

# STRENGTHENING ALBANIAN STATE POLICE INTEGRITY AND ACCOUNTABILITY

January, 2021

## Institute for Democracy and Mediation

*Disclaimer: This document was carried out in the framework of the project “Building integrity to improve performance and sustainability of anti-corruption in the Albanian State Police” supported by the Dutch Ministry of Foreign Affairs. The objectives, proper implementation and results of this project constitute the responsibility of the implementing organisation – the Institute for Democracy and Mediation. Any views or opinions presented in this project are solely those of the implementing organisation and do not necessarily represent those of the Dutch government.*

## BACKGROUND

The reform process of the Albanian State Police (ASP) covers three decades. Over these years, the police organisation has continuously improved its capacity and performance due to the sustained support of the international partners. A particularly positive role in this context was played by civil society actors and independent state and non-state institutions, which improved the accountability and responsibility of the police organisation.

The role and support of local institutional actors and international partners has been fundamental for addressing the challenges the Albanian State Police (ASP) encountered over the years. Starting from initial issues with the basic conditions of the police work in 1990s, challenges progressed to addressing the professionalisation of the ASP, community policing, building partnerships for public safety, and the fight

against crime and corruption. However, it should be pointed out that the ongoing process of the ASP reform over the years has been initiated mainly outside the police organisation – primarily by the politics, international partners, and the country’s European integration process.

Civil society actors and its beneficiary institution – the Albanian State Police – have contributed to and have been involved in these processes. Yet, the initial push for reform and the very essence of analysis, building evidence, and possible options for addressing the challenges and concerns of the police organisation have been components in the reform process, which has been dominated by the politics and international actors. This approach has imposed frequent ‘reforming’ of the key legislation and complementary sub-regulatory framework over the years. In the absence of evidence on challenges and performance of ASP, this process produced a police practice and organisation dominated by politics. Indeed, one of the very first steps taken by every parliamentary majority upon coming to power in the past three decades has been adopting a new law on the State Police: Law No. 7504/1991; Law No. 8553/1999, Law No. 9749/2007, and Law No. 108/2014.

## TOWARDS A SUSTAINABLE REFORM OF APS

# Towards a Sustainable Reform of APS

With support from the Embassy of the Netherlands, in 2013, the Institute for Democracy and Mediation (IDM) embarked on a programme consisting of three implementation rounds of the “Building Integrity to Improve the Performance and Sustainability of the Fight against Corruption in the Albanian State Police” Project. The programme produced a comprehensive set of evidence on police integrity, on the ASP’s fight against corruption, and on other police challenges such as ethics and performance. It also spawned a comparative analysis of the impact of institutional measures and overall reforms on these issues during 2013 - 2020. Employing a solid methodology with qualitative (interviews, focus group discussions) and quantitative research instruments (national survey with the public and ASP officers), the first round of the project (2013/2014) produced baseline indicators on corruption and police integrity in Albania. The second round of the project (2015/2016) generated updated data, which helped to draw a comparative analysis (2014 vs. 2016) and successfully piloted instruments to boost the fight against corruption. This was achieved by shedding light on inadmissible phenomena within the State Police, which, for the first time, were brought to the attention of the public by the ASP officers interviewed as part of the research. Then, building on a set of more comprehensive evidence, which was updated in the last two years, the third round (2018/2020) of the project complemented the comparative analysis of assessing the

ASP performance and integrity and the impact of ASP reforms. In addition, at this phase, IDM successfully applied two models: Commissariat-based police Integrity Plans that enabled ASP to internalise instruments for identifying and mitigating corruption risks<sup>1</sup>; and the Triangle Model as an instrument for preventing and combatting crime at the local level, and for public accountability, implemented by the Municipality, the Police Commissariat and the Prosecution Office.<sup>2</sup>

In addition to tangible results and successful practices it introduced, the third phase of the IDM programme enabled two essential elements that all ASP reforms in the last 30 years overlooked. First, the programme generated evidence, and identified and analysed the '2014-2016-2020' trends. Second, it created the space to articulate the internally identified needs and challenges – by the State Police and for the State Police – confronting the expectations and experience of citizens. Unaccounted for in any previous initiative that produced a new police law (1991, 1999, 2007 and 2014), both components help us to look beyond the challenges at the micro level. Concretely, they allow us to embark on a comprehensive process that puts an end to the 'incessant instability of ASP reform' by addressing some systemic problems. It is these very challenges that have fed into the vicious circle of 'cyclical crises' of the ASP performance in the past 30 years and that have allowed the political majorities to undertake reforms 'from scratch' as soon as they came to power, denying the police organization to build steadily on a reform guided by its internal needs and citizens' expectations.

## BLUEPRINT: AN ACTION DOCUMENT FOR 'SYSTEM RESET'

The data analysis on ASP performance and integrity, as well as the police efforts and results in the fight against corruption provide an overall view of the impact of anti-corruption reforms and measures during 2013-2020. The State Police organisation as well as other actors involved and/or interested in consolidating the ASP performance

- 1 IDM. 2018- 2019. Integrity-Accountability- Partnership. Bulletin No. 1 -2 (2018) /3-4 (2019). Tirana: IDM.
- 2 IDM. 2020. Integrity-Accountability- Partnership. Bulletin No. 7 -8. Tirana: IDM.

should examine the findings of all three studies to fully fine-tune the measures envisaged in action plans that seek to curb corruption and strengthen police integrity.

The series of three studies constitute an extraordinary advantage not only because they make use of more solid evidence, but also due to the fact that this evidence is based on the experiences, not just perception of both the ‘consumer’ of police services (the public at large) and the provider of these services (police officers of all ranks). The analysis of this data and particularly, of the challenges reported by the state police officers themselves, provides an explanation on the unstable results for the consolidation of ASP. Above all, they clearly show the roadmap that should be followed not only to improve the performance of ASP, but also to strengthen the integrity of the organisation, its success in the fight against corruption, and to create an environment where the police is an ally of citizens. After all, community safety is a responsibility shared among several local institutions besides ASP.

It is worth pointing out that while the attitudes of the public and ASP officers are diametrically contrasting on most issues. Yet, there are three core issues on which the attitudes of both actors - the police service provider (ASP officers) and the user (citizens) are quite similar. These three issues, which at the same time constitute the heart of the discussion and recommendations of this Blueprint, are linked with the leadership of ASP; the management of the organisation and its performance; and police integrity.

## PROFESSIONALISM OF ASP LEADERSHIP

The influence of politics on the State Police during 2013-2020 is perceived as a (very) strong influential factor in the spread of corruption in the ASP by about 71% and 76% of the citizens.<sup>3</sup> During the same period, on average one in two (2014) and one in three (2016 and 2020) police officers shared the same opinion. In 2020, 50% of police officers surveyed by the IDM poll stated that they did not agree with the statement that “Political leaders do not use the police for political and corrupt purposes.”

3 74% of public according to the research of 2014, 76% of public according to the research of 2016, and 71% of public according to the research of 2020. For more information, see IDM 2020. Police Integrity and Corruption in Albania 3.0. Tirana: IDM., graphs 39, pp. 68.

Also, 40% of them did not agree with the statement “Political leaders and police officers cooperate with each other to fight corruption.” The percentages of public disagreement with these two statements are understandably higher, 63% and 51% respectively, with an approximate gap of 10 percentage points.

While at first glance this would suggest a deadlock that relates only with the role of politics in determining the names of top ASP leadership, other data suggest that things are not that simple. 47% of police officers do not think that “Recruitment and promotions to senior levels of police are merit-based” or that “Recruitment and promotions to middle and lower levels of police are merit-based”. Citizens largely have the same opinion as State Police officers (56% and 52% respectively)<sup>4</sup>.

These findings suggests that there is an urgent need to separate ASP’s performance from politics. To this end, establishing a ‘check and balance’ mechanism in the appointment and dismissal of the ASP General Director is imperative. Another equally crucial issue is to make sure ASP members are clear that their career advancement will only depend on their performance and a fully predictable and merit-based process.

The appointment or dismissal of the Director General of the State Police can, by analogy, employ the constitutional practice of appointing and dismissing the Chief of the General Staff of the Army or the Head of the State Intelligence Service. Another option could be the appointment and dismissal by the Council of Ministers upon the consent of a representative structure of the Parliament of Albania. In both cases, the General Director should be selected through a competitive and transparent process, which should be initiated by a secret ballot of officers of the ranks of “director” and “first director” of the State Police. The Minister of Interior submits the names of the three most-voted candidates for appointment to the Council of Ministers.

An important issue related to the survey findings regarding the role of wages and internal working conditions on corruption is directly linked with the statute of the state police officer. One development that would definitely solve these problems is the legal adoption of this statute in all its three components: the safety of police officers on duty, the economic status in all its components, and aligning the police rank with that of public administration status.



4 IDM. 2020. Police Integrity and Corruption in Albania 3.0. Tirana: IDM., graph 36, 37. pp. 62-64.

# IMPROVEMENT OF POLICE MANAGEMENT

“Work culture in the ASP organisation” and “Poor management of ASP”<sup>5</sup> are considered as risk factors in the spread of corruption among the Police not only by the public but also by ASP officers. More than half of the public saw poor management of ASP as a risk factor in 2016 and 2020, 78% and 55% of the respondents respectively. A substantial percentage of police officers share the same opinion with citizens regarding this factor, 41% in 2016 and 45% in 2020. The work culture in the ASP is disapprovingly viewed by almost 2/3 of the public in all three studies, while lower yet substantial percentage of ASP officers share the same attitude, 42% in 2014, 33% in 2016 and 43% in 2020 respectively.

While problems related to the misuse of police funds or resources are confirmed by almost one in three or four police officers in all three studies, police management challenges are also observed in how police structures are organised at the regional and central directorate levels, as well as in problematic processes of career management, such as appointments or promotions in police structures.

There is a clear need to strengthen the local police commissariat in terms of competencies, measurable performance objectives, human resources, and financial resources. The dynamics of the commissariats with the District Police Directorates should also be deliberated here. One idea presented earlier by ASP internal structures in this respect is to reduce the number of regional directorates and to redefine their coordinating competencies.

5 While the first factor was a question posed by IDM to respondents in all three surveys, “poor management of State Police” was introduced for the first time in the survey of 2016.

# Strengthening Police Integrity

The two issues analysed before are preconditions to the sustainability and continuous improvement of police performance measured through public safety statistics. They are also essential preconditions for police integrity itself. Yet, with regard to the latter, it is indispensable that integrity rules are also embraced by every ASP officer and become an inherent part of an organisational culture.

Police officers' perception (study with hypothetical scenarios, 2019) of breaches of police integrity include corrupt acts in the form of bribes, gifts or rewards received during or outside working hours, as well as concealment of violations by police order. These behaviours are consistently reported as a concern and risk factor to the integrity of the ASP officer.<sup>6</sup> Violations linked with activities outside working hours, as in the previous 2016 study, were reported to be less serious or less detrimental to the integrity of police officers.

In general, a healthy ethical and integrity environment is characterised by moral and ethical values in the organisation as well as by a set of activities intended for their implementation. Building an organisational culture that helps fight corruption requires undertaking some steps in adopting anti-corruption rules and policies. Law enforcement agencies in the country are gradually realising that corruption can be addressed by means of these policies at the police unit level, such as the integrity plans. An Integrity Plan seeks to improve the integrity of the police unit through transparency, accountability, and anti-corruption measures. Its purpose is to build a systematic way to identify processes and practices that are complexly managed by the police unit and its staff. Gradual investment in integrity plans in each police unit will change the institution's management culture towards an open and communicating managerial culture within the police unit. The Integrity Plan explains and enhances the role and responsibilities of each police unit employee regarding the plan's implementation and monitoring. At the same time, it strengthens the organisational resistance of the police unit to corruption risks.

Ethical and moral values for a police unit are the set of behavioural norms that

6 Sulstarova, R. (2019). Aspects of Ethics and Integrity of the State Police (Survey with hypothetical scenarios) IDM: Tirana., pp. 6 Accessed on 25 January 2021, at: <https://idmalbania.org/report-on-assessment-of-state-police-ethics-and-integrity-june-2019/>

provide employees with a framework for understanding and responding to challenges in their workplace. Therefore, these values should define the culture and the standards expected of police officers, resulting in the prevention of corrupt, unethical, and unprofessional behaviour. Adopting these values as part of integrity plans lays the foundations for a healthy culture of integrity in the police units.

Taking into account the options offered in this document or the other options as well, it is important that the solution of the problems analysed above comes in an inclusive context. During the three decades of ASP activity and reforms, this institution has acquired, among other things, human capacities and expertise, which must identify the right forms and forums to contribute to on regular basis. While politics will remain the main actor responsible for 'codifying' reform measures, the institutional memory of ASP, its needs and capacities as well as meeting the public expectations and earning its appreciation are the most effective compass for placing the reform of ASP on a sustainable basis.

## BLUEPRINT

# STRENGTHENING ALBANIAN STATE POLICE INTEGRITY AND ACCOUNTABILITY