furthermore, the report recommends that the institutional capacity of the General Directorate Against Corruption in the Ministry of Justice needs to be further strengthened. Strengthening this structure would improve its ability to effectively coordinate and implement anti-corruption measures. Additionally, the composition of the Ethics Commission should be reviewed to ensure that it can operate with the necessary authority and independence to oversee ethical standards within the public sector. Another recommendation relates to conducting targeted risk assessments, especially in sectors most vulnerable to corruption, and implementing an adequate response with concrete and focused actions. These assessments serve to identify specific weak points within a given sector and to guide dedicated actions to mitigate risk and enhance the effectiveness of measures. Implementing these measures will help create a more responsible and transparent corruption management framework, thereby reducing the incidence of corruption as much as possible.

The Agency for Dialogue and Co-Governance, which has essential competencies for mediating and handling complaints, has received and addressed a significant number of complaints. However, the EU report expresses concern about the risk that the role of the agency might discourage the use of more formal and independent complaint channels.

In summary, the report recommends that to effectively combat corruption, it is crucial to improve investigation, prosecution, adjudication, and final sentencing processes, especially for high-level cases. This includes increasing the seizure and confiscation of criminal assets obtained through corruption-related activities. Strengthening the capacity of SPAK is essential. The new anti-corruption strategy should address the prevention and suppression of corruption more effectively. This strategy should include action plans and specific indicators tailored for the most vulnerable sectors to corruption. It is also important to address recommendations made by the Group of States Against Corruption (GRECO) to ensure that comprehensive and effective measures are in place.

### 3.1 Regulatory and Institutional Framework for Addressing Corruption

The legal and regulatory framework is a very important indicator in the fight against corruption and the commitment of political and institutional actors to this cause. It is precisely the legal framework that defines the structures, procedures, and mechanisms necessary to effectively prevent, detect, and punish corrupt actions.

<sup>12</sup> [https://acer.org.al/wp-content/uploads/2024/02/Prezantimi-Aurora\\_workshopi.pdf](https://acer.org.al/wp-content/uploads/2024/02/Prezantimi-Aurora_workshopi.pdf)

<sup>13</sup> <https://idmalbania.org/sq/vleresimi-i-sistemit-kombetar-te-integritetit-shqiperi-2023/>

<sup>14</sup> <https://amcham.com.al/collaborative-efforts-in-the-fight-against-corruption-partnership-between-the-amcham-and-the-ministry-of-justice-positive-business-climate-reflected-in-amchams-index/>

<sup>15</sup> I disponueshëm në këtë link [https://neighbourhood-enlargement.ec.europa.eu/albania-report-2023\\_en](https://neighbourhood-enlargement.ec.europa.eu/albania-report-2023_en);

A comprehensive legal framework is essential because it provides a clear definition of what constitutes corrupt activity. Comprehensive legislative provisions ensure a consistent and uniform approach to addressing corruption across various sectors and regions of the country.

Preventive measures included in the legal framework, such as transparency requirements in public administration and procurement processes, along with rules to prevent conflicts of interest among public officials, are crucial for reducing opportunities for corrupt practices.

Moreover, by providing for significant penalties for corrupt behavior, the legal framework contributes not only to punishing but also to preventing this phenomenon. On the other hand, the institutional framework complements the legal structure by ensuring the effective implementation of anti-corruption measures. Oversight mechanisms, such as independent auditing bodies and parliamentary oversight, add an additional layer of accountability. A very important component of the institutional framework in addressing corruption is the judiciary, as judicial independence ensures that courts can prosecute corruption cases without external pressure.

Legal provisions, anti-corruption measures, and policies are also essential within the context of the country's EU accession process, as they provide the necessary framework to combat corruption and promote transparency, accountability, and integrity across various sectors. These measures are fundamental for alignment with the standards established across nearly all chapters of the *acquis*, especially those related to governance, justice, and public administration, as well as public procurement, statistics, financial control, etc.

Within the context of the country's EU integration and as a result of increased internal commitment, more noticeable developments in improving the legal framework and strengthening the institutional framework have been observed in the last three years. Recommendations from the Council of Europe's monitoring mechanism GRECO have played and continue to play a significant role, primarily in improving the legal framework and strengthening institutional capacities in the fight against corruption.

### 3.1.1 Legal Framework

Preventing and punishing corruption is an obligation that arises not only from the implementation of national legislation and policies but also from Albania's adherence to international instruments for combating corruption, such as the United Nations Convention against Corruption<sup>16</sup>, the Criminal Law Convention on Corruption of the Council of Europe<sup>17</sup>, the Civil Law Convention on Corruption of the Council of Europe<sup>18</sup>, and other international documents.

The Whistleblower Protection and Reporting Law<sup>19</sup> provides a definition of corruption. It sets out the rules for reporting suspected corrupt practices or actions, the mechanisms for protecting whistleblowers, and the obligations of authorities regarding reporting. A unique feature of this law is the inclusion of the private sector, while other laws address corruption primarily in the public sector, which often involves collaboration with the private sector. This law regulates the administrative investigation procedure for reports, the rights and protection of whistleblowers, the monitoring of the reporting mechanism, as well as the administrative offenses and measures.

To enhance accountability and transparency in state administration, *the law on co-governance was adopted in 2021*<sup>20</sup>. Co-governance, according to this law, is carried out through the platform "Albania We Want," with the responsible structures being the Agency for Dialogue and Co-Governance, as well as state administration institutions, public entities, and local self-government units. "Report Corruption" is one of the sections of the platform, while other sections such as "My

<sup>16</sup> E disponueshme në këtë link <https://www.unodc.org/unodc/en/treaties/CAC/>;

<sup>17</sup> E disponueshme në këtë link <https://rm.coe.int/168007f3f6>;

<sup>18</sup> E disponueshme në këtë link <https://rm.coe.int/168007f3f6>;

<sup>19</sup> Ligji Nr. 60/2016 "Për Sinjalizimin dhe Mbrojtjen e Sinjalizuesve", ndryshuar nga Ligji Nr. 150/2020;

<sup>20</sup> Ligji Nr. 107/2021 "Për bashkëqeverisjen";

Complaint” or “My Business” can be accessed to report abusive behaviors and irregularities of various kinds. In cases reported in the “Report Corruption” section, the Agency performs a preliminary assessment and forwards the complaint to the National Anti-Corruption Coordinator, and if clearer evidence of corruption is found, it is immediately referred to the competent prosecutor. Both the Agency and the whistleblower are kept informed as much as permitted about information related to the case. The Agency also has oversight and inspection powers over administrative activities. It is worth mentioning that links to the corruption reporting section are also placed on the websites of key government institutions, through which citizens can obtain information and access relevant services.

*Another important law is the one concerning the prevention of corruption through preventive measures against wealth.*<sup>21</sup> This law aims to prevent corruption through the confiscation of property from individuals whose economic level is unjustified. There are no cases where this law has been applied to corruption cases, but rather to other criminal activities.

*The government decision to establish, organize, and operate the Network of Anti-Corruption Coordinators represents an important act in defining the mission and role of coordinators*<sup>22</sup>. The anti-corruption coordinator is a new position created in selected institutions due to their high exposure to the phenomenon of corruption. The 44 institutions where these coordinators are placed have been identified as the most at risk for corruption, and through this position, the aim is to prevent and combat corruption within public administration, with the goal of improving transparency and integrity in these institutions.

In fact, this Decision of the Council of Ministers (DCM)<sup>23</sup> has abolished a previous act for the creation, composition, and functioning of the Anti-Corruption Coordinators Network, which had been approved only 2 years before this DCM and had since been amended. It has also abolished the acts regulating the establishment and functioning of the special anti-corruption and anti-evasion unit<sup>24</sup> and the internal administrative and anti-corruption control procedures of the Council of Ministers<sup>25</sup> and decided on the termination of the Inter-Institutional Anti-Corruption Task Force’s functions by removing this structure’s responsibilities for implementing specific activities in the current strategy. The purpose of the DCM for the creation, organization, and functioning of the Network of Anti-Corruption Coordinators was to reorganize the main institutional structures, established by this act, into a more integrated and logical hierarchical order under the National Anti-Corruption Coordinator to regulate and normalize their interaction.

This DCM also regulates the organization of the anti-corruption responsible structure within the Ministry of Defense (MD), such as the General Directorate, its mission, and the procedures for verification, administration, and documentation of cases under process. These structures created or regulated by this act provide a more structured institutional approach to combating corruption and more comprehensive regulations for the administrative or criminal processing of corruption, abuse, or arbitrariness cases.

In addition to conducting administrative investigations and preparing reports and proposals, the Responsible Anti-Corruption Structure in the MD is also recognized for its role in developing anti-

<sup>21</sup> Ligji Nr. 10192 datë 03.12.2009 “Për parandalimin dhe goditjen e krimit të organizuar, trafikimit, korrupsionit dhe krimeve të tjera nëpërmjet masave parandaluese kundër pasurisë”, i ndryshuar me Ligjin Nr. 24/2014, Ligjin Nr. 70/2017, Ligjin Nr. 34/2019 dhe Ligjin Nr. 85/2020;

<sup>22</sup> VKM Nr. 618, datë 20.10.2021 “Për krijimin, organizimin e funksionimin e rrjetit të koordinatorëve kundër korrupsionit”, i ndryshuar me VKM Nr. 657, datë 03.11.2021;

<sup>23</sup> Urdhëri Nr. 106, datë 25.07.2019 i Kryeministrit “Për krijimin, përbërjen dhe funksionimin e Rrjetit të Koordinatorëve Antikorrupsionit”;

<sup>24</sup> VKM Nr. 209, datë 26.02.2020 “Për ngritjen dhe funksionimin e njësisë speciale antikorrupsion dhe antievazion”;

<sup>25</sup> VKM Nr. 94, datë 15.02.2006 “Për miratimin e rregullores për funksionet dhe procedurat e kontrollit të brendshëm administrativ dhe antikorrupsion të Këshillit të Ministrave”;

corruption projects and programs, as well as planning, coordinating, and determining the necessary tools for implementing policies in this field.

A special emphasis in this act is placed on implementing the principle of legality and independence of this anti-corruption structure in the verification of corrupt cases, abusive or arbitrary practices. The establishment of these structures comes with a financial cost, as employees of this structure receive additional rewards for this role according to the DCM for the creation, organization, and functioning of the Network of Coordinators and in accordance with the relevant DCM for the coordinators of the anti-corruption coordinators' network<sup>26</sup>. In public entities and state-owned commercial companies where salaries are not approved by the Council of Ministers, the salary level for the network coordinator position is the same as that of the highest employee after the head of the institution where they are appointed. Anti-corruption structure employees are supported by administrative experts with specific knowledge if needed for the investigation or verification of a particular case.

Reports and records of corruption are registered in a state database known as the "Electronic System for Managing Reports of Corruption Records (ESMCR)<sup>27</sup>," managed by the Ministry of Justice. Through it, organized and electronically stored information is collected for corruption case reports, as well as information for managing, handling status, and reporting of corruption cases by the responsible anti-corruption structures and coordinators of the Anti-Corruption Network.

This part of the analysis refers to the relevant legal framework in force. Institutions with significant responsibilities in preventing and combating corruption have identified the need to ratify important international acts such as the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions of December 17, 1997, and further alignment with the acquis and international standards through a comprehensive review of the conflict of interest law, amendments to the whistleblower law, and the drafting of a new lobbying law, which is expected to regulate lobbying activities. These are now part of the rule of law guide and the draft strategy's projections, which is in the development process.

Regarding upcoming changes, the law for the establishment of the Asset Recovery Office<sup>28</sup>, which is conceived as a special central structure within the State Police, is in the public consultation phase and is expected to be approved. This office will be responsible for tracking and identifying revenues, assets, or other financial benefits derived from criminal acts or activities, which may be subject to temporary freezing, seizure, or confiscation.

### 3.1.2 Policy Framework

The fight against corruption is a key priority field and part of the government's short-term and medium-term priorities. The fight against corruption is one of the priorities of the National Strategy for Development and European Integration 2022-2030<sup>29</sup> and the Priority Policy Document for the period 2025-2027<sup>30</sup>, both from the perspective of consolidating institutions and the rule of law and in the context of EU integration. Addressing corruption is based on a horizontal approach that includes various sectors such as transparency, electronic services, public procurement, inspections, and financial controls in public administration; different aspects such as the integrity of central and local public authorities, as well as public awareness and

<sup>26</sup> VKM Nr. 102, datë 16.02.2021 "Për miratimin e strukturës e të niveleve të pagave të pozicioneve koordinator të rrjetit të koordinatorëve kundër korrupsionit, në disa institucione të administratës shtetërore", i ndryshuar me VKM Nr. 196, datë 06.04.2022;

<sup>27</sup> VKM Nr. 706, datë 04.11.2022 "Për krijimin e bazës së të dhënave shtetërore "Sistemi Elektronik i Menaxhimit të Denoncimeve për Rekordet Korruptive";

<sup>28</sup> <https://konsultimipublik.gov.al/Konsultime/Detaje/708>;

<sup>29</sup> <https://qbz.gov.al/eli/vendim/2023/02/22/88/59519cb2-2180-4e7e-9d91-68545a68e008>

<sup>30</sup> VKM Nr. 161, datë 20.03.2024 "Për miratimin e Dokumentit të Politikave Prioritare 2025-2027";

education against corruption; mechanisms such as cooperation and coordination of law enforcement authorities' efforts.

In accordance with this document, the main directions of anti-corruption policy include a series of actions for preventing corruption, strengthening institutions, overall monitoring with the inclusion of civil society organizations, and administrative and criminal punishment of corrupt officials. Another aspect provided by this document is the further consolidation of efforts to create a database for the investigation, prosecution, and adjudication of high-level corruption cases.

Provisions regarding the fight against corruption in this document are based on the assessment of the negative consequences that corruption has on the economic and social life of citizens and the reduction of citizens' trust in institutions and public administration. The modernization of services and the expansion of the range of services offered digitally are considered positive developments in the fight against corruption and as important instruments in its prevention. This document also announces the vision of the upcoming cross-sectoral anti-corruption strategy for the period 2024-2030, which is "Public institutions that operate in accordance with the highest standards of integrity, transparency, and public accountability and provide efficient services to citizens."

The Rule of Law Roadmap<sup>31</sup> also foresees measures to address the situation of corruption, seen in the context of justice reform but also as a separate field due to its importance. In the section addressing the fight against corruption, there are precise provisions and deadlines regarding the improvement of the legal and strategic framework for anti-corruption, as well as the increase of institutional capacities for key law enforcement agencies. This document devotes a special session to measures related to the seizure and confiscation of assets acquired through corrupt actions.

The cross-sectoral anti-corruption strategy and action plan represent the most dedicated policy documents on the issues of preventing and addressing corruption. The current strategy, which was initially planned until 2020, has been extended until 2023, adapting it to the most necessary changes for the additional period and accompanied by the action plan for the period 2020-2023<sup>32</sup>. This analysis does not delve into the aspects of this document as its validity period has ended and certain structures such as the Inter-Institutional Anti-Corruption Task Force no longer exist. Nevertheless, the main pillars of policy direction in this field remain current regarding preventive, punitive, and awareness-raising approaches. The legacy of this document includes the integrity plans of the Ministry of Justice, line ministries, their subordinate institutions, as well as local integrity plans and the code of conduct.

As the process for drafting the Cross-Sectoral Anti-Corruption Strategy 2024-2030 has begun, measures and interventions for the sustainable reduction of corruption in the public sector are planned to be reinforced, aiming to extend the impact of these measures to the private sector. The Priority Policy Document, which also presents the vision of the subsequent anti-corruption strategy, declares that the new anti-corruption strategy is expected to expand its scope from a cross-sectoral approach to a national, inclusive, and integrated approach, foreseeing direct interventions for risk assessments and specific intervention measures. Recognizing the spread and persistence of corruption, the risk posed in public institutions, and specifically in certain sectors considered vulnerable such as property, taxes, customs, public procurement, health, and education, the new anti-corruption strategy for the period 2024-2030 is expected to materialize efforts and commitments taken in enhancing the culture of integrity in public administration, at both central and local levels.

<sup>31</sup> VKM Nr. 736, datë 13.12.2023 "Për miratimin e Udhërrefyesit për Shtetin e së Drejtës";

<sup>32</sup> VKM Nr. 516, datë 01.07.2020 "Për disa ndryshime dhe shtesa në Vendimin Nr. 247, datë 20.03.2015 të Këshillit të Ministrave "Për miratimin e Strategjisë Ndërsektoriale kundër Korrupsionit, për periudhën 2015-2020" dhe miratimin e Planit të Veprimit 2020-2023, në zbatim të Strategjisë Ndërsektoriale kundër Korrupsionit 2015-2023 e të pasaportës së indikatorëve";

Completing the legal framework, further aligning with EU standards, and ratifying relevant international conventions will constitute important objectives of the strategy. The inclusion of the private sector, increasing its cooperation with the public sector to improve efficiency and reduce opportunities for corruption, as well as increasing the role of civil society with projects and cooperation platforms, and especially the increased role of women in the fight against corruption as active factors and creators of anti-corruption mechanisms, are some of the innovations of the new anti-corruption strategy. The strategy will be accompanied by an action plan, with a three-year duration, for which a broad public consultation campaign is planned.

### 3.1.3 The Institutional Framework

With the latest changes in ministerial portfolios undertaken at the beginning of 2024, the fight against corruption has been included in the responsibilities of the Minister of State for Public Administration and Anti-Corruption<sup>33</sup>. The Minister of State for Public Administration and Anti-Corruption now holds the role of National Coordinator against Corruption, a role previously held by the Minister of Justice. This minister is responsible for leading and coordinating the work on policy formulation and the preparation of legal and sub-legal acts for the prevention and fight against corruption, as well as for fulfilling the principles of good governance and the partnership for open governance.

Under the direction of the National Coordinator against Corruption, a Network of Anti-Corruption Coordinators<sup>34</sup> has been created, consisting of representatives from institutions in the role of coordinators from central and regional levels, and the responsible structure for corruption in the Ministry of Justice. Their mission is to collect, analyze, coordinate, verify, and administratively investigate all information related to corrupt cases, abusive and arbitrary practices. These activities are undertaken on the initiative of the coordinators or the responsible structure against corruption in the Ministry of Justice or at the request of any public authority or third party. Cases initiated upon request also include those referred by the platform "For the Albania We Want" for institutions part of the Coordinators' Network with the aim of preventing and combating corruption in state administration institutions. Despite the mission referring to state administration, their scope of activity includes a broader field related to the public administration's activity, including public entities and state-owned enterprises. Additionally, this network assesses the risk of corruption and proposes measures, rules, and procedures for managing this risk.

The anti-corruption coordinator is a new position created in selected institutions due to their higher exposure to this phenomenon, clearly defined in the Decision of the Council of Ministers (DCM) that regulates the organization and functioning of the anti-corruption coordinators' network.

Since the Minister of State for Public Administration and Anti-Corruption, who is also the National Coordinator, now belongs to a different parallel structure with the Ministry of Justice, the interaction between the Responsible Structure against Corruption in the Ministry of Justice and the National Coordinator remains to be discussed and evaluated.

The High Inspectorate of Declaration and Audit of Assets and Conflict of Interests (HIDAACI)<sup>35</sup> is a very important institution as corrupt actions in one way or another leave traces in the declaration of assets. This institution, besides administering asset declarations, also manages conflicts of interest and external whistleblowing reports.

A special section on this institution's official website is dedicated to reporting corruption through a toll-free number. The website aims to create an important window to encourage more active

<sup>33</sup> VKM Nr. 29, datë 17.01.2024 "Për përcaktimin e fushës së përgjegjësisë shtetërore të ministrit të Shtetit për Administratën Publike dhe Antikorrupsionin";

<sup>34</sup> VKM Nr. 618, datë 20.20.2021 "Për krijimin, organizimin e funksionimin e rrjetit të koordinatorëve kundër korrupsionit", i ndryshuar me VKM Nr. 657, datë 03.11.2021;

<sup>35</sup> <https://www.ildkpkj.al/>;

communication with officials and especially with the public to better fulfill HIDAACI's mission and mandate.

The Albanian Supreme Audit Institution (ALSAI)<sup>36</sup> is the highest state institution for economic and financial control and external auditing. ALSAI includes compliance auditing, financial auditing, performance auditing, and combined auditing of these aspects in its audit activities. Performance and compliance auditing includes important elements such as the evaluation of final results and objectives, as well as the assessment of the implementation level of laws, policies, regulations, rules, and established codes, which provide sufficient information to identify irregular and corrupt practices. Moreover, compliance auditing includes the auditing of the integrity and compliance of administrative decisions taken by the audited entity. Based on the law regulating the organization and functioning of ALSAI<sup>37</sup>, the Chairman of this institution is responsible for approving internal regulations or the relevant manual on how auditors should handle cases of suspected fraud and corruption. Verification and auditing of managerial responsibilities, through the identification of risk areas in the mismanagement of public finances and sensitive areas such as healthcare, social services, education, procurement, and the implementation of concession and PPP contracts, is an important element in the fight against corruption. ALSAI's findings are materialized in giving relevant recommendations to prevent corrupt cases. The activities and findings of the audits are communicated to public authorities as well as to the public through the publication of reports.

The official website of this institution also has a special section dedicated to reporting abusive cases by citizens or anyone encountering such behavior. In this section, ALSAI declares its high interest in receiving complaints from citizens, along with the promise that they will be treated while maintaining anonymity and will be followed up responsibly by this institution. The reporting method is simple to use but necessarily requires the credentials of the complainant, an email address, as well as the subject and more detailed information regarding the complaint.

Within the justice reform, a new institutional architecture has been established for the fight against corruption, consisting of the Special Prosecution Office for Corruption and Organized Crime, the National Bureau of Investigation, and the Special First Instance<sup>38</sup> and Appeals Court for Corruption and Organized Crime<sup>39</sup>.

The government has also created an anti-corruption cooperation network with 13 representatives from civil society who work in the field of the rule of law.

### 3.2 Reforms of the Last Decade and Their Impact on Addressing Corruption

The fight against corruption has always been one of the government's main priorities, including in the National Strategy for Development and Integration 2015-2020 and 2022-2030, serving as a catalyst for progress in implementing judicial reform. Corruption poses a national challenge as it affects society in various ways, bringing negative consequences to both the economic and social lives of citizens. In certain cases, corruption has also impacted the integrity and trust in state institutions. The goals of the anti-corruption policy in the strategy have aimed at increasing effectiveness in preventing, punishing, and raising awareness about corruption. Preventing and punishing corruption is an obligation stemming from Albania's adherence to international instruments for fighting corruption, such as the United Nations Convention against Corruption, the Council of Europe's Criminal Law Convention on Corruption, the Council of Europe's Civil Law Convention on Corruption, etc.

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<sup>36</sup> <https://www.klsh.org.al/>;

<sup>37</sup> Ligji Nr. 154/2014 "Për organizimin e funksionimin e Kontrollit të Lartë të Shtetit";

<sup>38</sup> <https://www.gjp.gov.al/>;

<sup>39</sup> <https://www.gjp.gov.al/>;

A significant part of the anti-corruption approach, especially in the last decade, has consisted of modernizing services and strengthening the digital infrastructure to ensure the digital delivery of possible services for citizens. This approach has proven positive in addressing corruption issues related to public services by significantly reducing citizens' contact with institutions and providing services through electronic solutions. However, despite these achievements, they have not been sufficient to reduce the perception of corruption in the country or diminish its negative effects.

The fight against corruption constitutes a horizontal approach that includes sectors such as transparency, public procurement, electronic services, inspections and financial controls in public administration, the integrity of central and local public authorities, cooperation of law enforcement authorities, and public awareness and education against corruption. Since 2015, cross-sectoral anti-corruption strategies have aimed at the sustainability and continuity of policies to progressively reduce corruption, strengthen institutional integrity, and promote good governance through the vision "Transparent and high-integrity Albanian institutions that enjoy citizens' trust and ensure quality and incorruptible service." A part of the problems in fighting corruption is related to the instability of the institutional structure coordinating this process, which has undergone continuous transformations, frequent changes in institutional dependence, organizational structure, and composition.

During the period 2015-2017, Albanian institutions implemented anti-corruption measures foreseen in the 2015-2017 Action Plan. The 2018-2020 Action Plan, the second action plan in implementation of the Strategy, after going through an inclusive consultation process with the participation of key actors in the fight against corruption, state administration institutions at the central and local levels, and independent institutions, organizations, and international partners, civil society, etc., took the fight against corruption to a higher level. The Indicators Passport was approved in 2018, with decision no. 241, dated 20.04.2018, of the Council of Ministers, which defined measurable indicators for achieving the objectives of this strategy. This decision also approved the creation of the Coordinating Committee for the implementation of the NSAC and the Inter-institutional Anti-Corruption Task Force. Since the establishment and organization of the General Directorate of Anti-Corruption in the Ministry of Justice in 2021, with the implementation of Decision no. 618/2021, the Anti-Corruption Task Force ceased to function, and the Anti-Corruption Coordinators' Network Directorate began operating.

With decision no. 516, dated 01.07.2020, the Albanian government approved the extension of the implementation period of the NSAC until 2023, along with the new Action Plan for its implementation for the period 2020-2023, accompanied by a review of indicator values (Appendix 2: Indicator Passport) for the years of the action plan's implementation (2020-2021-2022-2023). The 2020-2023 Action Plan contains 83 measures, involving 22 institutions that will work together for more transparency, accountability, and efficiency in the fight against corruption in the country. Priority measures of this action plan include strengthening the transparency of public institutions, progressively increasing online public services, starting the implementation of online asset declarations for public officials, establishing and implementing anti-corruption tools in public administration (integrity plans), strengthening the cooperation of law enforcement authorities and agencies in the fight against corruption, increasing the punitive force against corruption by special field institutions, enhancing the interaction of authorities receiving corruption reports up to their punishment, and strengthening public awareness and public sensitization.

The 2024-2030 Cross-Sectoral Anti-Corruption Strategy is expected to materialize efforts and commitments in increasing integrity in public administration at both central and local levels, completing the legal framework and adapting it to the frameworks envisaged by the European

Union, starting from developing domestic legislation in the field and ratifying international conventions. This strategy will also have a special focus on the private sector, its cooperation with the public sector to improve efficiency and reduce corruption interventions. A novelty in this strategy comes from increased cooperation with civil society through projects and collaboration platforms, and especially for enhancing the role of women in the fight against corruption, as active factors and creators of anti-corruption mechanisms. The strategy will have an initial action plan, with a three-year duration, specifically for the years 2024-2025-2026, for which a broad public consultation campaign is planned.

The fight against corruption is linked to the 2030 Agenda within the framework of achieving Objective 16: "Promote peaceful and inclusive societies for sustainable development, provide access to justice for all, and build effective, accountable, and inclusive institutions at all levels" and Target 16.5 "Substantially reduce corruption and bribery in all their forms."

#### 4. Good Practices in Addressing Corruption

The fight against corruption in successful countries addresses quite significant and horizontal issues that go beyond the focus of institutional or strategic organization in relation to corruption problems. International best practices demonstrate that achieving satisfactory results in this area requires time, full political will, serious and inclusive commitment, and available resources. Successful cases show that countries that have advanced more quickly in the fight against corruption are those that have properly included transparency with open data for everyone, citizen participation, joint actions, promotion of integrity and positive values for society, reduction of political influence in the management of public finances, prevention and management of conflicts of interest, implementation of clear strategies, and creation of efficient institutions, as well as serious investigation and punishment of corruption cases with zero tolerance.

The 2023 Corruption Perceptions Index (CPI) document was published in January 2024<sup>40</sup> with the accompanying note "Weak controls and balance have undermined anti-corruption efforts in Western Europe and EU countries." It is the first time in nearly a decade that the region's score within the EU has dropped in the CPI assessment. The decline in the regional CPI result in Western Europe and the EU shows that European governments need to take the fight against corruption and the rule of law more seriously. The statements accompanying the publication of this report emphasize that states need to raise their standards and better implement their rules to enhance efforts against corruption, protect the justice system from interference, and put a barrier against powerful interest groups in politics.

Positive trends in the fight against corruption in EU member states today aim at modernizing open data for everyone, cross-referencing data in the fight against corruption, and ensuring inclusivity in this process. Some positive examples in these directions include Slovenia's one-stop-shop system for public data<sup>41</sup>, citizen involvement through education in Bulgaria<sup>42</sup>, implementation of concrete strategies to address corruption issues in Sweden<sup>43</sup>, and open public discussions on anti-corruption action plans in Greece<sup>44</sup>.

The Corruption Perceptions Index is the most widely used global ranking for the perception of corruption levels in the public sector of each country, according to experts and surveyed businesspeople. In the 2023 CPI, Albania scored 37 out of 100, ranking 98 out of 180 countries globally. This ranking reflects a slight improvement compared to previous years but still indicates that corruption remains a critical issue.

As in our country, corruption takes many forms in EU countries, such as conflict of interest, unfair awarding of public contracts, undue business influence in politics, bribery, and use of personal connections to access public services. There are various definitions of corruption, but in a comprehensive summary, it is the abuse of entrusted power for private gain, as defined by Transparency International<sup>45</sup>.

Although widespread, corruption is often invisible. The fundamental mechanism of corruption has not changed over time. However, the means by which it is carried out naturally reflect changes in technology and society. For example, cryptocurrencies are increasingly used for payments to corrupt officials and for money laundering purposes<sup>46</sup>. The digitalization of public administration

<sup>40</sup> | disponueshëm në <https://www.transparency.org/en/press/2023-corruption-perceptions-index-weak-checks-balances-undermining-anti-corruption-efforts-in-eastern-europe-eu>, lexuar në datë 22 Maj 2024;

<sup>41</sup> <https://nio.gov.si/nio/cms/page/links?lang=en>

<sup>42</sup> <https://archive.rai-see.org/bulgaria-anti-corruption-institutional-framework/>

<sup>43</sup> [chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://delna.lv/wp-content/uploads/2016/11/delna\\_corruption-1.pdf](chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://delna.lv/wp-content/uploads/2016/11/delna_corruption-1.pdf)

<sup>44</sup> <https://www.opengovpartnership.org/documents/greece-action-plan-review-2022-2024/>

<sup>45</sup> <https://www.transparency.org/en/what-is-corruption>;

<sup>46</sup> Kriptovaluta, korrupsioni dhe krimi i organizuar: Implikimet e përdorimit në rritje të kriptovalutave në mundësimin e financimeve të paligjshme dhe korrupsionit, Transparency International, e disponueshme në këtë link, <https://knoëledgehub.transparency.org/helpdesk/cryptocurrencies-corruption-and-organised-crime-implications-of-the>

has the potential to facilitate access to valuable information and increase the detection of individuals within companies and public services who exhibit suspicious actions related to processes and decisions in digital systems.

Despite a general decline in the scoring of EU member states, there are still good practices in European countries and the UK that can be implemented and adapted to our context. **EU-level efforts to prevent, detect, and combat corruption at all levels are based on a set of established measures and rules. Given the new forms this phenomenon takes, there is a continued need to adapt new approaches to address it at the national, regional, and international levels.**

Policies addressing corruption and its various forms are continuously reviewed at the EU level. An important and sustainable instrument in the fight against corruption is the adoption of high-standard legislation, either specifically for corruption or included in anti-corruption provisions of legislation in various sectors. The proposed European-level legislation aims to prevent corruption and keep it within the limits set by the Treaty on the Functioning of the European Union concerning the prevention and prohibition of crime and the approximation of criminal laws (Article 67), the adoption of minimum rules by each state to address the cross-border dimension of corruption crime (Article 83), and the establishment of a legal basis to combat fraud and other illegal activities affecting the financial interests of the EU (Article 325).

Last year, the Commission presented a new proposal for combating corruption through criminal legislation. The aim of the new proposal was to modernize the legal framework and further implement international obligations under the UN Convention Against Corruption (UNCAC).

The proposals for improvements are based on analyses and evaluations such as the EU SOCTA<sup>47</sup>2021, which provides sufficient information for decision-makers and the wider public regarding new trends and forms of crime, describing the driving and supporting factors of criminal activities. This analysis showed that criminal structures are more fluid and flexible than before, and the use of corruption and abuse of legal business structures are key features of activities related to serious and organized crime. According to the main findings of this analysis, corruption is a feature of most, if not all, criminal activities in the EU. Corruption occurs at all levels of society and can range from small bribes to complex schemes involving values of many millions of euros. Corruption has been assessed by this document as a key threat that must be addressed in the fight against serious and organized crime. Nearly 60% of criminal groups reported for SOCTA 2021 are involved in corruption. Corruption, fraud, and violence are assessed as the primary tools used by criminals. Many use corruption occasionally, but a smaller portion of criminal networks engage in frequent and proactive corruption targeting public officials or specific sectors as a core part of their business strategy. Criminals also target individuals at all levels of society. Legal and financial advisors, as well as lawyers and notaries, provide criminals with information and assist in creating fraud schemes using legal spaces and company networks to buy and launder money. They sometimes facilitate the acquisition of legitimate companies for use in criminal activities. These professional categories can be considered important partners in the fight against organized crime.

Based on the above findings and previous reports and studies, emphasis has been placed on revising criminal legislation and adequately providing for actions related to corruption within this legislation. Expanding the definitions of criminal acts of corruption beyond classical acts of bribery to include abuse of office, undue influence, misuse of functions, obstruction of justice, and unjust enrichment are some of the aspects identified as important to address. Further improvements in criminal legislation would also include providing for minimum penalties and sanctions for various

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[growing-use-of-cryptocurrencies-in-enabling-illicit-finance-and-corruption#:~:text=Summary,other%20crimes%20related%20to%20corruption](#), kontrolluar në 28 Maj 2024;

<sup>47</sup> I disponueshëm në [https://www.europol.europa.eu/cms/sites/default/files/documents/socta2021\\_1.pdf](https://www.europol.europa.eu/cms/sites/default/files/documents/socta2021_1.pdf), kontrolluar në 23 Maj 2024;

criminal acts to ensure equal conditions across all Member States, extending the statute of limitations for prosecuting corruption in courts, and strengthening the institutional capacities of the police and prosecution to have the necessary investigative tools and resources to fight corruption. Bribery was also a focus for legislators along with new forms of corruption that threaten citizens and weaken society. Overall, the new proposed framework aimed to enhance prevention as well as escalate punitive measures.

Among other things, the proposed new legislative framework prioritized stimulating a culture of integrity in general and preventing corruption in particular by raising awareness of the negative impact of corruption on citizens and society to address this phenomenon before its consequences emerge or deepen.

In summary, the latest developments at the European level regarding the improvement of legislation and strengthening anti-corruption measures consist of the joint statement in the fight against corruption of March 2023, the proposal for a directive to ban corruption through criminal legislation, and the new sanctions regime for corruption.

Regarding good practices, it is advisable and beneficial to refer to practices followed by certain states that have proven successful in preventing and combating corruption. The UNDP document presents some lessons learned regarding the implementation of the UN Convention Against Corruption and showcases good practices that have been successful in various countries<sup>48</sup>.

This document confirms the approach that prevention is more effective than correction and emphasizes that effective prevention can only be achieved by improving society's overall ability to challenge and confront individuals in power and positions of authority. The text refers to a notion such as public sector excellence which, while seeming inspirational, is equally achievable.

The case of Albania in the field of public procurement and public finance management through the use of electronic procurement is presented as a positive practice. In this section of the analysis, some good practices that could be valuable for our country are presented.

#### **Case 1: Good Practice Implemented in Estonia Based on a Comprehensive Legal Framework, Digital Governance, and Specific Measures for Local Governance**

A notable good practice in addressing corruption comes from Estonia. Estonia has implemented a comprehensive approach that includes transparency, digital governance, and a complete legal framework to effectively combat corruption. As an EU member state, Estonia is considered a pioneer in the use of technology. By digitizing government services and creating transparent electronic governance systems, Estonia has significantly reduced opportunities for corruption. This includes measures such as electronic procurement and electronic taxes, which simplify processes and minimize the need for face-to-face interactions, thereby reducing the potential for bribery and fraud. This practice highlights the importance of integrating technology, promoting transparency supported by a comprehensive legal and institutional framework to effectively address corruption.

Increased use of technology has also been implemented in our country, but in the case of Estonia, all efforts to remove bureaucratic barriers, minimize contacts with officials, increase public service efficiency, transparency, and accountability have been accompanied by adequate legal provisions. Estonia has a dedicated anti-corruption legal act, approved in 2012, to combat corruption among all officials, including the government, law enforcement institutions, and other public sectors.

<sup>48</sup> Praktikat e mira në ekselencën e sektorit publik për të parandaluar korrupsionin, UNDP 2018, i disponueshëm në këtë link <https://anti-corruption.org/themes/uncac-implementation-review-mechanism/>, kontrolluar në 29 Maj 2024;

Amendments made to this act in 2021 included political advisers to ministers within the circle of officials.<sup>49</sup>

Another highlighted element of Estonia's practices relates to initiatives focused on local governance.<sup>50</sup> Specifically, in 2018, at the request of the Estonian Ministry of Justice, a mechanism for assessing corruption risk was developed by a local NGO. Being an electronic mechanism dedicated to preventing corruption at the local level, it includes guidelines for organizing anti-corruption work at the local level and tools for identifying corruption risks at the local level. The online corruption risk assessment platform is open to all local government units in Estonia<sup>51</sup>. The mechanism includes two questionnaires that help identify and assess corruption risks, analyze the appropriateness of current activities of a local government unit, and compare their results with other local government units. This mechanism serves to address corruption risks more broadly, going beyond assessing the implementation of legal obligations.

### **Case 2: Good Practice Implemented in Romania for Addressing Corruption in Education**

Turning to Romania, an EU member state with similar issues to our own in some aspects, including forms and presence of corruption, this document addresses the lack of integrity in the education sector, including in higher education professional circles. The lack of teachers, abuse of duty and position by teachers, plagiarism, and issuance of false certificates and diplomas, identified as the most prevalent forms of corruption and integrity breaches in education in Romania, are also present in our environment. In response to the situation, a coalition for clean universities was created ten years ago, involving key higher education actors in Romania, including academic organizations, teachers, and students. This coalition adopted a methodology for ranking universities based on various elements to create a list highlighting the best and weakest institutions. Evaluation and monitoring based on this methodology continue periodically, and the results indicate an improvement in the situation. Despite encountering resistance, this practice proved effective. The most important elements of this positive practice are the consistency and commitment of civil society and students, accompanied by legal and institutional improvements such as the creation of an Ombudsman for higher education. Moreover, this practice received significant support from the media and civil society, and thanks to this support, education gained priority on the political agenda. Although the effects of this practice are more evident after some time of implementation, the university ranking practice showed immediate success in terms of transparency and accountability of universities. The Romanian practice was replicated in Peru and Colombia but with varying results. Analysis of the practice's implementation results showed that student involvement and project leaders' commitment were the determining factors of the practice's success.

### **Case 3: Good Practices Implemented in Georgia Based on a Sectoral Approach within a Shared Vision in the Fight Against Corruption**

Another interesting practice is found in the case of Georgia. Although geographically distant, it has some similarities with our country in historical terms, as both have experienced communist regimes, and in socio-cultural aspects. Moreover, both countries are committed to strengthening their ties with the European Union and NATO, reflecting their aspirations for greater integration into the Euro-Atlantic community. From the perspective of corruption, Albania and Georgia show noticeable similarities. Both countries have experienced widespread corruption, which has been a significant obstacle to their democratic and economic development and have fought against it. Anti-corruption efforts have been central to their political agendas and have established anti-corruption

<sup>49</sup> Raundi i pestë i vlerësimit të GRECO, raporti i dytë i përpunshëm, i miratuar në Qershor 2023, i disponueshëm në këtë link <https://rm.coe.int/fifth-evaluation-round-preventing-corruption-and-promoting-integrity-ii/1680ab92a4>, kontrolluar më 31 Maj 2024;

<sup>50</sup> Praktikë e mira në luftën kundër korrupsionit, përgatitur për Komisionin Evropian, Shkurt 2023, i disponueshëm në këtë link <https://op.europa.eu/en/publication-detail/-/publication/df1a5278-ac18-11ed-b508-01aa75ed71a1>;

<sup>51</sup> [www.kovriskid.ee](http://www.kovriskid.ee);

agencies to enhance transparency and accountability. The sectors most affected by this phenomenon include the police, customs and tax administration, central and local government. Given the extent and scope of corruption, anti-corruption efforts in Georgia were based on a sectoral approach and focused on eight areas: police, tax collection, customs, energy sector, business deregulation, public and civil registers, education with a particular focus on university admissions, and decentralization of public/municipal services. Anti-corruption efforts somewhat neglected preventive measures and were implemented to address entrenched corruption in these sectors. Nevertheless, corrective measures laid the groundwork for future preventive measures. The main feature of the practices followed in Georgia in the fight against corruption is strong leadership and commitment to driving change. Additionally, the World Bank report<sup>52</sup> rates Georgia among the top three countries with significant improvements over the past 20 years in four of the six World Bank governance indicators. Factors contributing to Georgia's progress, which are easily applicable in other states, include political will, building credibility from the initial stages of anti-corruption policy implementation, undertaking coordinated and focused actions in the form of a frontal assault, attracting new staff to the administration, limiting the role of the state, using unconventional methods, developing a unique goal and working around that goal, using technology, adapting good practices to the national context, and strategic communication. External pressure as part of EU membership has also been a major contributor to Georgia's fight against corruption.

From Georgia's experience, several valuable lessons can be drawn, some of which have been partially applied in our country, particularly in aspects related to shortening unnecessary bureaucratic procedures with the help of increased technology use. However, the most valuable lesson is building and maintaining a nationwide shared vision against corruption by ensuring broad public involvement and support.

The cases analyzed in detail above have been selected based on similarities with our country and the adopted solutions to address corruption issues, which are relevant and feasible in our context. Other good practices implemented in various European countries<sup>53</sup> suggest that joint efforts are an effective practice, as seen in Germany, Italy, Portugal, and Sweden. Promoting integrity and transparency through open data is a practice successfully implemented in Croatia, Cyprus, Czech Republic, Denmark, Estonia, France, Luxembourg, Malta, and Slovenia. The adoption of anti-corruption strategies is a good practice implemented in Lithuania, Greece, and Ireland, while the creation of anti-corruption agencies has worked successfully in Spain and Latvia. Citizen engagement is another important aspect of the fight against corruption and has had a significant impact in Austria, Bulgaria, and Poland. In every case, investigation and prosecution of corruption is an indisputable legal obligation and has been effectively implemented in Finland, Hungary, and the Netherlands.

## 5. THE ROLE OF PARLIAMENTARY AND NON-PARLIAMENTARY ACTORS IN PREVENTING AND ADDRESSING CORRUPTION

### 5.1 The Role of Parliamentary Actors

This section provides a theoretical description of the Parliament's intervention in preventing and combating corruption in Albania. According to a WFD analysis of post-legislative scrutiny in Western Balkan parliaments<sup>54</sup>, these parliaments are often seen primarily as legislative bodies because they focus

<sup>52</sup> Gjerogjia, nga transformuese në performuese, Banka Botërore 2018, e disponueshme në <https://documents1.worldbank.org/curated/en/496731525097717444/pdf/GEO-SCD-04-24-04272018.pdf>, kontrolluar më 29 Maj 2024;

<sup>53</sup> Praktikrat e mira në luftën kundër korrupsionit, përgatitur për Komisionin Evropian, Shkurt 2023, i disponueshëm në këtë link <https://op.europa.eu/en/publication-detail/-/publication/df1a5278-ac18-11ed-b508-01aa75ed71a1>;

<sup>54</sup> E disponueshme në këtë link [PLS in the Eastern Balkans Parliaments | Eestminster Foundation for Democracy \(efd.org\)](https://www.eestminster.org/en/publication-detail/-/publication/df1a5278-ac18-11ed-b508-01aa75ed71a1) kontrolluar në datë 23 Maj 2023;

mainly on debates and the adoption of legislation. Oversight is frequently limited to budgetary oversight, with minimal effort put into organizing effective scrutiny of law enforcement processes.

According to the Constitution, the role of Parliament is primarily seen in the legislative process. Within this process, members of Parliament are acquainted with reports justifying financial expenditures for implementing a law. Parliament has adopted important laws that represent the Albanian legal framework in the fight against corruption. These include horizontal laws such as the law on preventing conflicts of interest in public functions, the law on asset declaration and control, and the law on whistleblowers, which have created mechanisms for preventing, detecting, and sanctioning corrupt activities. In the context of promoting transparency and public participation, the law on the right to information and the law on public consultation have been adopted. Parliament also approves sectoral laws that offer mechanisms for preventing and combating corruption in specific sectors, such as the recent amendments to the public procurement law focusing on preventing and fighting corruption in this high-risk sector. Recently, Parliament has been implementing new approaches for using important instruments in the fight against corruption, such as Corruption Proofing of Legislation and Post-Legislative Scrutiny.

On the other hand, the Constitution recognizes other significant roles related to suspected corruption cases involving deputies or other high-ranking officials. Parliament has the right, and is required by one-fourth of its members, to establish investigative committees to examine specific issues, including suspected corruption cases. The findings of these investigative committees are not binding on the courts, but if necessary, they are referred to the prosecution, which assesses them according to legal procedures.

Furthermore, Parliament has the right to authorize or not authorize certain actions against deputies, as under the Constitution, a deputy cannot be arrested or have their freedom restricted in any way, or be subjected to personal or home searches, without Parliament's authorization.

Parliament plays an important supervisory role through reviewing the activities of independent institutions, which have a prominent role in identifying, referring, and sanctioning activities of officials suspected of corruption, such as the State Supreme Audit and ILDKPI (Institute of Legal Studies for the Control of the Public Interest). These institutions present annual reports on their activities, which provide detailed information about the cases identified by these institutions. The leaders of these institutions present and discuss these reports before Parliament.

## 5.2 The Role of Non-Parliamentary Actors

The Parliament plays a crucial role in the effective addressing of corruption<sup>55</sup>. However, the fight against corruption is a multi-faceted and multi-disciplinary challenge that involves, in addition to numerous state institutions, society as a whole. In this fight, society is represented by a range of non-state actors, including civil society organizations (CSOs)<sup>56</sup>, academic circles, the private sector<sup>57</sup>, and the media<sup>58</sup>. Although the engagement and behavior of each individual member of society are equally important, these non-state actors play a fundamental role in supporting and assisting state institutions in their efforts to combat corruption. Below is an analysis of the theoretical role of each actor, accompanied by an analysis of their current concrete role.

<sup>55</sup> <https://www.wfd.org/sites/default/files/2022-05/2021-04-khachik-anti-corruption-paper.pdf>

<sup>56</sup> <https://www.unodc.org/e4j/zh/anti-corruption/module-10/key-issues/the-role-risks-and-challenges-of-csos-fighting-corruption.html>

<sup>57</sup> <https://unis.unvienna.org/unis/en/pressrels/2023/uniscp1169.html>

<sup>58</sup> <https://www.unodc.org/e4j/en/anti-corruption/module-10/key-issues/the-role-of-the-media-in-fighting-corruption.html>

Figure 1: The Role of Actors in Supporting Parliament in the Fight Against Corruption

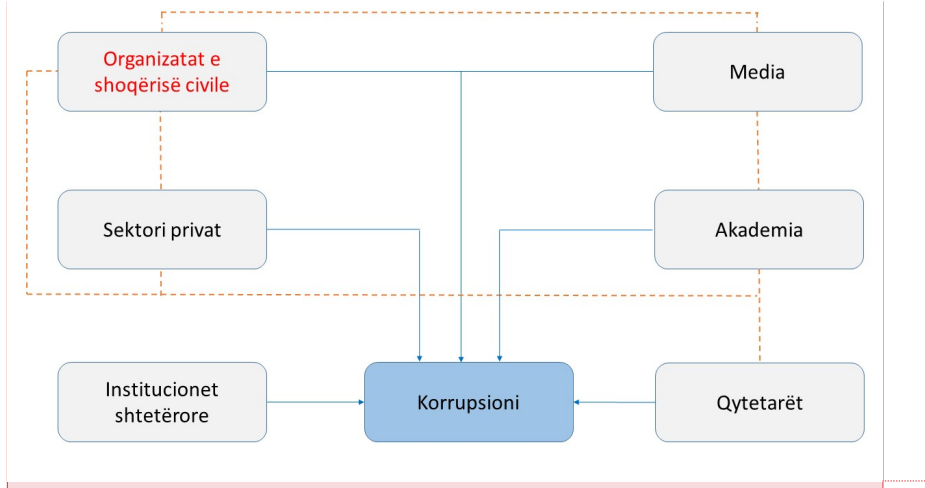


Figura 1

**Civil Society Organizations (CSOs)**

CSOs have a wide range of formats and strategies to influence Parliament in effectively addressing corruption. One of the most important methods is **advocacy**, where civil society can develop initiatives for drafting new laws or amendments that strengthen anti-corruption measures. Organizing petitions and collecting citizen signatures to support these initiatives creates pressure on Parliament. Meetings and discussions with MPs also help in informing and persuading them of the importance of adopting anti-corruption policies. **Despite this theoretical role, instances where CSOs have taken legal initiatives through petitions have been rare. 99% of draft laws are proposed by the Council of Ministers.**<sup>59</sup>

Another aspect where CSOs can support Parliament in addressing corruption is by increasing their **pressure and monitoring roles**<sup>60</sup>. Publishing detailed reports and studies on the level of corruption and the effectiveness of current measures informs Parliament and the public about the need for concrete actions. However, the IDM study “Civil Society Participation in Decision-Making in Albania” notes that politicians and the media often spread negative narratives about CSOs, labeling them as “captured,” “bought,” and “money-oriented.” On the other hand, **CSOs have not invested sufficiently in building cooperation bridges with the media** to cover issues addressed by civil society.<sup>61</sup>

Another role of CSOs is providing opinions on the **consultation of draft laws** directly or indirectly related to corruption. In this regard, they can give their opinions in parliamentary committees or through public consultation platforms.<sup>62</sup> However, evidence confirms that CSOs, in certain cases, lack the necessary professional capacity to conduct technical assessments of specific draft laws

<sup>59</sup> Analizë e projekt-ligjeve të depozituara në Kuvendin e Shqipërisë.  
<sup>60</sup> <https://www.unodc.org/e4/zh/anti-corruption/module-10/key-issues/the-role--risks-and-challenges-of-csos-fighting-corruption.html>; <https://www.wfd.org/commentary/supporting-parliaments-combat-corruption>,  
<sup>61</sup> <https://seldi.net/wp-content/uploads/2022/11/SELDI-PB-16-Civil-Society-in-Anti-Corruption.pdf>,  
<https://idmalbania.org/csosi-usaid-report-for-albania/>,  
<sup>62</sup> <https://konsultimipublik.gov.al/>

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or strategies. Secondly, even when opinions are provided, they are not always fully considered and/or are rejected without adequate justification.

Despite CSOs' efforts to contribute to addressing corruption, the environment in which **they operate is far from enabling**. The "Guidelines for Drafting Policies and Measures for an Enabling Environment for Civil Society Development 2019-2023," which includes 42 measures and is based on the first document developed in 2015, aims to include CSOs in drafting new laws. However, the 2023 Progress Report notes that there has been no progress in implementing this guideline for an enabling environment for civil society.<sup>63</sup>

### Private Sector

Empirical evidence confirms that corruption remains one of the main concerns for doing business in Albania. Corruption by public officials can be a significant administrative and financial burden for firms. It creates an unfavorable business environment by increasing the costs of doing business. Additionally, corruption raises costs and complicates the process of obtaining necessary permits and licenses.

According to the latest survey results conducted by the World Bank with a representative sample of businesses in Albania, corruption remains one of the top five concerns for doing business.<sup>64</sup> Furthermore, in the annual index calculated by the American Chamber of Commerce in Albania, corruption remains a concern but shows improvement compared to the previous year.<sup>65</sup>

The 2022 "Human Rights" report published by the U.S. Department of State notes that corruption exists at all branches and levels of government, including through **public procurement and public-private partnerships**.<sup>66</sup>

These and other sources<sup>67</sup> confirm that corruption is widespread even in the relationship between the private sector and public administration.

In drafting, implementing, and monitoring legal initiatives, strategies, and anti-corruption programs, the private sector can play an important role in several ways.

#### Firstly, In Drafting Legal Initiatives, Strategies, and Anti-Corruption Programs

The private sector can contribute to drafting anti-corruption policies and laws by providing valuable expertise and input. Through participation in public consultations and working groups, they can help identify the needs and challenges in their field and propose appropriate measures and policies for combating corruption.

Additionally, the private sector can assist in monitoring the implementation of anti-corruption policies and laws within businesses and in collaboration with public institutions.

### Academia

Academia can play a crucial role in reducing corruption and supporting Parliament through several important actions. Firstly, research and analysis can conduct empirical studies to analyze the causes and consequences of corruption.<sup>68</sup> These studies provide valuable and fact-based data that Parliament can use. Researchers can also draft policy reports containing specific recommendations for anti-corruption legislation based on their analyses.

<sup>63</sup> [https://neighbourhood-enlargement.ec.europa.eu/system/files/2023-11/SWD\\_2023\\_690%20Albania%20report.pdf](https://neighbourhood-enlargement.ec.europa.eu/system/files/2023-11/SWD_2023_690%20Albania%20report.pdf)

<sup>64</sup> <https://www.enterprisesurveys.org/content/dam/enterprisesurveys/documents/country-profiles/Albania-2019.pdf>

<sup>65</sup> <https://amcham.com.al/sq/amcham-indeksi-i-biznesit-2022-2023/>

<sup>66</sup> <https://al.usembassy.gov/sq/official-reports/>

<sup>67</sup> <file:///C:/Users/User/Downloads/BB%202023-BO.pdf>

<sup>68</sup> <https://baselgovernance.org/blog/role-academia-anti-corruption-collective-action>

Education and training can offer educational programs and courses that increase awareness about corruption and ways to address it<sup>69</sup>. These programs can target both students and the general public. Additionally, academia can provide specialized training for public officials and legislators, equipping them with knowledge on best practices for preventing corruption and professional ethics.

Technical Support and Consulting. Academics can offer technical consulting to parliamentarians and parliamentary committees in drafting and implementing anti-corruption laws.<sup>70</sup> Furthermore, academia can assist in monitoring and evaluating the effectiveness of anti-corruption policies implemented by Parliament, suggesting possible improvements.

Lastly, International Cooperation. Universities can collaborate with international academic and research institutions to exchange experiences and best practices in the fight against corruption. Joint initiatives and research projects with international organizations can bring new and innovative knowledge to the fight against corruption.

## Media

According to various reports, the media remains a key actor in the function it can play in addressing corruption. However, numerous factors hinder the effectiveness of such a role. According to the report published by the US State Department, the government, political parties, businesses and criminal groups sought to influence the media in inappropriate and non-transparent ways.<sup>71</sup> The report goes on to point out that there are few independent media outlets, as most media outlets are owned by well-known businessmen with vested interests who use their media outlets to advance their own interests, profitably promoting their interests with political parties. Political pressure, corruption and lack of funding limited independent print media, and journalists reportedly practiced self-censorship.<sup>72</sup> Regarding freedom of the press, journalists have been targeted by organized crime groups, politically connected individuals and corrupt officers within the police and justice system during the year.<sup>73</sup> These and other sources confirm that the environment is not at all enabling and free for the effectiveness of the media's role in this regard. Good practices suggest that the media can play a key and multidimensional role in supporting parliament to address corruption through a number of important actions. *Through investigative reporting*<sup>74</sup>, the media has the ability to uncover cases of corruption in the public and private sector, helping to identify corrupt officials and informing the public and relevant institutions. These reports create a strong foundation for transparency and accountability, prompting appropriate action by authorities.

*In addition to investigative reporting, the media plays an important role in raising public awareness of the negative effects of corruption.*<sup>75</sup> Through articles, documentaries and televised debates, the media educates citizens on ways to fight corruption and demand transparency from public institutions. This raises collective awareness and creates a culture of civic responsibility.

In particular, *the media contributes to maintaining transparency and accountability*<sup>76</sup> by reporting on the activities of the parliament and other public institutions. Reporting on new anti-corruption laws and policies ensures that these measures are known to the public and implemented fairly and effectively. Also, the media can organize informative and educational campaigns that promote best practices in the fight against corruption. These campaigns include commercials, television and radio programs, as well as online and newspaper publications, reaching a wide audience and

<sup>69</sup> <https://www.osce.org/files/f/documents/7/8/463305.pdf>

<sup>70</sup> <https://www.wfd.org/sites/default/files/2022-05/2021-04-khachik-anti-corruption-paper.pdf>

<sup>71</sup> [https://www.state.gov/wp-content/uploads/2023/02/415610\\_ALBANIA-2022-HUMAN-RIGHTS-REPORT.pdf](https://www.state.gov/wp-content/uploads/2023/02/415610_ALBANIA-2022-HUMAN-RIGHTS-REPORT.pdf)

<sup>72</sup> Ibid.

<sup>73</sup> <https://www.euractiv.com/section/politics/news/freedom-house-democracy-report-albania-improves-in-corruption-flounders-in-other-areas/>

<sup>74</sup> [https://www.oecd-ilibrary.org/governance/the-role-of-the-media-and-investigative-journalism-in-combating-corruption\\_7590ec9d-en](https://www.oecd-ilibrary.org/governance/the-role-of-the-media-and-investigative-journalism-in-combating-corruption_7590ec9d-en)

<sup>75</sup> <https://www.tandfonline.com/doi/full/10.1080/1461670X.2021.1895871>

<sup>76</sup> <https://documents.worldbank.org/en/publication/documents-reports/documentdetail/893191468766225068/the-medias-role-in-curbing-corruption>

educating the public on the importance of integrity and ethics. In addition, the media can work closely with civil society organizations to support anti-corruption initiatives and report on their activities and findings. This cooperation increases the effectiveness of efforts to fight corruption and creates a united front against this phenomenon. Finally, *the media can monitor and report on<sup>77</sup> the implementation of anti-corruption policies and laws passed by parliament*. This helps keep public pressure on institutions to ensure that the measures taken are effective and fairly implemented.

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<sup>77</sup> [https://knowledgehub.transparency.org/assets/uploads/helpdesk/media-and-corruption\\_2019.pdf](https://knowledgehub.transparency.org/assets/uploads/helpdesk/media-and-corruption_2019.pdf)

## 6. CONCLUSIONS AND RECOMMENDATIONS

While the integration of Albania in the European Union is the main priority of the government and at the same time the aspiration of all institutional actors and citizens, addressing corruption remains a major challenge. Examining best practices from other, similar and more developed countries provides valuable insights into effective anti-corruption strategies that our country can benefit from.

The fight against corruption has long been on the political and institutional agenda in Albania. In this context, numerous efforts have been made to improve legislation, approve political documents and complete the institutional framework. However, these efforts have not brought the proper effect and corruption remains a widespread phenomenon, with negative consequences in the economic and social situation of the country. This is also due to the fact that the interventions have been somewhat fragmented and not systemic, thus not producing a visible or lasting impact.

The good practices analyzed suggest reforms that have essentially coordinated actions of all actors, under a leadership that is inherently engaged in these reforms and that shows quick results. Reforms undertaken in a comprehensive and focused manner immediately affect the confidence of non-public actors and the citizens themselves, creating a greater and coordinated pressure to combat this phenomenon.

In addition to a comprehensive and coordinated approach, an important role, as evidenced by the analyzed good practices, was also played by the adoption and adequate updating of the legal and institutional framework that paves the way for or supports the implementation of reforms. The adoption of strategies is a good instrument for filling legal gaps, but their impact is partial and not sustainable compared to the adoption of an adequate legal framework.

To succeed in addressing this challenge, Albania must engage in a systematic and sustainable approach, implementing effective monitoring and evaluation mechanisms of anti-corruption efforts. This includes creating an environment where transparency and accountability are top priorities, and where institutional actors and citizens work together to build a culture of integrity and fairness. Only then will it be possible to create a strong foundation for a fair and honest society that can support Albania's integration into the European Union and fulfill the aspirations of its citizens.

To build on these successful practices, Albania should consider implementing a multifaceted strategy that integrates technology, legal reforms, and cultural changes. The use of digital governance solutions has influenced the improvement of transparency and the reduction of opportunities for corrupt practices, but it remains a challenge to address the new forms that this phenomenon takes from time to time, based on a capillary approach implemented simultaneously at all levels of government and providing services.

Strengthening legal and institutional frameworks is equally important. Albania should focus on adopting and implementing comprehensive anti-corruption laws, while ensuring that anti-corruption bodies are independent and have sufficient human and infrastructural resources that respond to the mandate of these bodies. These institutions must be empowered to investigate and prosecute cases of corruption effectively, thereby holding perpetrators accountable and preventing corrupt practices.

Promoting a culture of integrity and accountability is essential to sustainable anti-corruption efforts. Political leaders and public officials in Albania must lead by example, demonstrating a clear commitment to ethical behavior and transparency. Public awareness campaigns and educational programs can also play a vital role in fostering a culture of integrity throughout society.

International cooperation is another critical component of effective anti-corruption strategies. Albania should actively engage with international organizations and other countries to share best practices, receive technical assistance, and participate in joint efforts to fight cross-border or wider

corruption. Cooperation at the international level can provide valuable support and resources, increasing the overall effectiveness of Albania's anti-corruption initiatives.

Finally, preventive measures, including public education and the promotion of ethical behavior from an early age, can help build a foundation for long-term anti-corruption efforts. Integrating anti-corruption education into school curricula can instill a strong sense of ethics and integrity in future generations.

Adapting these approaches to everything inclusive and integrated, Albania can make significant progress in the fight against corruption, strengthening its governance structures and advancing its aspirations for EU integration. Lessons learned from Georgia, Romania and other successful models provide a roadmap for Albania to follow, ensuring that anti-corruption efforts are effective, sustainable and aligned with international best practices.

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