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Western Balkan PAR Monitor

NATIONAL
PAR MONITOR
ALBANIA REPORT

2017/2018

WeBER

NATIONAL
PAR MONITOR

ALBANIA

2017/2018

Tirana, 2018

Executive Summary

Why PAR Monitoring by the Civil Society?

Public administration reform (PAR) is today considered a fundamental requirement for the EU aspirants on their accession path. As a complex and all-encompassing reform, PAR in the Western Balkans region is being thoroughly assessed through the lenses of the SIGMA Principles of Public Administration, developed by the OECD/SIGMA and endorsed by the EU. These Principles define what makes a well-functioning administration in terms of its ability to deliver transparent, efficient and effective services to citizens and to support socio-economic development.

In the context of a high external pressure for tangible developments in PAR, home-grown demand for better administration becomes even more important to keep pressuring the government to pursue reforms once the external conditionality dissipates as the result of a completed accession process. Civil society actors, with local knowledge of an administration's functioning, can lead such domestic advocacy efforts aimed at better administration. An independent PAR monitoring and evidence-based dialogue with the government represent a good approach to achieve this goal.

WeBER PAR Monitor approach

Based on such a rationale, the WeBER project has completed its first monitoring cycle. Its structured and evidence-based approach to PAR monitoring brings the reform closer to the public by particularly focusing on PAR aspects with most relevance to the civil society and the public.

WeBER PAR monitoring strongly relies on the strengths, skills, and local knowledge of the civil society in the Western Balkans. It builds on SIGMA's Principles of Public Administration as a cornerstone of PAR, while assessing them from the standpoint of an independently produced PAR Monitor methodology. Overall, the methodology is based on the selection of 21 SIGMA Principles within six key areas, monitored and reported through 23 compound indicators that focus on different aspects of PAR.

The PAR Monitor methodology is rooted in the regional approach. The design of all

WeBER indicators enables comparisons between the administrations in the Western Balkans and allows for regional comparability of results. In addition to the methodology, the PAR Monitor package comprises a comparative monitoring report for the entire WB region as well as six reports that elaborate on detailed findings for each administration. The present report provides monitoring results for Albania, including a set of actionable recommendations for each of the six PAR areas, directed at the creation of a more citizen-oriented, more open, transparent and accountable administration.

WeBER Monitoring Results for Albania

Strategic framework for PAR: lack of consultation footprint and ad hoc involvement of civil society in PAR monitoring

WeBER approaches the area of Strategic Framework for PAR by looking at the quality of civil society involvement in the PAR agenda setting and in its monitoring and coordination structures. While civil society was consulted when key strategic documents of the government PAR agenda were developed, the consultation processes featured uneven practices in quality and consistency. In general, invitations for civil society to participate in consultations were open, except for the PFM Strategy. However, consultations appeared to lack in depth especially with regard to the provision of transparent feedback to consultees and with keeping and publishing records of the meetings. Regarding the breadth of consultation, purposive engagement of diverse stakeholder groups (especially gender and disability groups) was identified only for the main PAR strategy and to some extent for the Service Delivery reform document. Furthermore, no consultations with civil society were conducted in the early phase of the development of documents when there is scope to influence strategic directions and policy outcomes. Besides, availability and consistency of information on various aspects of consultation was missing – pointing to issues of institutional memory that might hamper the transparency of the process.

Even though civil society involvement in PAR monitoring is envisaged at both the administrative and political level structures (Integrated Policy Management Group IPMG-PAR and its six thematic groups), no meaningful involvement is achieved in practice. As per the regulatory framework, involvement in IPMG-PAR is foreseen in the form of membership of one representative of the National Council for Civil Society (NCCS), but this has not happened in practice and no civil society organization is an official member of the IPMG-PAR. CSOs, so far, have been involved as observers on a case-by-case basis and upon invitation. On the other hand, involvement in the thematic groups is envisaged as observers on an as needed basis. Both these structures have met occasionally and not as regularly as formally required.

Policy development and coordination: missing information on government's performance and dissatisfied civil society from consultation processes

In the area of Policy development and coordination, WeBER monitors government actions towards informing the public on its performance, transparency of decision-making, use of external evidence when adopting and revising policies, and participation of

the public and other stakeholders in consultation processes. The government fails to comprehensively disclose performance information to the public and has not established the practice of publishing annual reports on its performance, thus hampering public scrutiny. Moreover, the public availability of monitoring reports on central planning documents is also scarce. Survey results showed that CSOs are particularly critical with regard to the government's pursuit and achievement of its planned objectives; only 29% of surveyed CSOs agreed that there is a direct connection between the work plan of the government and actual developments in policy areas. The government only partially makes available documents from its sessions; agendas, minutes/reports with issues discussed are not available online, whilst press releases (media-briefings) are on available ad hoc. However, as a positive practice, adopted documents at the session are available in a timely manner. To this regard, only 15% of surveyed CSOs agreed that government's decision-making process is transparent.

Turning to evidence-based policy making, CSOs survey results outline a weak demand from public authorities and a general weak link between research and policy. 39% of surveyed CSOs that produce inputs for the decision-making processes at the central level agreed that government institutions invite them to provide or prepare evidence-based policy documents when addressing policy problems or developing policy proposals. But, this is contrasted with inadequate consideration and feedback from government authorities; only 13% of surveyed CSOs stated that it happened often that relevant ministries provided feedback explaining the reasons on either the acceptance or rejection of evidence-based proposals.

Regarding inclusive policy-making, survey results outline critical shortcomings in achieving qualitative consultation processes that enable a meaningful participation of the public and civil society to the policy making process and point towards problems in the implementation of the law on consultations. Even though 45% of surveyed CSOs agreed that formal consultation procedures provided the preconditions for an effective involvement in policy-making, only 19% reported that government institutions consistently applied consultation procedures when developing policies within their purview. Furthermore, only 13% of surveyed CSOs stated that legally prescribed public consultation procedures and mechanisms are consistently followed in the consultation process either often or always. Moving to the impact of consultation processes, only 12% of surveyed CSOs stated that relevant ministries provide written feedback to consultees on whether their inputs are accepted or rejected either often or always. Furthermore, to a slightly lower proportion, 10% stated that relevant ministries accepted the feedback coming from their organization.

Public service and human resource management: minding the professionalism and depoliticisation perception gap between the public and civil servants

Under public service and human resource management, WeBER monitors public availability of information, transparency of procedures as well as civil servants' and CSOs' perceptions of the public service professionalism and integrity and the merit character of recruitment. Albania still does not have a fully established system for collecting and monitoring data and information about the public service, event though it has been an important priority for a long time. This, in turn, affects public reporting on the number

of civil servants and wider public service policy. As a result, the government does not have an established practice of publishing basic official data on the number and other characteristics of civil servants, even though the Department of Public Administration (DoPA) regularly reports on civil service policy.

Concerning admissions to civil service, Albania has a centralized system that includes pool recruitments – mainly driven by efforts to curb political influence over the process. Recruitment is carried out through public vacancy announcements published nation-wide. These announcements follow a standardized model in structure and are written in a non-bureaucratic style that can be understandable to a non-expert audience. DoPA has also introduced user-friendly approaches to assist external applicants in applying for jobs in state administration institutions. Moreover, recruitment procedures do not give internal candidates an unfair advantage by placing unreasonable burden on external applicants. In addition, there is transparency in making available to the public decisions of the selection committees. Against this backdrop, civil servants have a predominantly positive perception on the meritocratic character of the recruitment process. But there appears to exist a perception gap between civil servants and the average Albanian citizens. Whilst 64% of surveyed civil servants think that civil servants are recruited on the basis of qualifications and skills, only 35% of the Albanian citizens hold the same opinion. 51% or more than half of the public disagreed on the meritocracy in the recruitment in the civil service.

Senior civil servants are identified as Top-level Management Corps (TMC) and are also recruited through a centralized pool-recruitment system and appointed afterwards from a pool of pre-selected candidates. The regulatory framework in place adequately protects senior civil service positions from undue political influence. The law does not allow appointment of acting managers into vacant positions and there are no additional political vetting procedures outside of the formal civil service system. Turning to perceptions, 48% of surveyed civil servants agreed that procedures for appointing senior civil servants ensure that the best candidates get the job. On the other hand, this is contrasted with a generally negative perception from CSOs, where only 16% of surveyed CSOs perceived meritocracy in the appointment of senior civil servants. Despite efforts towards depoliticizing senior civil service with the practice of pooled recruitment, perceptions of civil servants on the issue appear to exhibit a bimodal behavior. 32% of surveyed civil servants claimed that senior civil servants are appointed thanks to political support either often or always, whilst in the same proportion 33% reported that this happened rarely or never. Regarding political vulnerability of senior civil servants, 37% of surveyed civil servants stated that senior civil servants could reject an illegal order from a minister without endangering their position. 15% claimed that senior civil servants would implement illegal actions if political superiors asked them to do so, while 48% disagreed.

Regarding integrity and prevention of corruption in civil service, even though Albania has a comprehensive policy and legal framework in place, implementation in practice is lagging behind. At 61%, the majority of surveyed civil servants stated that integrity and anti-corruption measures in place are effective in achieving their purpose in their institution. However, civil servants appear insecure about the whistle-blower protection mechanisms; only 18% of surveyed civil servants would feel protected if they were to become whistle-blowers.

Accountability: falling short of both reactive and proactive disclosure of information

In the Accountability area, WeBER monitors the external accountability of the government and administration towards the public, particularly on the practice of reactive and proactive information provision by administration bodies. Firstly, civil society perceptions on the practice of access to public information, as the most frequent users, are not very positive. Just 28% of surveyed CSOs perceive that the information recorded and documented by public authorities is not sufficient for the proper application of the right to access public information. In addition, only 18% stated that legally prescribed exceptions to the public character of information are adequately applied in practice. With regard to their experiences with requests to information, CSOs mostly have problems with information that is not in the requested format (39%), followed by information not provided within the prescribed deadlines (31%). Additionally, 39% reported that either often or always they are also asked to provide reasons behind requests. 48% of surveyed CSOs stated that the Commissioner for Freedom of Information and Protection of Personal Data sets through its practice high standards of the right to access.

Although efforts were undertaken regarding proactive disclosure of information, transparency of government institutions remains a challenge both with regard to the opacity of information and to the bureaucratic approach in managing institutional transparency programmes. A critical issue remains the lack of basic annual reporting by public authorities on their work and that of financial transparency and accountability. Moreover, the citizen-friendliness aspect remains problematic given the uneven practices in the accessibility format of institutional transparency programmes, where in some instances they do not enable quick access to all information listed via links provided.

Service delivery: positive public perceptions on the citizen orientation of the administration, but accessibility of administrative services concerns civil society

WeBER approaches service delivery from the perspective of its citizen orientation, focusing on public and civil society perceptions regarding the availability and accessibility of services. It also explores aspects of availability and accessibility of information on services. Regarding red tape in public administration, half of Albanian citizens stated that there had been efforts by the government to make administrative procedures simpler for citizens and businesses in the past two years. Citizens who recognised government's efforts to make administrative procedures simpler also confirmed that these initiatives have improved service delivery. Along the same line, 45% of Albanian citizens perceived that dealing with the administration had become easier in the past two years. Those who have had contacts with the administration were more likely to report that dealing with the administration had become easier (51%) than those who did not have any contacts (34%). Moving on to digitalization, 55% of the Albanian citizens agreed that the government has been moving towards digitalization, but awareness of e-services did not surpass half of the Albanian population (49%).

44% of citizens confirmed that the administration had asked for citizens' proposals on how to improve administrative services in the past two years. But mechanisms for

ensuring the quality of administrative services are largely not in place; only 35% of citizens claimed that they have possibilities as users to give their feedback on the quality of services received. Furthermore, service providers in Albania do not even offer any basic information about user satisfaction on their websites. Regarding the availability of information on the provision of administrative services, the Agency for the Delivery of Integrated Services Albania (ADISA) has established a good practice of providing standardized, advanced and user-friendly guidance on how to obtain services through the compilation of Information Cards.

On the other hand, accessibility of public services appears particularly problematic. 23% of surveyed CSOs confirmed that service providers are adequately distributed in such a way that all citizens have easy access across the territories of the country, while over 55% disagreed. Furthermore, just 7% agreed that administrative service provision is adapted to the needs of vulnerable groups. Also, regarding the staff working on administrative service delivery, only 10% of surveyed CSOs reported that in general they are trained on how to treat vulnerable groups.

Public finance management: increased transparency but budget comprehensiveness still to deliver

In the Public finance management area, WeBER monitors the transparency and accessibility of budgetary data, how the government communicates with citizens about public internal financial control (PIFC), and the degree of the supreme audit institutions' (SAI) external communication. Although enacted annual budgets are regularly published by the Ministry of Finance and Economy, they do not meet good practice standards of accessibility. In-year, mid-year (starting from 2017) and year-end budget execution reports are also available online, but with varying degrees of accessibility. The quality of budget execution reporting needs improvement, especially towards the format and comprehensiveness of budget classification information. Budget execution reporting contains data on budget spending only in terms of economic classification, and only quarterly reports on fiscal statistics also include expenditures by functional and administrative classification. Regarding non-financial information on the performance of the government, the mid-year and year-end report contain some elements of nonfinancial performance information, but not compared against the realization of targets and performance indicators. The first citizen budget for Albania was published in 2016 and subsequent citizen budgets are easily accessible online for 2016-2018.

The Ministry of Finance and Economy regularly publishes consolidated annual reports on PIFC since 2009 as part of its statutory requirements. Quality reviews of internal audit reports are not published online, even though a new methodology was piloted during 2017. The PIFC annual report is submitted to the Government at the same time as the annual budget statement, and both documents are also tabled in the Parliament. Ministries, in general, are scarce in providing information related to financial management and control online. Last, very scarce evidence is found on the Central Harmonization Unit (CHU) proactively engaging with the public.

SAI, apart from its organizational development strategy, has also adopted a communication strategy for specifically communicating its work towards the public and external stakeholders. In the past two years, various means of communication with the public

were utilized ranging from the publication of articles in written media, an active Facebook account for the "Department of Performance of SAI" to the organization of the Open Month for Citizens. But, in spite of this, SAI doesn't have the practice to produce citizen-friendly summaries of audit reports. Regarding channels for submitting complaints, citizens, might, in practice, submit complaints and concerns through mail, and the running of a new interactive communication window with the citizens on the SAI website is pending. More than a third of surveyed CSOs (34%) agreed that SAI was effective in overseeing the work of the state administration.

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About WeBER

Western Balkans Enabling Project for Civil Society Monitoring of Public Administration Reform – WeBER – is a three-year project funded by the European Union and co-financed by the Kingdom of the Netherlands.

The overall goal of WeBER is to increase the relevance, participation and capacity of civil society organisations and media in the Western Balkans to advocate for and influence the design and implementation of public administration reform.

WeBER is implemented by the Think for Europe Network (TEN) composed of six EU policy-oriented think tanks in the Western Balkans:

1. European Policy Centre (CEP) from Belgrade
2. European Policy Institute (EPI) from Skopje
3. Foreign Policy Initiative (FPI BH) from Sarajevo
4. Group for Legal and Political Studies (GLPS) from Prishtina
5. Institute Alternative (IA) from Podgorica
6. Institute for Democracy and Mediation (IDM) from Tirana

CEP is the coordinator of the Project. By partnering up with the European Policy Centre (EPC) from Brussels, WeBER has ensured the EU-level visibility.
A combination of activities conducted through WeBER has achieved multiple aims:

Through the Regional PAR Platform (WeBER Platform) and its Small Grants Facility, WeBER has improved the capacity of civil society organisations in the Western Balkans to participate in PAR, whilst building venues for their dialogue with the governments on PAR.

Through its research and monitoring work and development of the PAR Monitor and through the creation of the CSO PAR Knowledge Centre, a searchable database of studies, analyses and reports on PAR produced by the region's civil society, WeBER has created and gathered evidence for a meaningful dialogue.

As a result of benchmarking the countries through the Regional PAR Scoreboard based on country-level monitoring, WeBER has promoted regional peer pressure.

The first WeBER project ran between December 2015 and December 2018.

WeBER has established cooperation with a multitude of stakeholders in the region and beyond, by joining efforts towards a sustainable course of administrative reforms in the Western Balkans. At the national level, we have coordinated with PAR ministries and/or offices in each of the WB countries, which have had an associate role in the project. At the regional level, WeBER has cooperated with the Regional School of Public Administration (ReSPA), which hosted the regional PAR platform of civil society organisations, serving to a regional dialogue on PAR. We have also collaborated with the Regional Cooperation Council (RCC), to ensure complementarities with the monitoring approaches by the civil society focusing on the South East Europe 2020 Strategy. Furthermore, the Project has kept a close contact and consulted with SIGMA (joint initiative of the EU and the OECD), which performs regular assessments of the Western Balkan countries' progress in the implementation of the Principles of Public Administration in the period leading up to the EU accession. Finally, WeBER consults with the DG NEAR of the European Commission, particularly its Centre of thematic expertise on public administration reform.

The Project has established strong cooperation and alliances with civil society organisations interested in or already working on PAR in all WB countries. By developing a communication strategy for the civil society engagement in PAR monitoring, WeBER has facilitated a more coordinated and complementary approach of various CSOs in their efforts and projects focusing on administrative reform.

I. Introduction

I.1 Public administration reform and Western Balkans' EU integration – Why monitor?

For over 15 years, the Western Balkan (WB) countries have undergone democratisation and transition processes, embarking onto deep structural, economic and social reforms to modernise their societies and improve the lives of their citizens. The reform processes are reinvigorated by the aspiration of these countries to become members of the European Union, and they are framed to a large extent by the EU integration process. Good governance lies at the heart of the European integration project, while a public administration that supports good governance needs to be professional, reliable and predictable, open and transparent, efficient and effective, and accountable to its citizens.

Accordingly, reform of public administration has been acknowledged as one of the fundamental areas of reform on any country's path to EU membership. Administrative reforms in WB region have been implemented for over a decade now, but since 2014 the EU offers a set of principles for the accession countries to follow and comply with in this area in order to become successful EU member states. The European Commission defined the scope of PAR through six key areas:

1. strategic framework for public administration reform
2. policy development and co-ordination
3. public service and human resource management
4. accountability
5. service delivery
6. public financial management

OECD/SIGMA[1], in close co-operation with the European Commission, adopted this scope in the Principles of Public Administration, which became a new framework for guiding and monitoring administrative reforms in the Western Balkan countries and

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1 SIGMA (Support for Improvement in Governance and Management) is a joint initiative of the OECD and the European Union. Its key objective is to strengthen the foundations for improved public governance, and hence support socio-economic development through building the capacities of the public sector, enhancing horizontal governance and improving the design and implementation of public administration reforms, including proper prioritisation, sequencing and budgeting. More information is available at: http://www.sigmaweb.org/.

Turkey.[2] These principles, thus, offer a common denominator of public administration reform of all EU-aspiring countries, setting its course towards EU membership.[3] Their purpose is described as follows:

> *The Principles define what good governance entails in practice and outline the main requirements to be followed by countries during the EU integration process. The Principles also feature a monitoring framework to enable regular analysis of the progress made in applying the Principles and setting country benchmarks.*
>
> *EU acquis requirements, guidelines and instructions are the core of the Principles in relevant areas. In other areas, the Principles are derived from international standards and requirements, as well as good practices in EU member states and OECD countries. As a minimum benchmark of good administration, countries should ensure compliance with these fundamental Principles.[4]*

WeBER has adopted the Principles of PA as the main building block of its PAR Monitor, following a twofold rationale. On the one hand, being the only common denominator for PAR reforms for all Western Balkan countries, the Principles are of major importance for WeBER in order to allow for regional comparability and regional peer learning and peer pressure. On the other hand, the Principles guide the reforms in these countries in the direction of compliance with EU standards and requirements, thus also supporting their transformation into future EU member states.

An important consideration in designing the monitoring approach lies in the understanding that until the WB countries' EU accession moment, SIGMA/OECD will be engaged in the region, relying also on the hard EU conditionality as an external driving force of reforms. In that period, the local civil society should deliver complementary, add-on findings in the areas of its strength. In this period, civil society should also gradually expand the scope of its monitoring and seek ways to continue with the external monitoring in a more holistic way post-accession, when SIGMA will no longer perform its external assessments. By then, the local civil society actors should have a developed approach in identifying the critical areas of intervention on which to focus their monitoring efforts.

Moreover, although EU conditionality is currently ensuring regular external monitoring and assessment of the progress of reforms, previous enlargements have demonstrated that many countries have backslid in their reforms post-accession, effectively moving away from good governance standards as the EU approach softened. In several countries, governments have decreased their standards of transparency, administrations have been re-politicised and anti-corruption efforts have dwindled. WeBER's rationale is that only by empowering local non-governmental actors and strengthening participatory democracy at the national and local levels, can the same pressure on the governments to continue implementing the often painful and inconvenient admin-

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2 A separate document entitled The Principles of Public Administration: A Framework for ENP Countries has been developed for the countries encompassed by the European Neighbourhood Policy (ENP): http://bit.ly/2fsCaZM.

3 Based on the Principles, SIGMA conducts regular assessments of the progress made by the WB countries' governments in fulfilling them. Across-the-board assessments (for all the six key areas) are conducted once every two years, whereas in-between smaller scale assessments are conducted for specific chapters that are evaluated as critical by SIGMA. For more information on SIGMA assessments, visit www.sigmaweb.org.

4 Principles of Public Administration for EU Enlargement countries, SIGMA, http://bit.ly/2fOWLf9

istrative reforms be maintained post-accession. This empowerment needs to include the improvement of the CSOs' awareness, knowledge and other capacities, such as research and analytical skills and tools. It is precisely these elements that the WeBER project and the PAR Monitor aim to strengthen.

In line with the TEN's and WeBER's focus on the region's EU accession process, the PAR Monitor also seeks to guide the governments in the region towards successful EU accession and membership. That is why the entire approach has been devised around the PAR requirements defined under the EU's enlargement policy. A critical necessity in this endeavour is strengthened participation of the civil society and media in the reform (i.e. educating and enabling them to monitor reform progress, assess its quality and propose new solutions based on evidence and analysis). That way, public administration reform can support the creation and implementation of inclusive and transparent policies that take into account citizens' needs and that are at the same time more EU-membership-compliant.

I.2 PAR monitoring – How do we monitor?

EU principles as the starting point and a common framework of reference

As mentioned above, the WeBER approaches monitoring of PAR in the Western Balkan countries from the perspective of uniform requirements posed by the EU accession process for the entire region. As the EU and SIGMA/OECD developed a comprehensive set of principles for all countries to transform their administrations into modern EU-members, WeBER has used these principles as the golden standard and a starting point for developing its monitoring methodology. Moreover, in line with its overall rationale, WeBER has emulated SIGMA's methods to create its own indicators from the viewpoint of civil society, using a similar compound-indicator structure and the same scoring approach: quantification of elements (sub-indicators), with the total scores assigned to indicator values on a scale from 0 to 5.

The regional approach

An important facet of WeBER monitoring of PAR is its regional character. The regional approach first means that all indicators are framed and phrased in a manner which enables comparisons between the six national systems. Second, the regional approach means that the findings are regionally comparable. The former was achieved through close regional consultations in the process of designing the methodology and developing the indicators, including occasional revisions of the indicators and their specific methodologies based on identified difficulties of application and measurement in the national contexts. The latter was achieved through the internal quality assurance procedures developed as part of the monitoring methodology, which are described below.

The regional approach admittedly results in a certain loss of detail and national specificity in the monitoring work. However, it presents many benefits compared to the nationally specific approaches, first and foremost the comparability aspect, which allows benchmarking of countries and their systems, recognition of good practices in comparisons of the countries, as well as creation of positive competition between the govern-

ments when exposed to regional comparisons. Last, but not least, it allows for creation of regional knowledge and peer learning of PAR among civil society organisations, which is particularly useful for inspiring new initiatives and advocacy efforts at the national level, inspired by positive practices identified in the immediate neighbourhood. The fact that all WB countries are undergoing the same or similar processes on their road towards the EU makes them a perfect group for creation of useful comparisons.

Selection of principles "for the civil society and by the civil society"

The PAR Monitor maintains a basic structure which follows the six chapters of the Principles of PA. It does not attempt to cover all the principles under each chapter nor does it seek to cover them in a holistic manner, but adopts a more focused and selective approach. Considering that the empowering of the civil society in the region to monitor PAR will need to be a gradual process, the criteria for selecting the principles (and their sub-principles) were developed with three main thoughts in mind:

1) There are certain aspects of the Principles in which civil society is more active and consequently has more knowledge and experience;
2) In order to gain momentum, the PAR Monitor will need to be relevant to the interests of the wider public in the region;
3) The approach should ensure an added value to SIGMA's work and not duplicate it.

WeBER indicators design

WeBER has designed compound indicators, each comprising a set of elements (essentially sub-indicators), which elaborate various aspects of the issue addressed by the indicator on the whole. The entire design of indicators is quantitative, in the sense that all findings – based on both quantitative and qualitative research – are assigned numerical values. Findings are used to assess the value of individual elements, assigning them total element scores of either 0-1 (for the less complex assessments) or 0-2 (for the more complex assessments). Only integer values are assigned to elements.

Furthermore, for each element a weight of either 1 or 2 is applied. In principle, a weight of 2 is assigned to what was evaluated as a basic, key requirement, whereas a weight of 1 is applied to more advanced requirements. To exemplify, a weight of 2 is used for an element assessing a basic government reporting practice, whereas a weight of 1 applies to an element evaluating whether the data in a report is gender sensitive or whether it is available in open data format. Moreover, as most indicators combine different research approaches and data sources, in cases where perception survey findings are combined with hard data analysis, a weight of 1 is assigned to the former and a weight of 2 to the latter.

Finally, for each indicator there is a formula for turning the total score from the analysis of individual elements into the values on a unique scale from 0 to 5. The final indicator values are assigned only as integers, i.e. there are no half-points assigned. The detailed scoring and methodologies for each indicator are available on the PAR Monitor section of the WeBER website.[5]

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5 WeBER project website: http://www.par-monitor.org. Methodology and the individual indicator tables can be accessed within the PAR Monitor menu.

Reliance on knowledge accumulated by civil society

Local civil society actors lack official resources that would allow them to take a comprehensive view on the Principles of PA and monitor all their aspects in each of the six chapters. Moreover, the CSOs' projects and initiatives are as a rule fragmented and based on individual ad-hoc approaches. WeBER has overcome this problem by creating a Platform through which civil society in the region can conduct consultations and coordinate these individual, fragmented efforts. As a result of the work of this platform, the PAR Monitor reports encompass both the findings of the WeBER project and the key results and findings of a major part of the individual CSOs' (or other networks') research and analyses in the PAR area, including local CSOs supported through the WeBER Small Grant Facility.

The WeBER monitoring approach utilises to the maximum extent possible the experience and expertise accumulated within the civil sector in the WB countries. Therefore, a number of indicators rely on the civil society as one of the core sources of knowledge. Understandably, the PAR Monitor and its wider approach to incorporating other CSOs' findings will remain a work in progress in the upcoming years as well, in order to allow adjusting to new developments in the region's civil sector.

Focus on citizen-facing aspects of public administration

There has been a clear shift of trends in recent years in how administrations act towards citizens, gradually comprehending their role of service providers in the society rather than merely feeding the rigid, formalistic and bureaucratic needs. One of the factors for this change lies in the development of new technologies and more direct opportunities to scrutinize, interact and influence, which consequently stimulated the interest of the public and instigated higher demands and pressures from the citizens for better administration.

Because of this unambiguous connection between the administration and its citizens, another key criterion which has led the selection of WeBER principles (and its sub-principles) is their relevance to the work and interests of the wider public. To that end, WeBER indicators have been led by the question of the extent to which they address citizen-facing aspects of public administration.

Complementarity with SIGMA monitoring and SEE 2020 strategy

As mentioned above, one of the main considerations underpinning the WeBER PAR monitoring is to ensure complementarity with the assessment process of SIGMA/OECD. This approach acknowledges that SIGMA's comprehensive approach cannot and should not be replicated by local actors, as it already represents an independent monitoring source (in the sense of independence from national governments in the WB). In that sense, WeBER does not seek to present a contesting (competitive) assessment of how the principles are fulfilled in the WB countries, but rather offer a complementary view, based in local knowledge and complementary research approaches.

Finally, after the indicators were developed, each of them was analysed for relevance

against the regional strategy SEE 2020,[6] in order to determine whether they can serve for the purposes of its monitoring as well. Therefore, each indicator that has been determined relevant for the monitoring of the SEE 2020 Strategy was marked accordingly in the methodology document, and the link to the specific dimension of that strategy was stated.

The PAR Monitor package

As the final product of the WeBER monitoring, the PAR Monitor is composed of the one regional, comparative report of monitoring results for the entire region and six national reports that elaborate in detail the monitoring findings for each administration in the Western Balkans. In line with this approach, the regional report focuses on comparative findings, regional trends and examples of good or bad practices, but does not provide any recommendations. On the other hand, the national reports provide in depth findings for each administration and identify a set of recommendations for each PAR area, targeting national policy makers.

The Master Methodology document and the detailed indicator tables – all available on the WeBER website[7] – should also be regarded as part of the entire PAR Monitor package and can be used to fully understand the details of this monitoring exercise, where needed.

Quality assurance procedures within the monitoring exercise

To guarantee that the PAR monitoring findings are based on appropriate comparative evidence and that WeBER products create a notable impact, the monitoring applied a multi-layered quality assurance procedure, which included internal and external expert reviews and a stakeholder community review. The internal quality assurance comprised two main elements:

1) a peer-review process, which involved different collaborative formats, such as written feedback, team meetings, or team workshops;
2) once the scoring for each administration was finalised, a senior coordinator performed a horizontal cross-check of the findings to ensure their regional comparability and alignment of assessment approaches, and prepare the analysis for the external review.

The first part of the external review was a fact-checking process by government institutions in charge of the given assessed area. Following the drafting of the regional report, selected members of WeBER Advisory Council performed the expert review of chapters pertaining to their areas of expertise. The drafting national reports underwent standard peer review procedures within each WeBER partner organisation.

PAR Monitor Report timeframe

The monitoring exercise was conducted between September 2017 and September

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6 South East Europe 2020 Strategy of the Regional Cooperation Council: http://www.rcc.int/pages/62/south-east-europe-2020-strategy

7 WeBER project website: http://www.par-monitor.org. Methodology and the individual indicator tables can be accessed within the PAR Monitor menu.

2018. Findings predominantly relate to 2017 and the first half of 2018, except in the analysis of Government reports, where 2016 was included as the base year due to the governments' reporting cycles. Within the indicators that monitor the regularity of reporting practices, a minimum of two years preceding the monitoring year were taken into account.

It is important to emphasise that for certain indicators (and particularly those measured in the last quarter of 2017) the situation on the ground was changing until the moment of the report writing. The developments which occurred after the monitoring work on those indicators could not be included, as that would necessitate repetition of the entire monitoring exercise for the given indicator in all countries. Therefore, the individual indicator measurements indicate the exact periods of measurement, kept comparable across the region, which allows for clear identification of the timeframes of reference for all findings in the reports. Where situations have changed, those changes will be reflected in the scores in the next biennial WeBER monitoring cycle and the PAR Monitor 2019/2020.

Limitations in scope and approach

As with all research, the PAR Monitor also has its limitations. The main limitation stems from the fact that – for reasons which were elaborated above – it does not cover the entire framework of principles, but only those in which the interest and the added value of the civil society is the strongest in the pre-accession period. Moreover, selected principles are not always covered in all of their facets, but rather in specific aspects which have been determined by the authors as the most relevant from the perspective of civil society monitoring. In all such cases, the specific WeBER approach is described in the Methodology and individual indicator tables.

In addition, timeframe-related limitations have influenced the course of measurement. As mentioned, the monitoring work was initiated in the last quarter of 2017 and proceeded into 2018, which reflected on the period of measurement of specific indicators, as well as on the results. Also, monitoring work was implemented over a period of 9-10 months due to the limited staff capacities vis-a-vis the workload covered (23 compound indicators), which made it impossible to measure all indicators within a short period of time.

Moreover, due to a combination of limited staff capacities and the workload of the 23 compound indicators covered – with some comprising over 15 elements (sub-indicators) – a few initially planned indicators were mutually agreed to be left out from the first monitoring cycle. Those indicators relate to public procurement, as well as accountability mechanisms to protect the public interest and the right to good administration. The WeBER team consciously decided to give advantage to the quality of work over maximizing the coverage of issues. The team will seek to include these indicators in the next monitoring cycle.

Lastly, some of the principles are approached from a rather perception-based point of view. This is mainly the case where SIGMA monitors a specific principle very thoroughly, so the most useful way to complement its approach was deemed to be by monitoring perceptions of certain key stakeholder groups (public servants, CSOs, etc.). This is a

deliberate part of the WeBER approach and those indicators should be looked at as complementary to the assessments conducted by SIGMA for the same principles.

In terms of geographical scope, the monitoring exercise and the report cover the entire Western Balkan region: Albania, Bosnia and Herzegovina (BiH), Kosovo, Macedonia, Montenegro and Serbia. BiH being a country with a complex governance structure, WeBER decided to focus only on the state level institutions, wherever the structures and practices of institutions are analysed. Only the service delivery indicators include lower governance levels in BiH (entities), in line with the competences for delivery of the administrative services covered by the indicator sample.

I.3 Structure of the National PAR Monitor report

The report is divided into six chapters, pertaining to the core areas of PAR: 1) strategic framework for public administration reform, 2) policy development and coordination, 3) public service and human resource management, 4) accountability, 5) service delivery, and 6) public finance management. Each chapter follows the identical structure.

In each chapter introduction, the reader is briefly introduced to the WeBER indicators used in the observed area and their values for Albania, on a scale from 0 to 5. Immediately after, a brief state of play is given to contextualise the analysis for the observed area, followed by the WeBER monitoring focus, describing the methodological steps in more detail and illustrating the structure of each principle and indicator, including data collection and analysis methods.

The key section of each chapter is the presentation of WeBER monitoring results, stemming from thorough and methodologically robust research conducted. A summary of results for each area is given at the end of each chapter to present key, succinct one-page findings and trends, followed by recommendations for the responsible government authorities.

II. Strategic Framework of PAR

WeBER indicators used in the Strategic Framework of PAR and country values for Albania

P1 I1: Use of participatory approaches in the development of key strategic PAR documents

0	1	**2**	3	4	5

P2&4 I1: Civil society involvement in the PAR monitoring and coordination structures

0	**1**	2	3	4	5

II.1 State of Play in the Strategic Framework of PAR

The existing strategic framework of PAR in Albania includes several strategic documents that encompass the core areas of PAR. The PAR Strategy 2015-2020, as the umbrella and main strategic document is completed by the Public Financial Management (PFM) Strategy 2014-2020. More detailed reform measures are further laid down by separate documents, such as the Intersectoral Strategy against Corruption 2015-2020, the National Cross-cutting Strategy for Decentralization and Local Governance 2015-2020, and the Cross-cutting Strategy Digital Agenda of Albania 2015-2020. However, based on the latest SIGMA assessment (2017) there are alignment issues between various PAR strategic documents and Government planning documents in terms of priorities and objectives put forward.[8]

Concerning the monitoring framework of strategic documents, five distinct sets of performance monitoring and reporting arrangements have been established and are operational, but limitations and weaknesses in the performance indicator frameworks of some strategic documents impact the quality and effectiveness of overall PAR monitoring and reporting.[9] Moreover, the existence of five separate PAR strategic documents and arrangements have generated additional complexity and challenges, particularly with regard to the evaluation of the overall impact of the PAR reforms. When it comes to the public availability of annual implementation reports for PAR documents, Table 1

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8 SIGMA Monitoring Report for Albania, 2017. Government planning documents assessed by SIGMA include NSDI II, the Alliance for European Albania 2013-2017, Government Work Programme for 2013-2017; and NPEI 2017-2020.

9 Ibid.

outlines the regularity of the practice.

Table 1. Public Availability of Monitoring Reports

	PAR Strategy[10]	PFM Strategy[11]	Anti-Corruption Strategy[12]	Decentralization and Local Governance Strategy[13]	Digital Agenda Strategy[14]
2015	✓	✓	✓[15]	x	✓
2016	✓	✓	✓	✓[16]	x
2017	✓	✓	✓	x	x

Regarding overall PAR co-ordination and management – except for the area of PFM, the process is led by the Integrated Policy Management Group of PAR (IPMG-PAR) and its six thematic groups. The Government of Albania established the mechanism of Integrated Sectorial Management in September 2015 to guide and monitor policy development, strategy implementation and evaluation and to strengthen sector and donors coordination.[17] Integrated Policy Management Groups (IPMGs) were created in four pilot sectors: Integrated Water Management, Employment and Social policy, Competition and Innovation and Good Governance and Public Administration. The Deputy Prime Minister provides for overall political leadership and co-ordination, while the Department of Public Administration (DoPA) ensures the technical support on PAR. DoPA leads monitoring and reporting on the implementation of the PAR Strategy. The Ministry of Justice in the capacity of the National Anti-Corruption Co-ordinator monitors and reports on the implementation of the Anti-corruption Strategy, the Agency for the Support of Local Self-Governance under the Minister of Interior, monitors the Decentralisation Strategy, while the National Agency on Information Society (NAIS) the Digital Agenda. With regard to PFM, a separate interministerial steering committee led by the Minister of Finance and Economy provides for political leadership and co-ordination while the PFM Reform Secretariat monitors and reports on the implementation of the PFM Strategy.[18] To this regard, SIGMA (2017) has recommended the strengthening of the overall coordination of PAR through expanding the role and decision-making authority of coordination bodies for PAR. Additionally, a better coordination between the PAR and PFM structures is needed.

On the topic of stakeholder inclusiveness in PAR monitoring, while CSOs and external stakeholders participate in general in the monitoring of PAR, the practice is not regular or consistent across all PAR strategic documents.[19]

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10 Available here: http://dap.gov.al/publikime/dokumenta-strategjik/204-raportet-e-monitorimit-te-strategjise

11 Available here: http://www.financa.gov.al/raportet-e-monitorimit-2/

12 Available here: http://www.drejtesia.gov.al/strategjia-ndersektoriale-kunder-korrupsionit/

13 Available here: http://azrt.gov.al/dokumenta/

14 Available here: http://akshi.gov.al/axhenda-dixhitale/

15 Available only in English, not in Albanian.

16 This includes the monitoring period July 2016-July 2017.

17 Prime Minister's Order nr.129, dated 21.09.2015.

18 PFM Strategy 2014-2020

19 SIGMA Monitoring Report for Albania, 2017.

II.2 What does WeBER monitor and how?

The monitoring of the Strategic Framework of Public Administration Reform is based on three SIGMA Principles in this area focusing on the existence of an effective PAR agenda, the implementation and monitoring of PAR, but also on the existence of PAR management and coordination structures at the political and administrative level.

> **Principle 1:** The government has developed and enacted an effective public administration reform agenda that addresses key challenges;
>
> **Principle 2:** Public administration reform is purposefully implemented; reform outcome targets are set and regularly monitored;
>
> **Principle 4:** Public administration reform has robust and functioning management co-ordination structures at both the political and administrative levels to steer the reform design and implementation process.

Selected Principles are assessed entirely from the view of the quality of involvement of civil society and the public in the processes of development of PAR strategic documents, and participation in the monitoring and coordination structures that should ensure their purposeful implementation. A focus on inclusiveness and participation aims to determine the extent to which relevant stakeholders' needs and views are consulted and taken into consideration when developing and implementing the reform agenda.

For this purpose, two WeBER indicators are developed. The first one focuses on the existence and quality of the consultation process in the development of key PAR strategic documents. A sample of up to six key PAR strategic documents is determined in each Western Balkan administration based on the strategic framework in place. Monitoring is performed by combining data sources to ensure the reliability of results, including qualitative analysis of strategic documents, their action plans, and official data that is publicly available or obtained from the PAR responsible institutions. Moreover, analysis of documents was corroborated with results of the semi-structured interviews with representatives of the PAR responsible institutions, and a focus group with civil society representatives who participated in the consultation process.

The monitoring of participation of civil society in PAR implementation (i.e. PAR co-ordination and monitoring structures) considered only the most comprehensive PAR strategic document under implementation as a unit of analysis. The intention of this approach was to determine whether efforts exist to better facilitate monitoring and co-ordination structures of the whole PAR agenda. As for the first indicator, the review and qualitative assessment of official documents pertaining to the organisation and functioning of these structures was performed, and other data sources used to corroborate the findings.

II.3 WeBER Monitoring Results

Principle 1: The government has developed and enacted an effective public administration reform agenda that addresses key challenges

WeBER indicator "Use of participatory approaches in the development of key strategic PAR documents"

In relation to Principle 1, WeBER monitors the use of participatory approaches in the development of key PAR strategic documents. The indicator is comprised of the following elements:

Indicator elements	Scores
Consultations with civil society are conducted when the document are developed	2/4
Consultations with civil society are conducted in an early phase of the development of the document	0/4
Invitations to civil society to participate in the consultations are open	2/4
Responsible government bodies are proactive in ensuring that a wide range of external stakeholders become involved in the process	1/2
Civil society is provided complete information for preparation for consultations	2/4
Comments and inputs received in the consultation process are considered by responsible government bodies	2/4
Responsible government bodies publicly provide feedback on the treatment of received comments	0/2
Responsible government bodies engage in open dialogue with civil society on contested questions	0/2
Consultations in the development of strategic PAR documents are open to the public	2/4
Total score	11/30
Indicator value (scale 0 – 5)[20]	2

The most comprehensive PAR document and PFM reform document are selected as mandatory sample units, whereas selection of other strategic documents covering the remaining PAR areas is dependent on the PAR agenda currently in place. As a result, for Albania, the analysis under this indicator included:

1) The Cross-cutting Public Administration Reform Strategy 2015-2020[21]
2) Albania Public Finance Management Strategy 2014-2020[22]
3) Cross-cutting Strategy Digital Agenda of Albania2015-2020[23]

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20 Conversion of points: 0-5 points = 0; 6-10 points = 1; 11-15 points = 2; 16-20 points =3; 21-25 points = 4; 26-30 points = 5.

21 Approved with DCM no. 319, dated 15.4.2015.

22 Approved with DCM no.908, dated 17.12.2014.

23 Approved with DCM no. 284, dated 1.4.2015.

4) Long-term Policy Document on the Delivery of Citizen Centric Services by Central Government Institutions in Albania.[24]

In order to get maximum points under each WeBER element, the practice had to be observed for all key PAR strategic documents.

PFM Strategy
December 2014

Digital Agenda
April 2015

PAR Strategy
April 2015

Service delivery reform document
May 2016
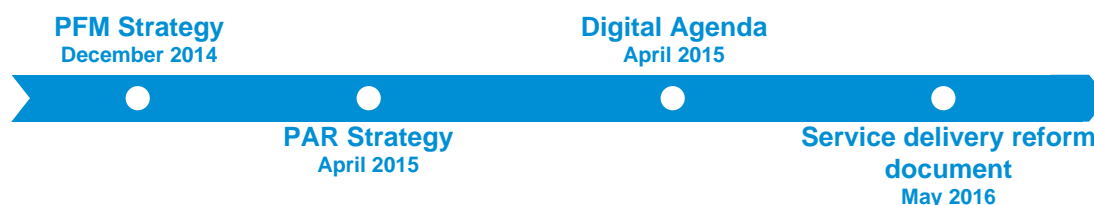
First, availability and consistency of information on various aspects of consultation was missing at the time of monitoring – pointing to issues of institutional memory that might hamper the transparency of the process. The Ministry for Innovation and Public Administration (MIPA) – responsible for PAR Strategy, E-government and Service delivery reform document – was merged following parliamentary elections of June 2017, and the Directory of PFM Reform Management was created in October 2016 at the Ministry of Finance and Economy. There were no official documents/data published online related to the consultation processes for the PAR strategic documents listed above and information was retrieved based on freedom of information (FOI) requests[25] and corroborated with a focus group discussion (FGD) with CSOs.

Review has shown involvement of CSOs in the development of the overall PAR strategies, even though some of the minimal criteria of basic consultations were not satisfied in certain cases. The prevailing observed practice was consultations in the form of formal procedures near the end of the drafting processes. Consultations in the early phase of developing strategies are useful from the viewpoint of ensuring a participatory approach and creating policy measures responsive of the needs and concerns of key stakeholders. Albania gets 0 points in this WeBER element since no evidence was found on consultation with civil society in an early phase of the development of any PAR documents.[26]

In order to analyse if sponsoring ministries in charge involve a wider circle of civil society organisations, the next WeBER element looks at whether invitations to CSOs are open or if invitations are sent to closed lists. The practice of consultations was less developed in the case of the PFM strategy, for the development of which civil society was consulted in a more limited manner – with closed consultations with specifically targeted CSOs. FOI responses and web-based analysis did not provide evidence that there were any open invitation for contributions.

With regards to the proactiveness in ensuring participation of a wider range of different stakeholders (trade unions, business associations, gender organisations and organisations representing persons with disabilities), evidence of such a proactive approach was found for the case of the PAR Strategy ,where separate consultative meetings were

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24 Approved with DCM no. 384, dated 25.5.2016.

25 Received on 08.06.18 from the Prime Minister Office, a FOI received on 12.06.18 from DoPA and a FOI received on 13.06.18 from the Ministry of Finance and Economy.

26 The phase of scoping PAR-related agenda, problem identification, or formulation phase (determining the directions of PAR strategic document), and before a draft document has been developed or published.

held for specific stakeholder groups (including a special meeting on gender equality issues organised in cooperation with UN Women). Regarding the use of e-consultation platforms, the online registry for notifications and public consultation (konsultimipublik.gov.al) – on which all draft acts should be published – was launched in 2016, but was not used by public authorities until 2017. Nevertheless, the Action-Plan of the PAR Strategy 2018-2020 was not consulted through the e-consultation portal.

Moving to the next WeBER element, in almost all cases sponsoring ministries provided complete basic information for the implementation of the consultation process, including drafts of the strategies, information on the duration of consultation process and information on the way contributions are to be submitted.

However, regarding the practice of actual consideration and provision of feedback on the comments received in consultations on PAR strategies, the results appear less positive. There is no publicly available report from the formal consultation process for any of the PAR documents analyzed – that might reference feedback and consideration of comments received from CSOs or other external stakeholders. A review of documents received through FOI – with the exception of the PFM and Service delivery reform document – showed no disaggregation of feedback as received from external stakeholders and a relatively low participation of CSOs in the provision of comments and recommendations.

How does Albania do in regional terms?

Indicator P1 I1: Use of participatory approaches in the development of key strategic PAR documents
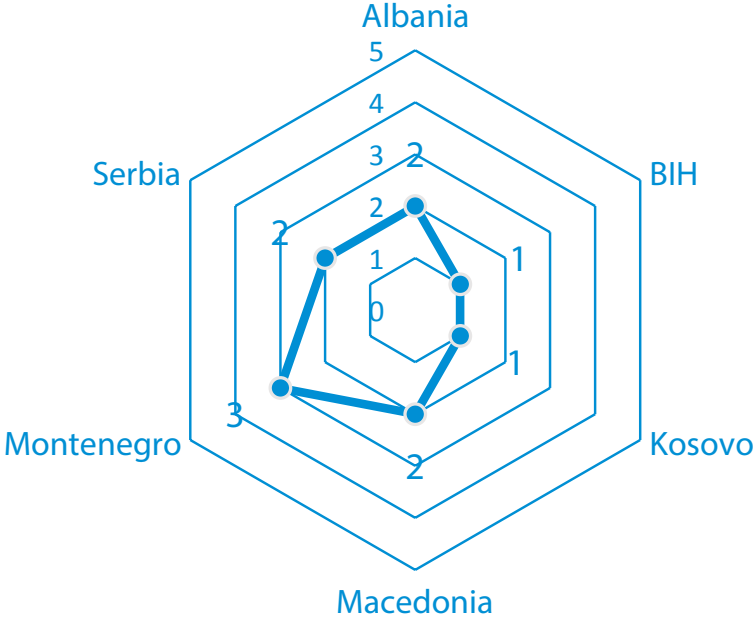
For more information on regional results, please visit www.par-monitor.org.

> **Principle 2:** Public administration reform is purposefully implemented; reform outcome targets are set and regularly monitored;
>
> **Principle 4:** PAR has robust and functioning management co-ordination structures at both the political and administrative levels to steer the reform design and implementation process

WeBER indicator "Civil society involvement in the PAR monitoring and coordination structures"

WeBER's approach to these two principles is combined into a single indicator measuring the level of civil society involvement in PAR monitoring and coordination structures. More specifically, monitoring looked into the following elements for this indicator:

Indicator elements	Scores
Administrative structures for PAR coordination and monitoring foresee an involvement of CSOs	2/2
Political level structures for PAR coordination foresee an involvement of CSOs	2/2
Format of CSO involvement in administrative structures for PAR coordination and monitoring	2/4
Format of CSO involvement in political structures for PAR coordination and monitoring	2/4
Involvement of CSOs is achieved based on an open competitive process	0/4
Meetings of the PAR coordination and monitoring structures are held regularly with CSO involvement	0/4
The format of meetings allows for discussion, contribution and feedback from CSOs	0/4
CSOs get consulted on the specific measures of PAR financing	0/2
Total score	8/26
Indicator value (scale 0 – 5)[27]	1

IPMG for Good Governance and Public Administration Reform (IPMG-PAR) is the main structure responsible for coordinating and managing PAR (except PFM), both at the political and administrative level. The workings of IPMGs are regulated through a Prime Minister Order.[28] However, detailed operational guidelines regarding the establishment of IPMG-PAR have not yet been adopted in contrary to the stipulation in the general operational guidelines annexed to the PM Order.[29]

The structure of IPMG-PAR is outlined in Figure 1.

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27 Conversion of points: 0-5 points = 0; 6-9 points = 1; 10-13 points = 2; 14-17 points =3; 18-21 points = 4; 22-26 points = 5.

28 Prime Minister's Order No. 129, dated 21.09.2015.

29 As confirmed with interviews at the Department of Development and Good Governance, PMO and at the Deputy PMO.

Figure 1. Structure of IPMG-PAR
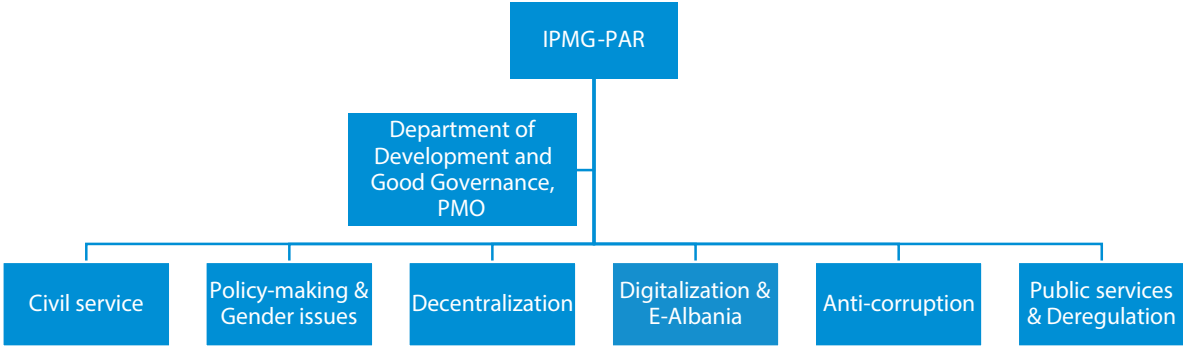
Source: Department of Development and Good Governance (DDGG), PMO

At the political level,[30] the Deputy Prime Minister leads IPMG-PAR, while the Department of Development and Good Governance at the Prime Minister Office serves as its technical secretariat.[31] Civil society involvement is envisaged in the form of membership of one representative of the National Council for Civil Society (NCCS), however this has not happened in practice and no civil society organization is an official member of the IPMG-PAR. NCCS was established through law 119/2015 approved on November 2015 and it is a collegial advisory body comprised of thirteen civil society and thirteen government representatives aiming to promote institutional cooperation between the government and civil society. Nevertheless, even though CSO representatives to the NCCS were selected during 2016, the Council was not actually constituted until December 2017.[32] In the last meeting of the IPMG-PAR, held in 16 May 2018, the NCCS was already constituted. However, the format of CSOs involvement so far has been subject to closed invitations for each meeting round.[33]

At the administrative level, structures in place for PAR coordination and monitoring include six thematic groups established under IPMG-PAR. See Table 3 for details. They provide relevant stakeholders of the sector with a platform for dialogue in the interest of a coordinated application of the sector approach with an advisory role vis-à-vis the IPMG.[34] The workings of the thematic groups are also described in the operational guidelines.[35] Depending on their role, thematic groups can be permanent structures or structures established for a specific period of time. As regards the involvement of civil society, it is envisaged that the thematic groups' chairs may invite representatives of civil society organisations to their meetings on an as needed basis[36] but participation of civil society does not imply membership, nor does it guarantee civil society having

30 Every IPMG represents a senior level working group consisting of relevant stakeholders operating in the area. As an inter-governmental body, its primary membership includes "line ministries, agencies, representatives of the local government, and 1 representative of the National Council for Civil Society".

31 Following the merging of the Department of Innovation and Good Governance under the Ministry of Innovation and Public Administration

32 USAID CSO Index 2016, 2017

33 As confirmed during interviews

34 They serve to facilitate the implementation of the annual work plan of the IPMG through supporting the work in specific topics.

35 There is also a draft "Operational Guidelines for Thematic Groups".

36 Chapter 6.5 of Annex 2 of Prime Minister's Order No. 129, dated 21.09.2015.

influence on the outcome of meetings.[37] So far, the involvement of CSOs has not been achieved based on an open competitive process.

Table 2. IPMG-PAR Thematic Groups

IPMG Thematic Groups	Lead institution	Technical Secretariat	Development and Integration Partner focal point
Civil Service	DoPA	DDGG	EU
Policy-making	Deputy Prime Minister	DDGG	EU
Decentralization	Ministry of Interior	AMMV (LGSA)	Swiss
Digitalization & E-Albania	National Agency for Information Society	DoPA	WB
Anti-corruption	Ministry of Interior	Ministry of Justice	EU
Public services & Deregulation	Deputy Prime Minister	ADISA	WB

Regarding the regularity of the meetings, guidelines foresee the IPMGs to meet at least every quarter –in accordance to their Annual Work Plan. Furthermore, ad hoc meetings can be held, if deemed necessary by the Chair or its members. In practice, IPMG-PAR has met six times since its establishment in 2015, while meetings of the thematic groups have taken place less frequently. Furthermore, an Annual Work Plan[38] shall be circulated with all stakeholders (including civil society representatives) and a summary published in the website of the leading ministry. Following IPMG meetings, the Technical Secretariat shall also publish an executive summary of the minutes and main conclusions on the webpage of the leading ministry. In practice, these steps have not been implemented so far. Even for the last IPMG-PAR meeting of May 2018, the DDGG failed to publish the minutes on the website of the Prime Minister Office.

How does Albania do in regional terms?
Indicator P2&4 I1: Extent of civil society involvement in the PAR monitoring and coordination structures

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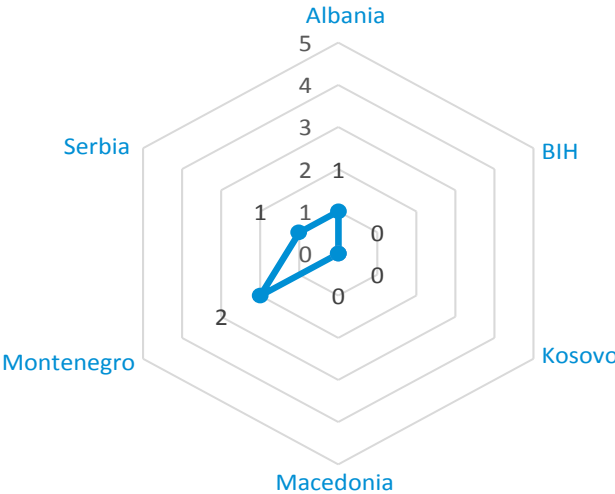
37 Nevertheless, the thematic groups do not have any decision-making authority.

38 The Annual Work Plan entails an annual plan of meetings of the IPMGs and of the thematic groups, which also include the participation of development partners and civil society.

For more information on regional results, please visit www.par-monitor.org

II.4 Summary results and recommendations: Strategic Framework of PAR

WeBER approaches the area of Strategic Framework for PAR by looking at the quality of civil society involvement in the PAR agenda setting and in its monitoring and coordination structures. While civil society was consulted when key strategic documents of the government PAR agenda were developed, the consultation processes featured uneven practices in quality and consistency. In general, invitations for civil society to participate in consultations were open, except for the PFM Strategy. However, consultations appeared to lack in depth especially with regard to the provision of transparent feedback to consultees and with keeping and publishing records of the meetings. Regarding the breadth of consultation, purposive engagement of diverse stakeholder groups (especially gender and disability groups) was identified only for the main PAR strategy and to some extent for the Service Delivery reform document. Furthermore, no consultations with civil society were conducted in the early phase of the development of documents when there is scope to influence strategic directions and policy outcomes. Besides, availability and consistency of information on various aspects of consultation was missing – pointing to issues of institutional memory that might hamper the transparency of the process.

Even though civil society involvement in PAR monitoring is envisaged at both the administrative and political level structures (Integrated Policy Management Group IPMG-PAR and its six thematic groups), no meaningful involvement is achieved in practice. As per the regulatory framework, involvement in IPMG-PAR is foreseen in the form of membership of one representative of the National Council for Civil Society (NCCS), but this has not happened in practice and no civil society organization is an official member of the IPMG-PAR. CSOs, so far, have been involved as observers on a case-by-case basis and upon invitation. On the other hand, involvement in the thematic groups is envisaged as observers on an as needed basis. Both these structures have met occasionally and not as regularly as formally required. No evidence was found that CSOs have been consulted on specific measures of PAR financing.

It is recommended that:
- In order to promote transparent and comprehensive participation, sponsoring ministries should conduct early consultations and involve stakeholders from earlier stages in the policy development process when there is scope to influence the policy outcome.
- In order to encourage active participation, sponsoring ministries should publish consultation reports that clearly identify key points raised, feedback received, considerations of feedback, and future plans (if any) for further engagement. This information should normally be published before or alongside any further action.
- Sponsoring ministries should ensure that consultation processes capture the full range of stakeholders affected and should consider targeted consultations when possible.
- Sponsoring ministries should make full use of the e-consultation portal konsultimipublik.gov.al.
- Sponsoring ministries should provide adequate attention to capacity building in public administration for conducting effective and efficient stakeholder engagement.

- Sponsoring ministries need to actively preserve their institutional memory. Since it is a relatively low-cost and efficient process, they should make use of web archiving.
- In its review of the IPMG-PAR regulatory framework, the Department of Development and Good Governance (DDGG) at the PMO should ensure adequate and consistent civil society participation at both the political and administrative level.
- The Annual Work Plan of IPMG-PAR meetings should be published on the PMO website.
- Following each IPMG-PAR meeting, PMO should publish an executive summary of the minutes and main conclusions on the PMO website.

III. Policy Development and Coordination

WeBER indicators used in Policy Development and Coordination and country values for Albania

P5 I1: Public availability of information on Government's performance

| **0** | 1 | 2 | 3 | 4 | 5 |

P5 I2: Civil society perception of the Government's pursuit and achievement of its planned objectives

| **0** | 1 | 2 | 3 | 4 | 5 |

P6 I1: Transparency of the Government's decision-making

| 0 | **1** | 2 | 3 | 4 | 5 |

P10 I1: Use of evidence created by think tanks, independent institutes and other CSOs in policy development

| 0 | **1** | 2 | 3 | 4 | 5 |

P11 I1: Civil society perception of inclusiveness and openness of policymaking

| **0** | 1 | 2 | 3 | 4 | 5 |

P12 I2: Perception of availability and accessibility of legislation and related explanatory material by civil society

| 0 | 1 | 2 | 3 | **4** | 5 |

III.1 State of Play in Policy Development and Coordination

The state of play herein will focus principally on describing main developments in the sub-areas covered by WeBER monitoring and that bear special importance for citizens and society as whole, from the view of holding governments accountable for solid policy-making practices and implementation of predictable and sustainable policies. These concern governments' actions for informing the public on its performance, use of evidence when adopting and revising policies for the purpose of better targeting identified problems and satisfying needs of society, and participation of the public and other stakeholders in policy creation.

The main PAR Strategy 2015-2020 targets policy development and coordination as a strategic priority with the aim to achieve "Systems of policy-making, legislation drafting,

monitoring and evaluation clearly defined and regulated, linked with government priorities and budget planning, in order to enhance efficiency by enabling the government to have evidence-based policies, drafting of quality policies and legislation and approximation of legislation to the acquis." This goal is operationalized with 3 objectives: Improved planning and coordination policies for drafting government strategic documents that transform priorities in concrete actions; Transparent, inclusive and policy-based system of drafting laws, and; Effective monitoring and evaluation system for strategies, programs and laws.[39]

Concerning government performance reporting, law no.9000, dated 30.01.2003 "On the Organisation and Functioning of the Council of Ministers (CoM)"[40] requires ministries to provide regular and year-end reports on the implementation of acts approved by the CoM that fall under their competence to both the PM and the General Secretary of the CoM. Besides, the law also requires members of CoM to report activities undertaken in line with the Government's Programme.[41] SIGMA in its latest monitoring (2017) highlighted concerns over the quality and comprehensiveness of data included in the monitoring reports of the Analytical Programme and of the operational action plans of ministries.[42] But since there is no requirement to prepare and publish regular annual reports on the Analytical Programme or the Government's Programme such practice does not exist.

The existing legal framework[43] establishes the rules and procedures for the preparation, follow-up and communication of the sessions of the CoM, as the highest decision-making body in the Government. During government sessions, members of the CoM review draft-acts and topics set forth previously in the agenda. The agenda is prepared from the General Secretary of the CoM following its consultation with the Prime Minister, and is disseminated along with the draft-acts to the minister at least two days before the session.[44] Yet, the practice of making agendas of Government sessions publicly available does not exist. On the basis of Article 17/2 "Trustworthiness and solidarity" of Law nr.9000, dated 30.01.2003, sessions of the CoM meetings have a confidential nature, and "considerations, debates and reporting [from the session] remain confidential". But, on the other hand, the General Secretary of the CoM, following every government session, is required to draft a final report including the general problems discussed that shoulf become public.[45] However, also this practice remains not established and only the decisions of the CoM are made public after the meetings, normally within one day.[46] In the next section, results from the WeBER monitoring of the government sessions for the period 01 October 2017 – 31 December 2017 are presented.

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39 Approved with DCM No. 319, dated 15.4.2015.

40 http://dap.gov.al/images/LegjislacioniAP/ligj_9000_9OrganizimfunksionimKM.pdf

41 Article 27 Programming and Reporting ibid

42 Reports on the Analytical Programme and on operational plans, for example, primarily provide statistical information on the actual number of measures completed, and offer limited information on the policy objectives of the implemented policies or laws.

43 Law on Organisation and Functioning of the CoM and the RoP of the CoM.

44 Article 15.

45 Article 22/1

46 SIGMA monitoring 2017.

Turning to evidence-based policy-making, the quality of analyses supporting policy proposals remains a major issue, since policy development features insufficient use of evidence and only basic analytical tools and techniques are used in policy-making.[47] To this regard, Albania lacks a systematic process or methodology for conducting analyses of the impacts of new policies and laws. The existing practice of policy analysis is based on explanatory memoranda that offer a very limited way of analysing the expected impacts and potential risks of new policy proposals. Based on latest SIGMA findings (2017), the overall quality of analysis is low and not in line with the basic requirements and standards set in the Rules of Procedures.[48] But there are recent positive developments towards better use of evidence in policy-making. The Prime Minister (PM) approved a methodology for piloting Regulatory Impact Assessment (RIA) in selected ministries in June 2017 (changed in November 2017).[49] The pilot ministries were: Ministry of Finance and Economy for the draft-law "Employment Promotion" and the Ministry of Infrastructure and Energy for the draft law "Promotion of production, transport, trade and use of energy from renewable resources". As described in the latest Monitoring Report of the PAR Strategy (2018) ministries have created a dedicated unit for monitoring impact assessment and coordination is facilitated by the Regulatory and Compliance Department in the PM. In February 2018, the "RIA Network" was established with representatives from the PM and all line ministries. The Regulation of the CoM (RoP of the CoM) was also amended in April 2018.[50] Full institutionalization and implementation of RIA within the current policy-making system is needed.

Regarding inclusive policy-making, the EC Report (2018) notes that still substantial efforts are needed to ensure meaningful consultations with civil society actors as part of an inclusive policy dialogue. The regulatory framework on public consultations is comprised of the Law on Notification and Public Consultation[51], the Decision of the CoM on the Creation of an Electronic Register for Notices and Public Consultation[52], and the legal drafting manual. Changes have also been introduced in the RoP of the CoM, to require reporting from all ministries on public consultation.[53] However, in practice, consultation with external stakeholders on new policies is not an integral part of the overall policy-making process yet (SIGMA, 2017). Overall, public consultation activities are fragmented and there is no quality assurance and oversight of the process.[54]

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47 Ibid.

48 Based in a review of a sample of five policy proposals.

49 Urdhri i Kryeministrit nr. 102, datë 14.06.2017, "Për ngritjen e grupeve të punës për pilotimin e zbatimin e Metodologjisë së Vlerësimit të Ndikimit, në disa ministri" të ndryshuar me Urdhrin nr. 194 datë 09.11.2017 "Për disa ndryshime në Urdhrin nr. 102, datë 14.06.2017 të Kryeministrit".

50 http://www.qbz.gov.al/Botime/Akteindividuale/Janar%202018/Fletore%2054/VKM%20nr.%20197,%20date%2011.4.2018.pdf

51 http://www.qbz.gov.al/botime/fletore_zyrtare/2014/PDF-2014/178-2014.pdf

52 http://www.qbz.gov.al/botime/fletore_zyrtare/2015/PDF-2015/177-2015.pdf

53 DCM No. 584 of 28 August 2003, amended by DCM No. 653/2016, Article 19e.

54 Sigma Monitoring Report, 2017

III.2 What does WeBER monitor and how?

In the Policy Development and Coordination area, WeBER monitoring is performed against five SIGMA Principles:

> **Principle 5:** Regular monitoring of the government's performance enables public scrutiny and supports the government in achieving its objectives;
>
> **Principle 6:** Government decisions are prepared in a transparent manner and based on the administration's professional judgement; legal conformity of the decisions is ensured;
>
> **Principle 10:** The policy-making and legal-drafting process is evidence-based, and impact assessment is consistently used across ministries;
>
> **Principle 11:** Policies and legislation are designed in an inclusive manner that enables the active participation of society and allows for co-ordination of different perspectives within the government;
>
> **Principle 12:** Legislation is consistent in structure, style and language; legal drafting requirements are applied consistently across ministries; legislation is made publicly available.

Six WeBER indicators are used for the analysis. The first one measures the extent of openness and availability of information about the Government's performance to the public, through analysis of the most comprehensive websites through which the Government communicates its activities and publishes reports. Written information published by the Government relates to press releases, and online publishing of annual (or semi-annual) reports. The measurement covers a period of two annual reporting cycles, except for the press releases that are assessed for a period of one year (due to the frequency of their publishing). Other aspects of the Government performance information analysed include its understandability, usage of quantitative and qualitative information, presence of assessments/descriptions of concrete results, availability of data in open format and gender segregated data, and the online availability of reports on key whole-of-government planning documents.

The second indicator measures how civil society perceives Government's planning, monitoring and reporting on its work and objectives that it has promised to the public. To explore perceptions, a survey of civil society organisations in six Western Balkan countries was implemented using an online surveying platform, in the period between the second half of April and the beginning of June 2018.[55] The uniform questionnaire with 33 questions was used in all Western Balkans, ensuring an even approach in survey implementation. It was disseminated in local languages through the existing networks and platforms of civil society organisations with large contact databases but also through centralised points of contact such as governmental offices in charge for cooperation with civil society. To ensure that the survey targeted as many organisations as possible in terms of their type, geographical distribution, and activity areas, and hence contribute to its representativeness as much as possible, additional boosting was done where needed to increase the overall response. A focus group with CSOs

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55 Refer to the Methodological note in the end.

served the purpose of complementing the survey findings with qualitative information. The third indicator measures the transparency of decision-making by the Government (in terms of the Council of Ministers), combining the survey data on the perceptions of civil society with the analysis of relevant governmental websites. Besides publishing information on the decisions of the Government, the website analysis considers information completeness, citizen-friendliness, timeliness, and consistency. Monitoring was done for each government session in the period of the last three months of 2017, except for timeliness that is measured for the last month and a half.

The fourth indicator measures whether government institutions invite civil society to prepare evidence-based policy documents and whether evidence produced by the CSOs is considered and used in the process of policy development. Again, the measurement combines expert analysis of official documents and a survey of civil society data. In relation to the former, the frequency of referencing CSOs' evidence-based findings is analysed for official policy and strategic documents, policy papers, and ex-ante and ex-post policy analyses and impact assessments for a sample of 3 policy areas.

Finally, the fifth indicator, focusing on the quality of involvement of the public in the policy making through public consultations, is entirely based on the survey of CSOs data. The same is true of the sixth indicator focusing on the accessibility and availability of legislation and explanatory materials to legislation, except for the sub-indicator related to the existence of official online governmental database of legal texts.

III.3 WeBER Monitoring Results

Principle 5: Regular monitoring of the government's performance enables public scrutiny and supports the government in achieving its objectives

WeBER indicator "Public availability of information on Government's performance"

WeBER monitoring approach to Principle 5 considers availability of government's performance information, by measuring the extent to which the information about government performance is open and publicly available online, and the extent to which CSOs consider that the government pursues and achieves its objectives. Thus, WeBER approaches this Principle with two indicators. The first indicator "Public availability of information on Government performance" consists of seven elements:

Indicator elements	Scores
The government regularly publishes written information about its activities	0/4
The information issued by the government on its activities is written in an understandable way	0/2
The information issued by the Government is sufficiently detailed, including both quantitative data and qualitative information and assessments	0/4
The information issued by the Government includes assessments of the achievement of concrete results	0/4
The information issued by the Government about its activities and results is available in open data format(s)	0/2
The information issued by the Government about its activities and results contains gender segregated data	0/2
Share of reports on Government strategies and plans which are available online	0/2
Total score	0/20
Indicator value (scale 0-5)[56]	0

Government regularity in publishing written information about its activities is assessed by monitoring whether governments publish press releases online on a weekly basis along with reports on its performance annually. The measurement of this indicator covered the period of one year (2017) for the press releases and two annual reporting cycles (2015-2016) for the performance reports.

Monitoring shows that the Government regularly communicates in written form with the public though publishing news and press releases (on the Newsroom section of its website); frequency of publishing varies from once a week to multiple times weekly and includes informing on the activities of the government. In terms of user-friendliness, findings reveal that additional efforts are needed to make them citizen-friendly and devoid of very technical and complex jargon. However, besides the use of traditional press releases, the Government of Albania has also experimented with various communication tools integrated with social media channels – though not in a consistent manner as shown by Table 4.

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56 Conversion of points: 0-4 points = 0; 5-8 points = 1; 9-11 points = 2; 12-14 points =3; 15-17 points = 4; 18-20 points = 5.

Table 3. Communication tools of the government about its activities

Name	Frequency	Period	Type	Outlet
Press releases/ News		On going	Written	kryeministria.al
Diary of the CoM	Weekly	07 February 2014 – 26 February 2016	Written	kryeministria.al
The Weekly Communication[57]	Weekly - Every Sunday on 17:00/18:00	18 September 2016–19 November 2017	Video (live streaming)	FBpage (Edi Rama)
Work in a week/ Diary[58]	Weekly	13 January 2017 – 3 November 2017	Video (not audio) (1 min)	Twitter and FB @ kryeministriaal
Weekly overview of governance[59]	Weekly - Every Sunday on 9am	22 April 2018 - on going	Video and audio	ERtvNEWS ERtvINTERVIEW ERtvLIVE
Monthly bulletin	Monthly	April 2018	Written	kryeministria.al

Nevertheless, the Government does not fully and comprehensively disclose performance information to the public, since there is no practice of publishing annual reports on governnment's performance.[60] Law no.9000, dated 30.01.2003 "On the Organisation and Functioning of the Council of Ministers (CoM)"[61] requires ministries to provide regular and year-end reports on the implementation of acts approved by the CoM that fall under their competence to both the PM and the General Secretary of the CoM. Besides, the law also requires members of CoM to report activities undertaken in line with the Government's Programme.[62] But since there is no requirement to prepare and publish regular annual reports on the Analytical Programme or the Government's Programme such practice has not been established.

As a result, Albania gets 0 points in the first two WeBER elements concerning the regularity and user-friendliness of written information about its activities in forms of press releases and performance reports, since these two criteria were assessed cumulatively; absence of each of them resulted in 0 points (see above). Furthermore, 0 points are also scored for the subsequent four WeBER elements focused on the type of data and details of annual reports on government performance, which were misssing for Albania.

The online availability of monitoring reports on central planning documents[63] is also scarce and, as a result, Albania scores 0 points in this last WeBER element.[64] Figure 2 on the next page demonstrates their online availability for the last full reporting year

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57 Komunikimi i javës.

58 Java në punë/Ditari i Këshillit të Ministrave.

59 Pasqyra javore e qeverisjes.

60 Only for 2014, there was a report covering the 300 first days of governance. Accessible here http://kryeministria. al/al/newsroom/lajme/raport-publik-qeveria-ne-300-dite

61 http://dap.gov.al/images/LegjislacioniAP/ligj_9000_9OrganizimfunksionimKM.pdf

62 Article 27 Programming and Reporting

63 Reports on sectoral strategic documents and plans are not subject of analysis under this indicator. Only the strategic and planning documents for the whole of Government are taken into account.

64 Only NPEI was available: 1/3=33.3%. To get 1 point, the percentage should be greater than 50%.

(2016).[65] Only the 2016 Monitoring Report for the National Plan for European Integration (NPEI) was available online out of the three central planning documents. The then Ministry of European Integration was required to report every three months to CoM on the implementation progress of NPEI 2016-2020.[66] Following the latest parliamentary elections on June 25th, 2017, the Ministry of European Integration was merged with the Ministry of Foreign Affairs. However, the monitoring reports for 2017 and 2018 were not available in the website of Ministry of Europe and Foreign Affairs. Along the same line, the Economic Reform Programme 2017-2019, that also contains the implementation of ERP for 2016,[67] was not available in the website of the Ministry of Finance and Economy. Last, there is no monitoring report available on the National Strategy for Development and Integration.

Figure 2. Reporting on cenral planning documents (2016)

National Strategy for Development and Integration (NSDI) 2015-2020	National Plan for European Integration (NPEI) 2016-2020	Economic Reform Programme (ERP) 2016-2018
• No report for 2016 is available	• Annual report for 2016 available • Quarterly reports also available	• No report for 2016 is available

Note: As checked on October 2017

WeBER indicator "Civil society perception of the Government's pursuit and achievement of its planned objectives"

The second WeBER indicator under this principle "Civil society perception of the Government's pursuit and achievement of its planned objectives" is measured against following elements:

Indicator elements	Scores
CSOs consider government's formal planning documents as relevant for the actual developments in the individual policy areas	0/2
CSOs consider that the Government regularly reports to the public on progress against the set objectives	0/4
CSOs consider that official strategies determine governments' or ministries' action in specific policy areas	1/2
CSOs consider that the ministries regularly publish monitoring reports on their sectoral strategies	0/4
CSOs consider that the EU accession priorities are adequately integrated into the government's planning documents	1/2
CSOs consider that the Government's reports incorporate adequate updates on the progress against the set EU accession priorities	1/2
Total score	3/16
Indicator value (scale 0-5)[66]	0

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65 At the time of monitoring, last full reporting year was 2016. Reports on sectoral strategic documents and plans were not subject of analysis under this sub-indicator.

66 The Report for 2016 can be accessed here: http://www.integrimi.gov.al/al/dokumente/raporte/raporti-i-monitorimit-te-pkie-2016-2020-janar-dhjetor-2016&page=1

67 DCM no. 52, dated 27.1.2016.

68 Conversion of points: 0-3 points = 0; 4-5 points = 1; 6-7 points = 2; 8-10 points =3; 11-13 points = 4; 14-16 points = 5.

Survey results show that CSOs are particularly critical with regard to the Government's pursuit and achievement of its planned objectives. First of all, concerning the relevance of government's planning documents to the actual developments in individual policy areas, results reveal a bimodal or ambivalent behavior, whilst 29% of surveyed CSOs agreed or strongly agreed that "There is a direct connection between the work plan of the government[69] and actual developments in specific policy areas", some 27% disagreed or strongly disagreed. The majority, or 36%, neither agreed nor disagreed.

Figure 3. Agreement with the statement "There is a direct connection between the work plan of the government and actual developments in specific policy areas" (%)
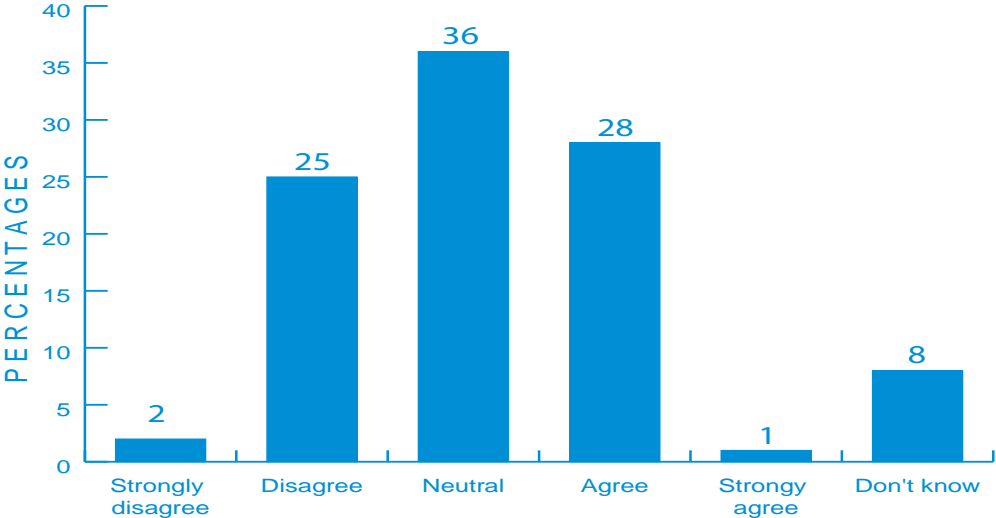
Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. Base: N=91

On the other hand, CSOs are more positive in their stance that official strategies determine government or ministries' action in specific policy areas. Around one-third of surveyed CSOs either agreed or strongly agreed that official strategies determine the governments' or ministries' action in certain areas, while some 22% disagreed or strongly disagreed.

Figure 4. Agreement with the statement "Official strategies determine the governments' or ministries' action in certain areas" (%)
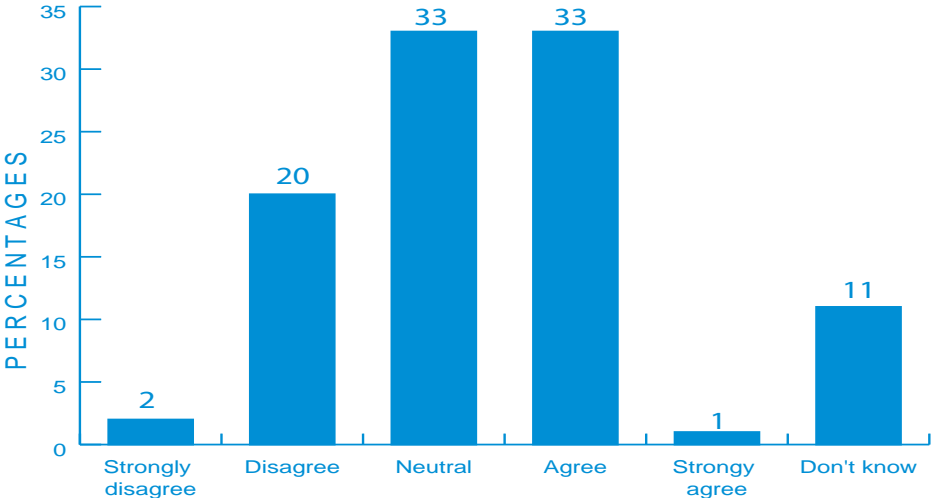
Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. Base: N=91

69 http://www.qbz.gov.al/Botime/Akteindividuale/Janar%202018/Fletore%209/VKM%20nr.%2037,%20date%20 24.1.2018.pdf

Corroborating the results from the first indicator on the opacity of public information on government's performance, only 18% of surveyed CSOs agreed that "government regularly reports to the public on the progress in the achievement of its objectives". In the same proportion, 37% disagreed, whilst 37% remained neutral. However, the results are more positive as regards ministries' reporting on sectoral strategies. One-fourth of surveyed CSOs (26%) agreed or strongly agreed that ministries regularly publish monitoring reports on their sectorial strategies. A greater proportion or 31% disagreed. 32% of surveyed CSOs were neutral.

Figure 5. Agreement with statements on performance reporting (%)
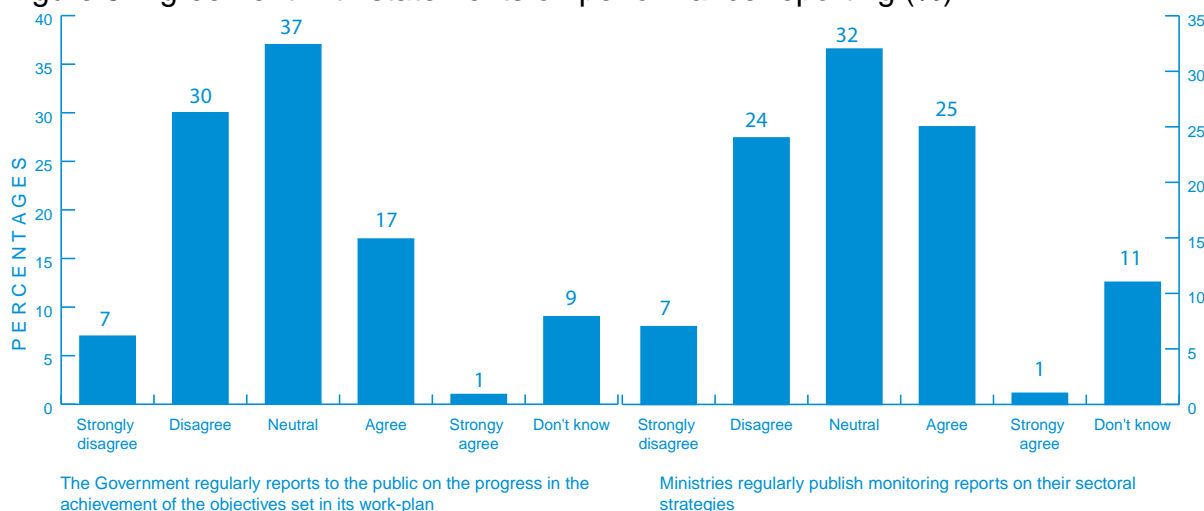
Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%.
Base: N=91

Regarding the integration of EU accession priorities in the government's agenda, a more positive perception prevails and Albania scores average points in the last two WeBER elements. 37% of surveyed CSOs agreed or strongly agreed that these priorities are adequately integrated into the government's plan. However, a lower proportion, 31% agreed that reports incorporate adequate updates on the progress against the set of EU accession priorities.

Table 4. EU Accession priorities in the government's agenda (%)

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	Don't know
Priorities of the EU accession process are adequately integrated into the government's plans	6	25	25	35	2	7
Government's reports incorporate adequate updates on the progress against the set of EU accession priorities	8	26	30	30	1	6

Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%.
Base: N=91

Indicator P5 I1: Public availability of information on Government performance
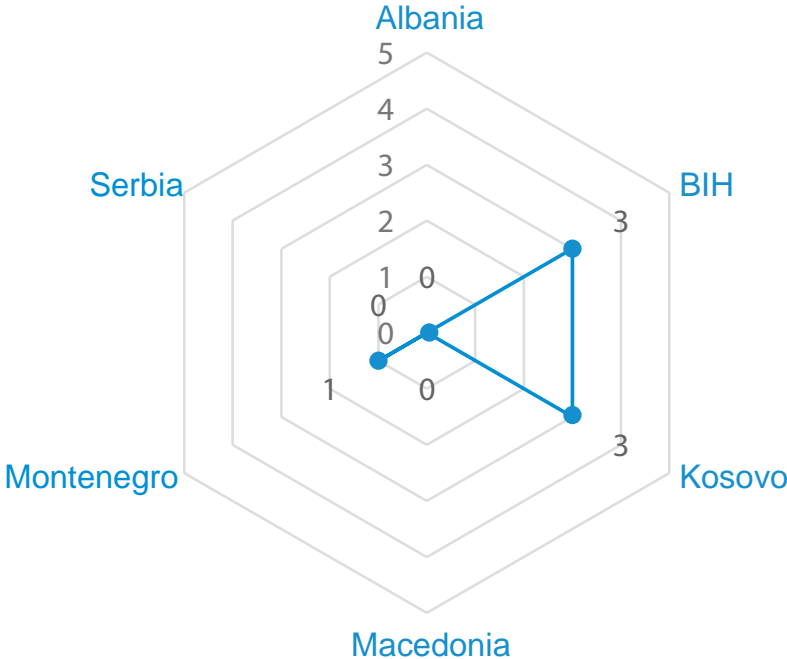
For more information on regional results, please visit www.par-monitor.org.

Indicator P5 I2: Civil society perception of the Government's pursuit of its planned objectives
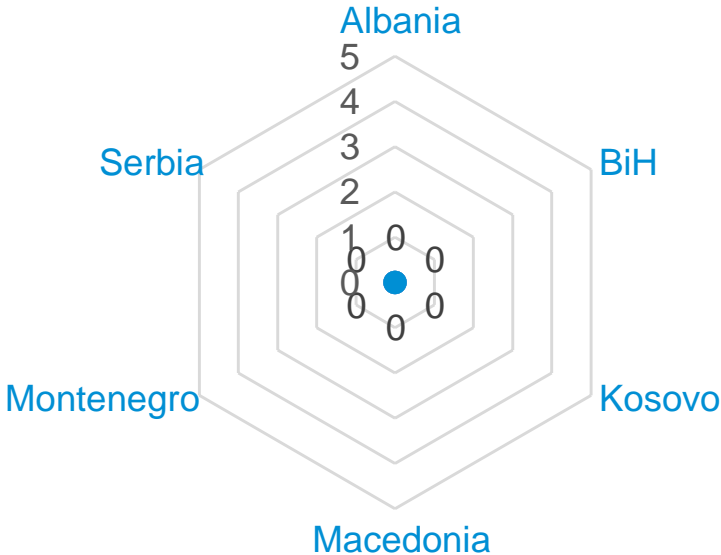
Principle 6: Government decisions are prepared in a transparent manner and based on the administrations' professional judgement; legal conformity of the decisions is ensured

WeBER indicator "Transparency of the Government's decision-making"

For Principle 6, WeBER focuses fully on governments' decision-making transparency part. The monitoring approach entails measuring the extent to which the process of government decision-making as well as its direct outputs (decisions) are transparent, including the external communication function. This indicator includes the following elements:[70]

Indicator elements	Scores
CSOs consider government decision-making to be generally transparent	0/2
CSOs consider the exceptions to the rules of publishing Government's decisions to be appropriate	0/2
The Government makes publicly available the documents from its sessions	0/4
The Government communicates its decisions in a citizen-friendly manner	0/4
The Government publishes adopted documents in a timely manner	4/4
Total score	4/16
Indicator value (scale 0-5)[70]	1

CSO survey results paint a bleak picture with regard to the government transparency in its decision-making processes. Only a minority of surveyed CSOs (15%) agreed that government's decision-making process is transparent; the majority or 58% disagreed or strongly disagreed.

Figure 6. Agreement with the statement "In general, government's decision-making process is transparent" (%)
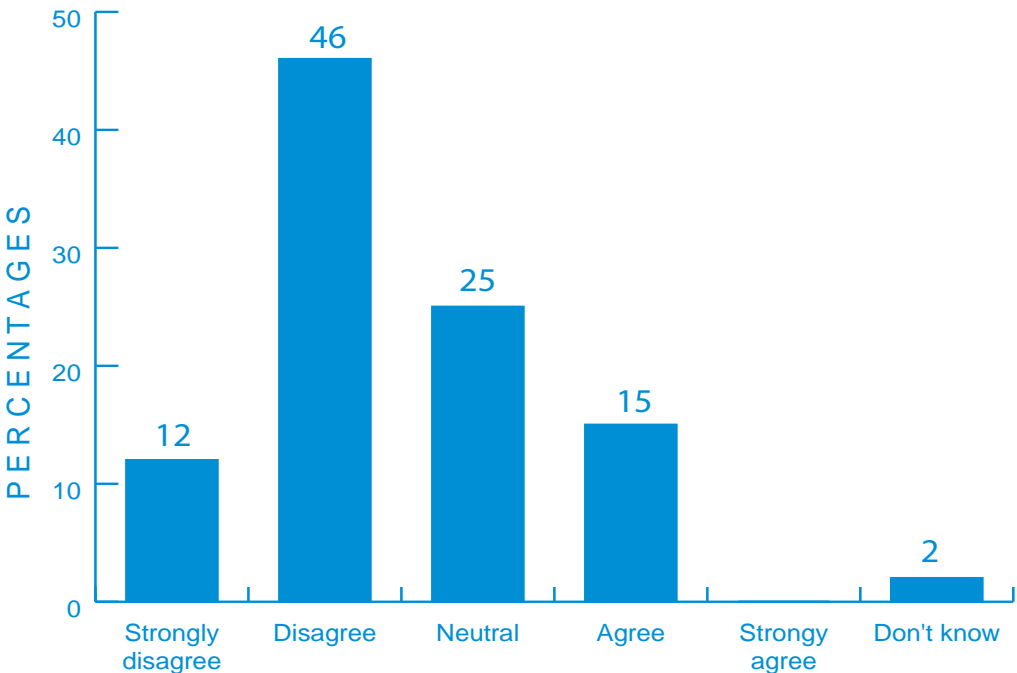
Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. Base: N=92

Furthermore, CSOs do not consider exceptions to the rules of publishing Govern-

70 Conversion of points: 0-2 points = 0; 3-5 points = 1; 6-8 points = 2; 9-11 points =3; 12-14 points = 4; 15-16 points = 5.

ment's decisions as appropriate. Just 11% of surveyed CSOs agreed that exceptions are appropriate. Some 35% remained neutral, while 46% either disagreed or strongly disagreed.

Figure 7. Agreement with the statement "Exceptions to the requirements to publish Government's decisions are appropriate" (%)
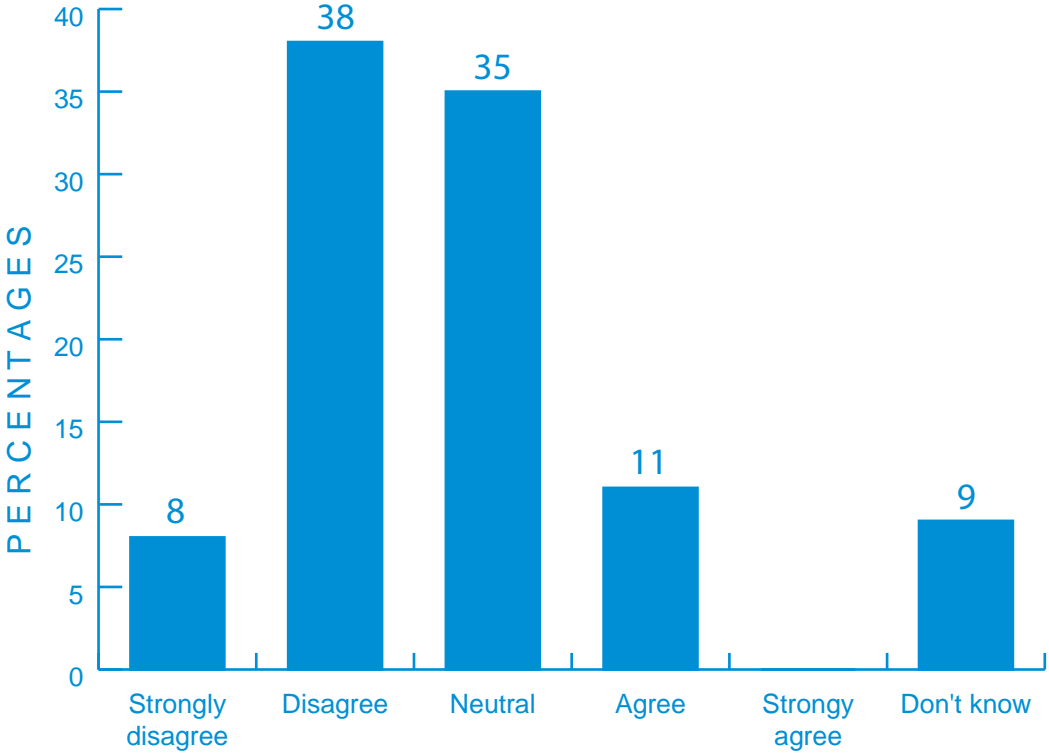
Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. Base: N=92

The next three WeBER elements target transparency of government sessions. To this regard, transparency entails as a minimum the availability of agendas of government sessions, minutes, adopted documents at the session (not formally labelled as confidential), and press releases. The availability of the aforementioned documents was analysed for the period 01 October-31 December 2017 and the results are summarized in Fig. 8.

Figure 8. Transparency of governmnet sessions
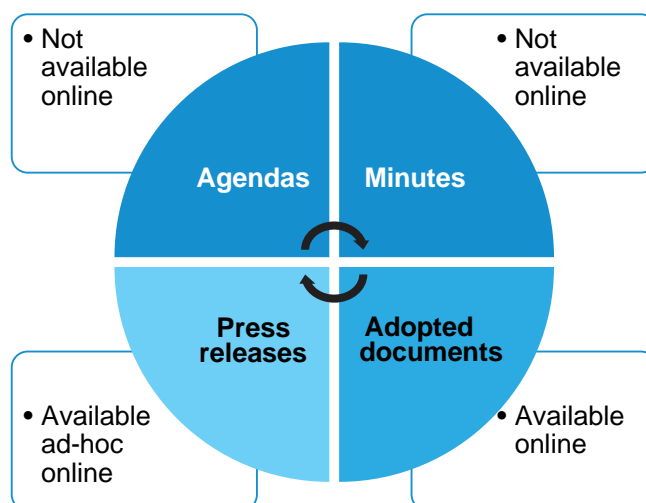
Note: Period of measurement 01 October-31 December 2017

Monitoring shows that the Government only partially makes documents from its sessions publicly available.[71] First, agendas of government sessions were not available online. The research team received them electronically following a FOI request received on 05.02.18. Minutes of government sessions were also not available online and apparently this is influenced by legal factors. On the basis of Article 17/2 "Trustworthiness and solidarity" of Law nr.9000, dated 30.01.2003, minutes of the CoM meetings have a confidential nature "Considerations, debates and reporting remain confidential".[72] However, as per article 22/1 of the same law, "Following every meeting of the CoM, the General Secretary drafts a final report with the general problem discussed, that becomes public". For the monitoring period, no such reports were to be found online. As a positive practice, adopted documents at the session were available online in a timely manner.[73] However, participant CSOs in the focus group discussion (FGD) pointed out to user-friendliness problems in accessing adopted documents in the government portal. Last, press releases were published online ad-hoc. Meetings of the CoM were not followed with a communication explaining or describing the decisions approved, but following particular sessions, press-releases (media-briefings) from Ministers or the Prime Minister were published (for 5 out of 15 government sessions held on the monitoring period).

How does Albania do in regional terms?

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71 0 points if the Government did not make documents publicly available; 1 if the Government partially made documents publicly available (at least two out of four types of documents published regularly); 2 if the Government made the documents fully publicly available (all four types of documents are published regularly)

72 FOI response from the CoM dated 05.02.2018.

73 Adopted decisions are accessible here: https://www.kryeministria.al/newsrooms/vkm/ Adopted draft-laws are accessible here: https://kryeministria.al/newsrooms/projekt-ligj/

Indicator P6 I1: Transparency of the Government's decision-making

For more information on regional results, please visit www.par-monitor.org.

Principle 10: The policy-making and legal-drafting process is evidence-based, and impact assessment is consistently used across ministries

WeBER indicator "Use of evidence created by think tanks, independent institutes and other CSOs in policy development"

In view of SIGMA's comprehensive assessment of this Principle, WeBER monitoring approach focuses on how the policy research and advice accrued outside of the administration, in the policy research community, is used to support evidence-based policymaking. This indicator is comprised of eight elements, as follows:

Indicator elements	Scores
Frequency of referencing of evidence-based findings produced by CSOs in the adopted government policy documents	4/4
Frequency of referencing of evidence-based findings produced by CSOs in policy papers and ex ante impact assessments	0/4
Share of evidence-based findings produced by wide range of CSOs, such as think tanks, independent institutes, locally-based organisations, referenced in ex post policy analyses and assessments of government institutions	0/2

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74 Conversion of points: 0-5 points = 0; 6-8 points = 1; 9-12 points = 2; 13-16 points =3; 17-19 points = 4; 20-24 points = 5.

Indicator elements	Scores
Relevant ministries or other government institutions invite or commission wide range of CSOs, such as think tanks, independent institutes, locally-based organisations, to prepare policy studies, papers or impact assessments for specific policy problems or proposals	1/2
Representatives of relevant ministries participate in policy dialogue (discussions, round tables, closed door meetings, etc.) pertaining to specific policy research products	1/2
Representatives of wide range of CSOs, such as think tanks, independent institutes, locally-based organisations are invited to participate in working groups/ task forces for drafting policy or legislative proposals when they have specific proposals and recommendations based on evidence	0/4
Relevant ministries in general provide feedback on the evidence-based proposals and recommendations of the wide range of CSOs, such as think tanks, independent institutes, locally-based organisations which have been accepted or rejected, justifying either action	0/2
Ministries accept CSOs' policy proposals in the work of working groups for developing policies and legislation	0/4
Total score	6/24
Indicator value (scale 0-5)[74]	1

Evidence-based policy making in Albania is still at an early stage of development and CSOs survey results outline a weak demand from public authorities and a general weak link between research and policy. The next section presents the results of 5 WeBER elements based on the responses of those CSOs that confirmed to produce proposals, recommendations, and other inputs for decision-making processes at the national level (N=48) with the last two years as a reference period.

First, 39% of surveyed CSOs (n=19) that produce inputs for the decision-making processes at the central level either agreed or strongly agreed that government institutions invite them to provide or prepare evidence-based policy documents when addressing policy problems or developing policy proposals. Some 21% (n=10) either disagreed or strongly disagreed.

Figure 9. Agreement with the statement "When addressing policy problems or developing policy proposals, government institutions invite my organization to prepare or submit policy papers, studies or impact assessments" (%)
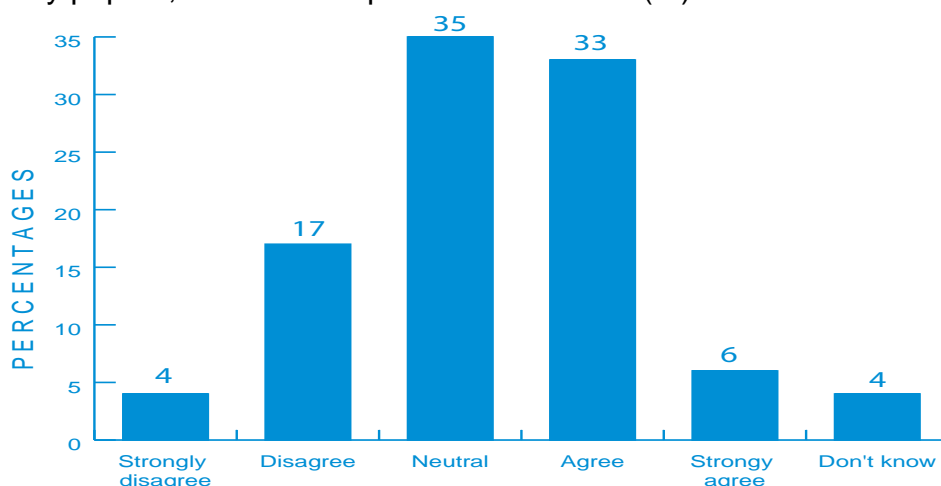
However, when asked on the practice of relevant ministries inviting their organization to participate in working groups/task forces for drafting policy or legislative proposals –when they have specific evidence-based proposals and recommendations – the proportion drops to 27% of surveyed CSOs (n=13) that produce inputs for the decision-making processes at the central level. 37% (n=18), on the other hand, answered that this happened either rarely or never to them.

Figure 10. Frequency of the statement "Relevant ministries invite my organization to participate in working groups/ task forces for drafting policy or legislative proposals, when we have specific evidence-based proposals and recommendations" (%)
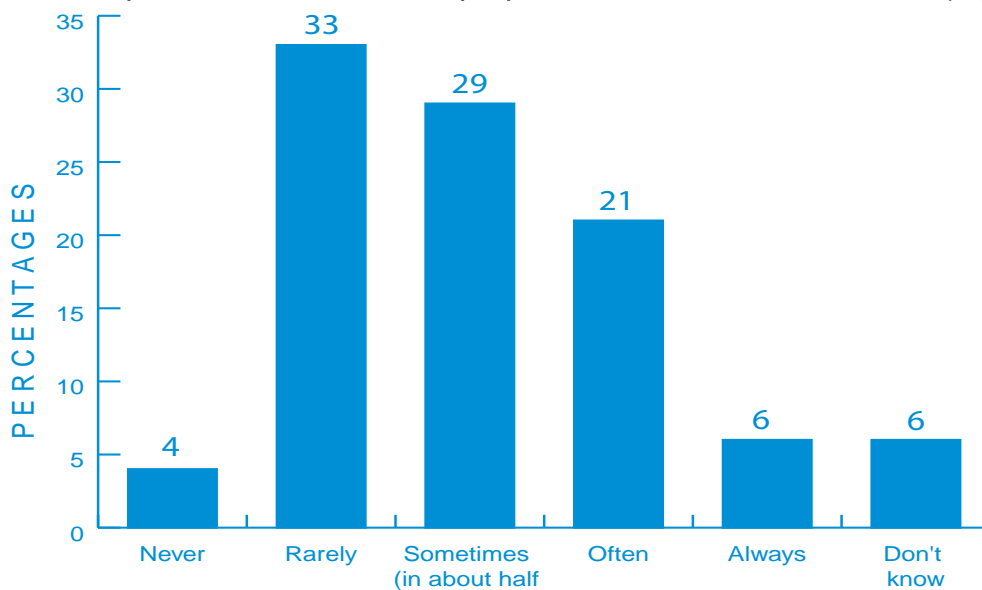
The perceptions turn more positive when asked on government's participation in CSOs' events. 39% (n=19) of surveyed CSOs stated that when invited by their organization, representatives of relevant government institutions either often or always participate in the events organized to promote their policy products. Some 25% (n=12) stated that this happened either rarely or never.

Figure 11. Frequency of the statement "When invited by my organization, representatives of relevant government institutions participate in the events organized to promote our policy products" (%)
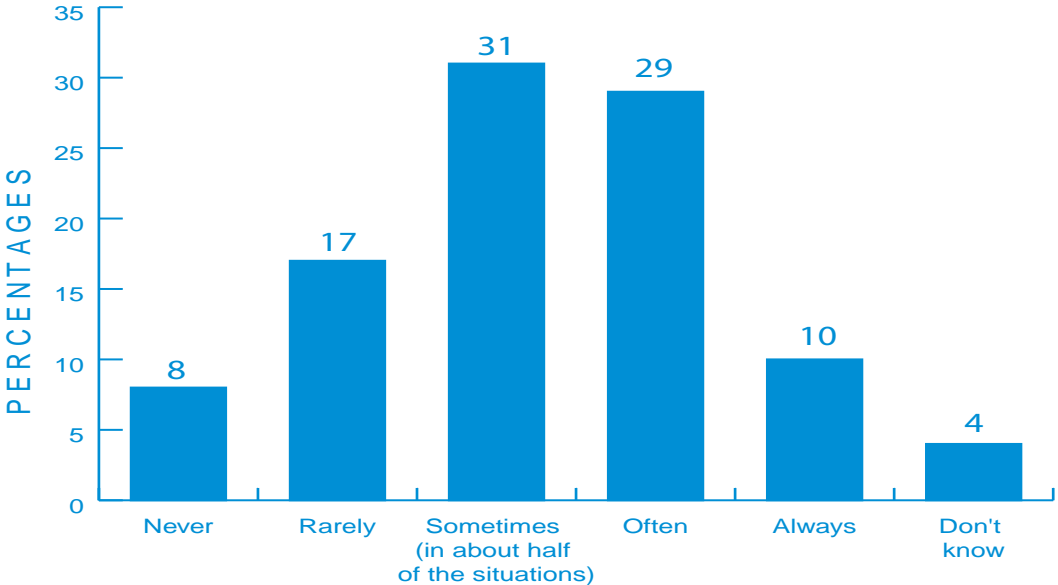
Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. Base: N=48

Nevertheless, this is contrasted with inadequate consideration and feedback from government authorities, as revealed by survey results. Only 13% (n=6) of surveyed CSOs stated that often relevant ministries provided feedback explaining the reasons on either the acceptance or rejection of evidence-based proposals and recommendations coming from their organization during the participation in the working groups. 29% (n=14) stated that this happened sometimes, whilst 46% (n=22) rarely or never. On the other hand, only 21% (n=10) stated that relevant ministries generally considered the policy proposals made by their organization either often or always.

Figure 12. Feedback and acceptance of evidence-based proposals and recommendations (%)
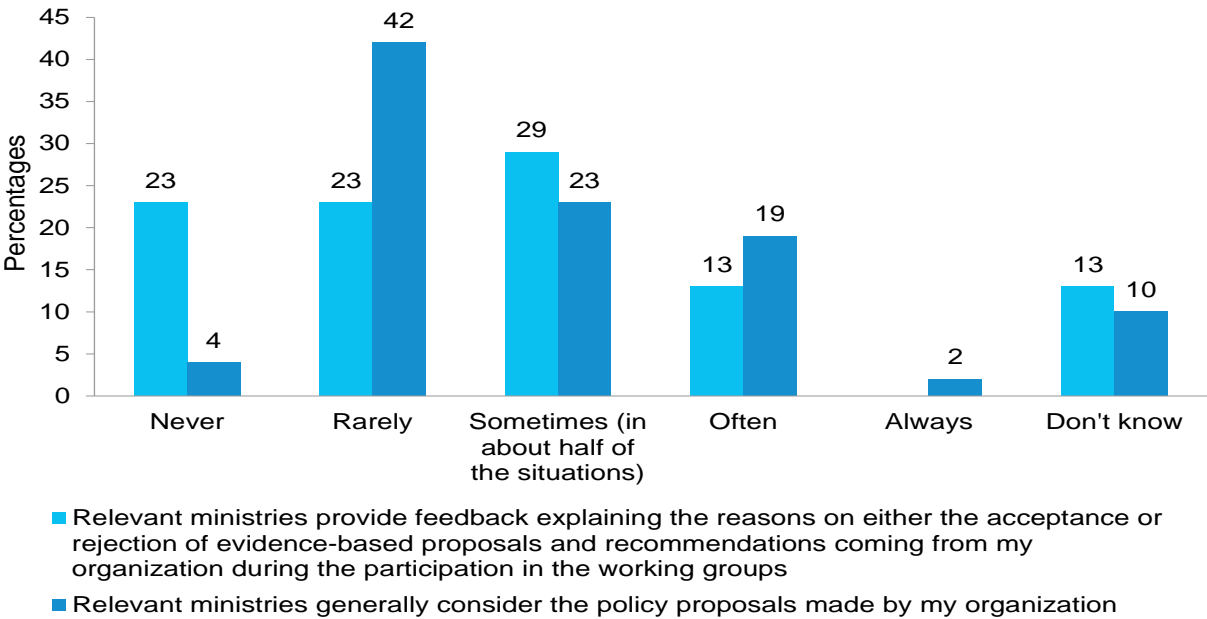
■ Relevant ministries provide feedback explaining the reasons on either the acceptance or rejection of evidence-based proposals and recommendations coming from my organization during the participation in the working groups

■ Relevant ministries generally consider the policy proposals made by my organization

The next WeBER element looks at the practice of referencing CSOs findings in adopted government policy and strategic documents – for three policy areas where a substantial number of CSOs actively work. A review of 13 strategies and action plans currently being implemented in three policy areas: anti-discrimination, social protection and anti-corruption, shows that ministries do use evidence provided by civil society when developing strategies and policy documents; Albania scores maximum points in this element. The average number of CSOs reports cited is 1.9 in an interval from 0 to 7 references. The policy field with most references is that of anti-discrimination. Below Table 6 presents the details from the assessment.

Table 5. Frequency of referencing evidence-based findings produced by CSOs in the adopted government policy documents

Policy area	Number of CSOs reports cited
Anti-discrimination	
National Strategy and Action Plan on Gender Equality 2016-2020	2
National Action Plan for the Integration of Roma and Egyptians 2016-2020	4
National Action Plan of Persons with Disabilities 2016-2020	4
National Action Plan for LGBTI Persons in Albania 2016-2020	1
National Agenda for Children's Rights 2017-2020	7
National Action Plan for Youth 2015-2020	1
Social protection	
Social Inclusion Policy Document for 2016-2020	3
National Strategy on Social Protection for 2015-2020	1
Social Housing Strategy 2016-2025	0
National Employment and Skills Strategy 2014-2020	0
Occupational Safety and Health Policy Document and its Action Plan 2016-2020	2
Anti-corruption	
Inter-sectoral Strategy against Corruption and its 2015-2017 Action Plan	0
Action Plan 2018-2020	0

However, this somewhat positive finding is overturned by 0 points in the next two el-

ements given the missing practice of conducting ex ante impact assessments and ex post analyses and assessments by government institutions in Albania (See the state of play for an overview). Moreover, FOI requests sent by IDM Albania to the Ministry of Health and Social Protection and Ministry of Justice did not receive an official response regarding their other policy documents produced for these policy areas in the last three years.[75]

How does Albania do in regional terms?

Indicator P10 I1: Use of evidence created by think tanks, independent institutes and other CSOs in policy development
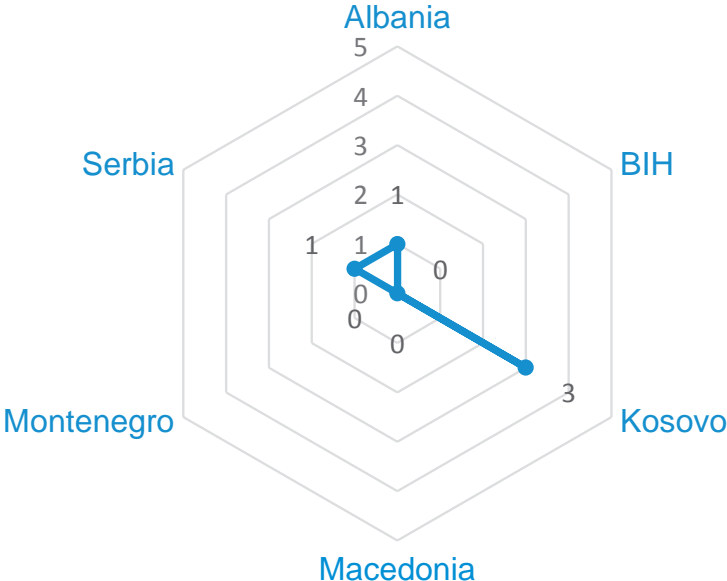
For more information on regional results, please visit www.par-monitor.org.

> **Principle 11:** Policies and legislation are designed in an inclusive manner that enables the active participation of society

WeBER indicator "Civil society perception of inclusiveness and openness of policymaking"

External consultation processes are the core focus of WeBER monitoring, which leaves out the internal (intra-governmental or cross-ministerial) coordination and consultation processes. The approach is fully perception-based, and perceptions are measured using an indicator with the following elements:

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75 Documents are not be found online for the three policy areas analyzed. Moreover, FOI requests sent on 16.05.18 to the Ministry of Health and Social Protection (Nr.Prot.03/05) and Ministry of Justice (Nr.Prot 02/05) did not receive an official response.

Indicator elements	Scores
CSOs consider formal consultation procedures create preconditions for effective inclusion of the public in the policy-making process	2/4
CSOs consider formal consultation procedures are applied consistently	0/4
CSOs consider that they are consulted at the early phases of the policy process	0/4
CSOs consider consultees are timely provided with information on the content of legislative or policy proposals	0/2
CSOs consider consultees are provided with adequate information on the content of legislative or policy proposals	0/2
CSOs consider public consultation procedures and mechanisms are consistently followed in the consultation processes	0/2
CSOs consider sponsoring ministries take actions to ensure that diversity of interests are represented in the consultation processes (women's groups, minority rights groups, trade unions, employers' associations, etc.).	0/2
CSOs consider ministries (sponsors of policy and legislative proposals) provide written feedback on consultees' inputs/comments	0/4
CSOs consider ministries (sponsors of policy and legislative proposals) accept consultees' inputs/comments	0/4
CSOs consider ministries (sponsors of policy and legislative proposals) hold constructive discussions on how the consultees' views have shaped and influenced policy and final decision of Government	0/2
Total score	2/30
Indicator value (scale 0-5)[76]	0

Albania scores a value of 0 under this WeBER indicator and survey results outline critical shortcomings in achieving qualitative consultation processes that enable a meaningful and inclusive participation of the public and civil society to the policy making process. Albania scores average points only in the first WeBER element, which assesses the necessary condition for qualitative policy-making –formal consultation procedures. However, even though 45% of surveyed CSOs agreed or strongly agreed that formal consultation procedures provide preconditions for an effective involvement in policy-making processes, only 19% of surveyed CSOs think that government institutions consistently apply formal consultation procedures when developing policies within their purview. The majority or half of the surveyed CSOs (50%) disagreed or strongly disagreed.

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76 Conversion of points: 0-6 points = 0; 7-10 points = 1; 11-15 points = 2; 16-20 points = 3; 21-24 points = 4; 25-30 points =5.

Figure 13. Statements on Consultation procedures (%)
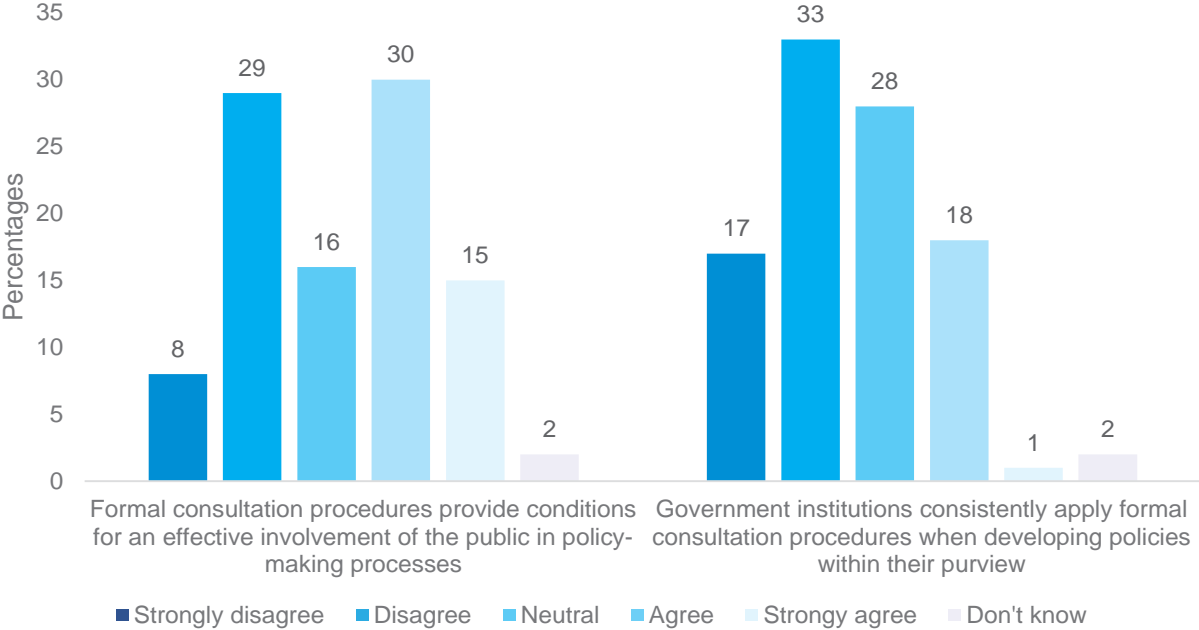
Formal consultation procedures provide conditions for an effective involvement of the public in policy-making processes: Strongly disagree 8, Disagree 29, Neutral 16, Agree 30, Strongly agree 15, Don't know 2

Government institutions consistently apply formal consultation procedures when developing policies within their purview: Strongly disagree 17, Disagree 33, Neutral 28, Agree 18, Strongly agree 1, Don't know 2

Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. Base: N=93

Furthermore, only 13% of surveyed CSOs stated that legally prescribed public consultation procedures and mechanisms are consistently followed in the consultation process either often or always. Some 27% of CSOs stated that this happens sometimes, while a greater proportion or 48% reported that this happens rarely or never.

Figure 14. Legally-prescribed public consultation procedures and mechanisms are consistently followed in the consultation processes (%)

Never 3, Rarely 45, Sometimes (in about half of the situations) 27, Often 12, Always 1, Don't know 12
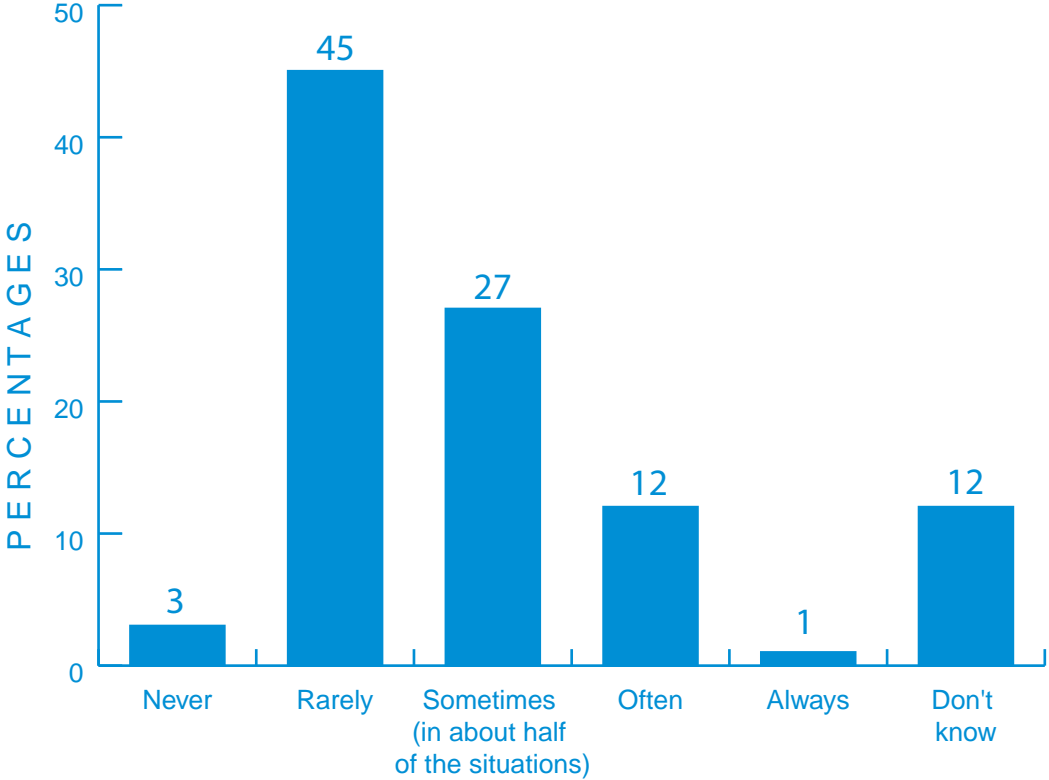
Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. Base: N=93

Turning to the quality of the consultation process, only 15% of surveyed CSOs agreed or strongly agreed that government institutions provide timely information on the content of legislative or policy proposals, whilst 14% that they provide adequate information. Furthermore, survey results raise concern on the inclusiveness of the consultation processes. Only 13% of surveyed CSOs reported that relevant ministries often ensure that diverse interest groups are represented in the public consultation processes. 31% of CSOs reported that this happened sometimes, while 52% or more than half stated that either rarely or never inclusiveness was taken care of. Additionally, the majority or 57% of surveyed CSOs reported that they are rarely or never consulted at the early phases of policy or legislative processes. These findings were also corroborated by the FGD with civil society organizations, where concerns were raised regarding public authorities involving CSOs in the consultation process only to meet the legally prescribed consultation criteria.

Table 6. Quality of the consultation process (%)

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	Don't know
Ministries provide timely information on the content of legislative or policy proposals	10	39	28	14	1	9
Ministries provide adequate information on the content of legislative or policy proposals	8	42	27	12	2	9

	Never	Rarely	Sometimes	Often	Always	Don't know
Relevant government institutions consult CSOs at the early phases of policy or legislative processes	11	46	31	9		3
Relevant ministries ensure that diverse interest groups are represented in the public consultation processes	9	43	31	13		4

Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. Base: N=93

Moving to the impact of consultation processes, only 12% of surveyed CSOs stated that relevant ministries provide written feedback to consultees on whether their inputs are accepted or rejected often or always. 57% or the vast majority stated that ministries rarely or never provide feedback. Furthermore, to a slightly lower proportion, 10% stated that relevant ministries accept the feedback coming from their organization.

Figure 15. Feedbacks in the consultation process (%)
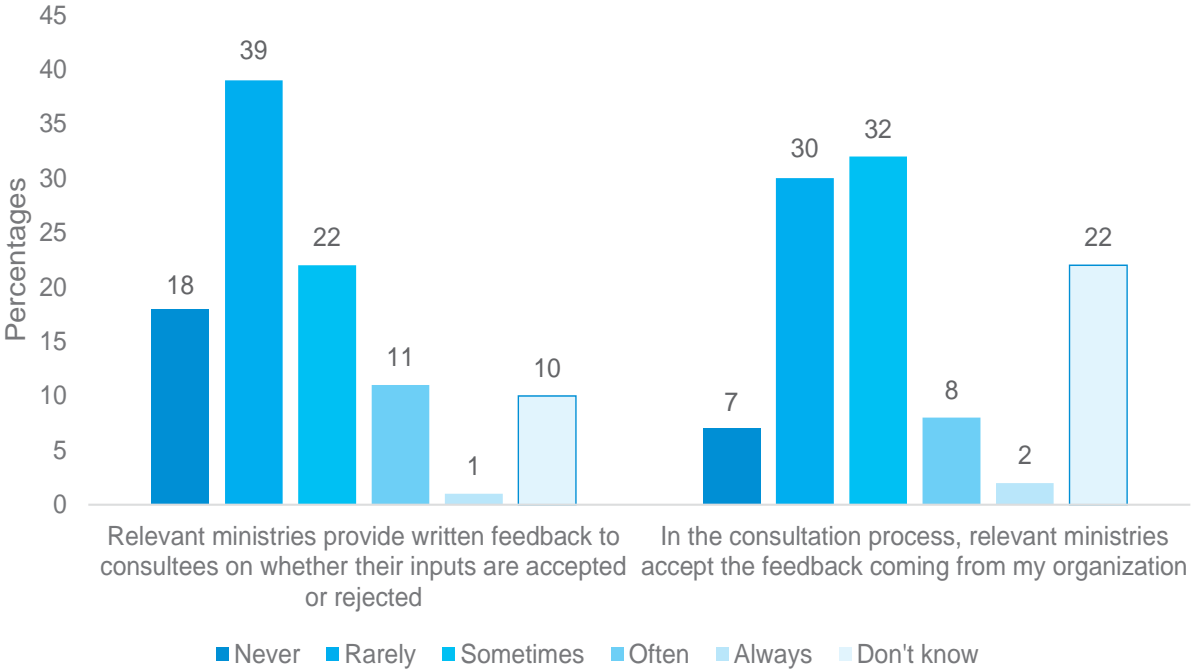
Never | Rarely | Sometimes | Often | Always | Don't know

Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. Base: N=93

How does Albania do in regional terms?

Indicator P11 I1: Extent to which CSOs confirm that consultation processes enable a meaningful and timely involvement/contribution of the public to the policy making process.
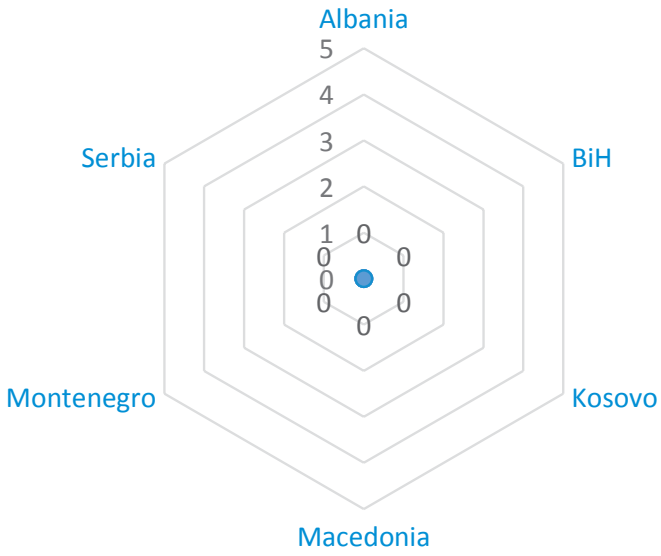
> **Principle 12:** Legislation is consistent in structure, style and language; legal drafting requirements are applied consistently across ministries; legislation is made publicly available

WeBER indicator "Perception of availability and accessibility of legislation and related explanatory material by civil society"

Under this principle, the focus is on the last statement i.e. whether legislation is made publicly available. In addition, it also looks at how available and citizen-friendly and easy to understand the various explanatory documents linked to legislation are. Hence, availability is also approached from the perspectives of ease of access and ease of understanding. The indicator has five elements in total, as follows:

Indicator elements	Scores
Existence of an online governmental database of legal texts	4/4
CSOs are informed on the existence of online database of legal texts	4/4
CSOs confirm they have used online database of legal texts	2/2
CSOs consider the explanatory materials relevant to the legislation as easily accessible online	2/4
CSOs consider the explanatory materials to be written so as to be easily understandable	1/2
Total score	13/16
Indicator value (scale 0-5)[77]	4

The Electronic Archive of Acts is the electronic database, that includes the texts of the official gazzettes and published acts in electronic format. The Archive is administered by the Official Publication Center, which is a legal person under the Ministry of Justice. Law No. 78/2014 "On the organization and functioning of the Official Publication Center" regulates its functioning.[78] The web page of the Official Publication Center includes: legal texts that can be used/downloaded free of charge; consolidated versions categorized as per fields, e.g there is the field "Public Administration and Civil Service"; updated laws and decisions available under the menu "Updated legislation"[79]; and, also available summaries of legislation and of codes.[80] However, consolidated versions are not legally binding and have an unofficial status. Regarding accessibility, links to the Official Gazzettes are less than three clicks away from the homepage, but since there is no search engine navigation is burdensome. As of April 2017, acts from the Official Gazzettes can also be accessed individually and not necessarily en bloc.

Moving to survey results, findings show that the vast majority of surveyed CSOs or 82% were informed about the government website where they can find and access a database of enacted legislation free of charge. Out of this proportion 88% had used

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77 Conversion of points: 0-3 points = 0; 4-5 points = 1; 6-8 points = 2; 9-11 points =3; 12-14 points = 4; 15-16 points = 5.

78 http://www.qbz.gov.al/Programi_transparences/Ligji%20per%20%20Qendren%20e%20Botimeve%20Zyrtare.pdf

79 http://www.qbz.gov.al/Ligje.pdf/Fusha.htm

80 http://www.qbz.gov.al/botime/permbledhese_new.htm and http://www.qbz.gov.al/botime/kode_new.htm

this website in the past two years. Turning to explanatory materials, 40% of surveyed CSOs either agreed or strongly agreed that they are easy to access, while 37% that they are easy to understand.

Table 7. Statements about the accessibility of Explanatory materials (%)

	Never	Rarely	Sometimes	Often	Always	Don't know
Explanatory materials relevant to existing legislation are easy to access.	11	46	31	9		3
The explanatory materials to the legislation are written in a manner and style, which makes them easy to understand.	9	43	31	13		4

Note: Explanatory materials refer to administrative guidance, documents, directives, interpretation bulletins or other rules that have practical impact but do not have the force of law. Due to rounding, percentages may not always appear to add up to 100%. N=92.

How does Albania do in regional terms?

Indicator P12 I1: Perception of availability and accessibility of legislation and related explanatory materials by civil society
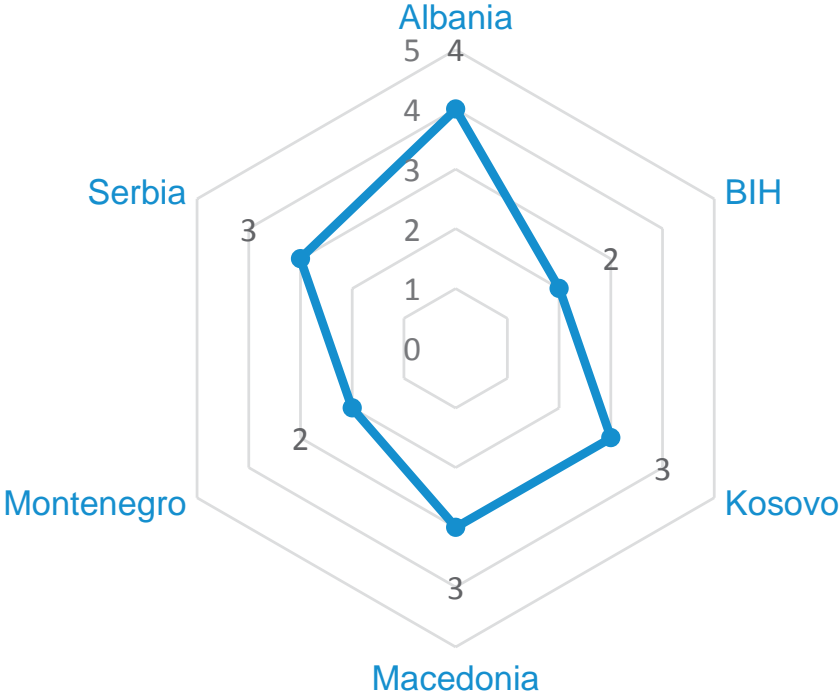
For more information on regional results, please visit www.par-monitor.org

III.4 Summary results and recommendations: Policy Development and Coordination

In the area of Policy development and coordination, WeBER monitors government actions towards informing the public on its performance, transparency of decision-making, use of external evidence when adopting and revising policies, and participation of the public and other stakeholders in consultation processes. The government fails to comprehensively disclose performance information to the public and has not established the practice of publishing annual reports on its performance, thus hampering public scrutiny. Moreover, the public availability of monitoring reports on central planning documents is also scarce. Only the Monitoring Report for the National Plan for European Integration (NPEI) was available online out of the three documents analyzed (Reference year: 2016). Survey results showed that CSOs are particularly critical with regard to the government's pursuit and achievement of its planned objectives; only 29% of surveyed CSOs agreed that there is a direct connection between the work plan of the government and actual developments in policy areas. Regarding government's reporting on its work, only 18% of surveyed CSOs agreed that the government regularly reports to the public on the progress in the achievement of the objectives set in its work-plan. Concerning mainstreaming of EU accession priorities, perceptions appear more positive. 37% of surveyed CSOs agreed that EU priorities were adequately integrated into the government's plans, albeit a lower proportion, 31%, agreed that government's reports incorporated adequate updates on the progress against the set of EU accession priorities.

The government only partially makes available documents from its sessions; agendas, minutes/reports with issues discussed are not available online, whilst press releases (media-briefings) are on available ad hoc. However, as a positive practice, adopted documents at the session are available in a timely manner. To this regard, only 15% of surveyed CSOs agreed that government's decision-making process is transparent.

Turning to evidence-based policy making, CSOs survey results outline a weak demand from public authorities and a general weak link between research and policy. 39% of surveyed CSOs that produce inputs for the decision-making processes at the central level agreed that government institutions invite them to provide or prepare evidence-based policy documents when addressing policy problems or developing policy proposals. But, this is contrasted with inadequate consideration and feedback from government authorities; only 13% of surveyed CSOs stated that it happened often that relevant ministries provided feedback explaining the reasons on either the acceptance or rejection of evidence-based proposals.

Regarding inclusive policy-making, survey results outline critical shortcomings in achieving qualitative consultation processes that enable a meaningful participation of the public and civil society to the policy making process and point towards problems in the implementation of the law on consultations. Even though 45% of surveyed CSOs agreed that formal consultation procedures provided the preconditions for an effective involvement in policy-making, only 19% reported that government institutions consistently applied consultation procedures when developing policies within their purview. Furthermore, only 13% of surveyed CSOs stated that legally prescribed public consul-

tation procedures and mechanisms are consistently followed in the consultation process either often or always. Moving to the impact of consultation processes, only 12% of surveyed CSOs stated that relevant ministries provide written feedback to consultees on whether their inputs are accepted or rejected either often or always. Furthermore, to a slightly lower proportion, 10% stated that relevant ministries accepted the feedback coming from their organization.

The Electronic Archive of Acts is the electronic database, that includes texts of the official gazzettes and published acts in electronic format. It includes legal texts that can be downloaded free of charge, consolidated versions categorized per fields, updated laws and decisions and summaries of legislation and of codes. However, consolidated versions are not legally binding and have an unofficial status. Moreover, accessibility is burdensome since there is no search engine navigation. As of April 2017, acts from the Official Gazzettes can also be accessed individually and not necessarily en bloc. The vast majority of surveyed CSOs or 82% were informed about the website. Out of this proportion, 88%, had used it in the past two years.

It is recommended that:
- The Government should establish the practice of publishing annual implementation reports, including assessments of the achievement of its results.
- The Government should make publicly available on its website the monitoring reports on its central planning documents.
- In order to increase the transparency of its decision-making, the Government should establish the practice of regularly publishing agendas, minutes (summary) and press-releases of its government sessions. Also, a user-friendlier interface is needed to increase the accessibility of adopted documents and to link together press releases with other materials, so that information from individual government session can be found and accessed on a single website location.
- Regulatory Impact Assessment (RIA) methodology should be institutionalized and implemented accordingly within the current policy-making system.
- Sponsoring ministries should strive to adequately reference evidence-based findings produced by CSOs in their adopted government policy documents, policy papers and other assessments.
- Sponsoring ministries should proactively and systematically provide feedback on the evidence-based proposals and recommendations coming by CSOs during the policy-making process.
- In order to enable actual impact on the content of policy-making and on policy processes, ministries and other public authorities organising public consultations should ensure a result-oriented participation instead of a process-oriented one.
- Ministries should publish annual plans regarding their decision-making process both on the institutional transparency programme available at their official website and on the e-consultation portal konsultimipublik.gov.al – as required by law 146/2014.
- Ministries should consistently use the e-consultation portal konsultimipublik.gov.al to publish all draft-acts that will be subject to public consultation. They should proactively promote the e-portal on their websites.
- Ministries should pursue timeliness in announcing public consultation processes and respect the deadlines set by the law 146/2014.
- Ministries should be accountable to the public with respect to their consultation

processes and report on the results of participation in public decision-making processes. Within January of every year, they should publish their Transparency reports of the decision-making process as required by the law 146/2014, with information on the number of acts approved, received feedback, accepted and refused recommendations and number of meetings conducted.

- In order to ensure the representation of diverse interests in the consultation processes, ministries should develop and maintain updated contact databases of external stakeholders that are active in their policy fields.
- Ministries should provide adequate attention to capacity building in public administration for conducting effective and efficient stakeholder engagement.
- Ministries should monitor the implementation of their participatory processes.

IV. Public Service and Human Resource Management

WeBER indicators used in Public Service and Human Resource Management and country values for Albania

P2 I1: Public availability of official data and reports about the civil service and employees in the central state administration

| 0 | 1 | **2** | 3 | 4 | 5 |

P2 I2: Performance of tasks characteristic for civil servants outside of the civil service merit-based regime

| 0 | 1 | **2** | 3 | 4 | 5 |

P3 I1: Openness, transparency and fairness of recruitment into the civil service

| 0 | 1 | **2** | 3 | 4 | 5 |

P4 I1: Direct or indirect political influence on senior managerial positions in the public service is prevented

| 0 | 1 | 2 | **3** | 4 | 5 |

P5 I1: Transparency, clarity and public availability of information on the civil service remuneration system

| 0 | 1 | 2 | **3** | 4 | 5 |

P7 I1: Effectiveness of measures for the promotion of integrity and prevention of corruption in the civil service

| 0 | 1 | **2** | 3 | 4 | 5 |

IV.1 State of Play in Public Service and Human Resource Management

"Civil service and Human Resource Management" represents the third pillar of the PAR Strategy[81] with the aim of developing a professional, impartial, independent and merit-based civil service. This goal is operationalized with 2 objectives: Improved capacities for the implementation of civil service legislation and facilitated enforcement procedures, and Organization of the civil service wage system based on job evaluation, annual achievements of civil servants and compulsory training outcomes.

Albania has adopted a regulatory framework largely in line with the Principles of PA,

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81 Approved with DCM No. 319, dated 15.4.2015.

particularly in terms of horizontal[82], vertical[83] and material[84] scopes of civil service, albeit certain shortcomings still remain. Unjustified exceptions in terms of horizontal scope exist in relation to some institutions subordinated to the Prime Minister and line ministries.[85] Whereas, exceptions to the vertical scope are also identified in some public institutions subordinated to ministries, where while the position is classified under Senior Civil Service, regulations provide for political appointment of the head of the institution.[86] Concerning Civil Servants, they are identified as Top-level Management Corps (TMC) and are recruited through a centralized pool-recruitment system and appointed afterwards from a pool of pre-selected candidates. Implementation thus far has revealed the some shortcomings, including: the impracticality of tailoring the recruitment process to its specific needs due to pooling, non-implementation of the main procedure for accessing senior civil service and the low number of eligible candidates.[87]

For a proper design and implementation of the HRM policy, it is of great importance that the responsible authorities have at their disposal complete and reliable data and information about existing human resources. In Albania, there have been efforts to develop Human Resource Management Information Systems (HRMIS) as of 2004[88], but in-full-force implementation has been notably slow. As noted by SIGMA (2017) this incomplete development of HRMIS, in turn, has hindered proper human resource planning, monitoring and homogeneous management.

Moving on to admissions to the civil service, Albania has a centralized system that includes pool recruitments – mainly driven by efforts to curb political influence over the process. As a result, in the latest SIGMA assessment (2017) the country received a score of 4 (on the scale 0-5) for the meritocracy and effectiveness of recruitment of civil servants. However, some problems remain, such as: limited capacity for staff planning, job descriptions not unified nor finalized, too few participating candidates and poor implementation of court decisions. SIGMA monitoring (2017) has also pointed out to the lack of a uniform, comprehensive legal framework for merit-based recruitment and dismissal of those public employees not covered by the civil service legislation.

Concerning remuneration, salary reform is yet pending. The main PAR Strategy had foreseen the development and approval of a policy document for the salary system in 2017, but this was carried over in the new Action Plan of the Strategy 2018-2020. In the meantime, the wage structure in place differs substantially from the one established in the civil service legislation; salary steps are not linked to individual performance and

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82 The horizontal scope contains at least the positions with public authority to exercise powers conferred by public law and with responsibility for safeguarding the general interests of the state or other public bodies.

83 The vertical scope clearly determines the upper and lower division line between political appointees, public servants and support staff.

84 The material scope establishes all general provisions relevant to the employment relations of public servants and management of public service

85 SIGMA Monitoring 2017

86 Ibid.

87 SIGMA (2017). SIGMA (2018). http://www.sigmaweb.org/publications/analysis-of-the-professionalisation-of-the-senior-civil-service-and-the-way-forward-for-the-western-balkans-sigma-paper-55-may-2018.pdf

88 This system was first developed in 2004 by the DoPA IT Department. By 2009, DoPA tried several times to put HRMIS into operation, however due to some issues, the only achievement was a pilot implementation in the city of Tirana.

continuous training, and as a result, vertical promotion is the only feasible option for improving salaries.[89] A general increase to base salaries and new salary supplements for specific job positions were introduced in 2017, but SIGMA (2017) highlighted that the salary supplements for specific job position posed a threat to the internal coherence and fairness of the system. Furthermore, this demonstrates the necessity for adopting a new salary structure.

Last, on integrity in public administration, the regulatory framework consist of the laws regulating conflicts of interest[90], declaration of assets[91], rules of ethics[92], integrity of persons elected or appointed to exercise public functions[93], and whistleblowing and whistleblower protection[94]. However, although the regulatory framework is complete, it remains complex and highly fragmented.[95] Moreover, the EC report (2018) has made direct reference to the overall lack of an integrity risk management system across public institutions against the backdrop of existing integrity-related legislation.

IV.2 What does WeBER monitor and how?

WeBER monitoring within the PSHRM area covers five SIGMA Principles and relates exclusively to central administration (centre of Government institutions, ministries, subordinated bodies and special organisations). In other words, monitoring encompasses central government civil service, as defined by the relevant legislation (primarily the Civil Service Law). The selected principles are those that focus on the quality and practical implementation of the civil service legal and policy frameworks, on measures related to merit-based recruitment, use of temporary engagements, transparency of the remuneration system, integrity and anti-corruption in the civil service. The WeBER approach is based on elements which SIGMA does not strongly focus on in its monitoring, but which are significant to the civil society from the perspective of transparency of the civil service system and government openness, or the public availability of data on the implementation of civil service policy.

The following SIGMA principles were selected for monitoring, in line with the WeBER selection criteria:

> **Principle 2:** The policy and leg al frameworks for a professional and coherent public service are established and applied in practice; the institutional setup enables consistent and effective human resource management practices across the public service.

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89 SIGMA (2017)

90 Law No. 9367, dated 7.04.2005, "On the Prevention of Conflicts of Interest in the Exercise of Public Functions", as amended

91 Law No. 9049, dated 10.04.2003, "On the Declaration and Audit of Assets, Financial Obligations of Elected Persons and Certain Public Officials", as amended

92 Law No. 9131, dated 08.09. 2003, "On the Rules of Ethics in the Public Administration"

93 Law No. 138/2015

94 Law 60/2016 "On whistleblowing and whistleblower protection".

95 As highlighted by SIGMA (2017).

> **Principle 3:** The recruitment of public servants is based on merit and equal treatment in all its phases; the criteria for demotion and termination of public servants are explicit.
>
> **Principle 4:** Direct or indirect political influence on senior managerial positions in the public service is prevented.
>
> **Principle 5:** The remuneration system of public servants is based on the job classification; it is fair and transparent.
>
> **Principle 7:** Measures for promoting integrity, preventing corruption and ensuring discipline in the public service are in place.

Monitoring combined the findings of SIGMA's assessment within specific sub-indicators with WeBER's expert review of legislation, documents and websites, including collection and analysis of government administrative data, reports and other documents searched for online or requested through freedom of information (FoI) requests. To create a more balanced qualitative and quantitative approach, research included the measuring of perceptions of civil servants, CSOs and the wider public by employing perception surveys. Finally, data collection included semi-structured face-to face-interviews and focus groups with relevant stakeholders such as senior civil servants, former senior civil servants and former candidates for jobs in civil service, as well as representatives of governmental institutions in charge of the human resource management policy.

Surveys of civil servants and CSOs in the six Western Balkan administrations were implemented using an online survey tool.[96] The civil servants' survey was in most administrations disseminated through a single contact point originating from national institutions responsible for the overall civil service system. The CSO survey was distributed through existing networks and platforms of civil society organisations with large contact databases, but also through centralised points of contact such as governmental offices in charge of cooperation with civil society. To ensure that the CSO survey targeted as many organisations as possible in terms of their type, geographical distribution, and activity areas, and hence contributed to is representativeness as much as possible, additional boosting was done where needed. Finally, the public perception survey included computer-assisted personal interviewing of the general public (aged 18 and older) of the Western Balkans region during the period of 15 October - 30 November 2017. In all three surveys, WeBER applied uniform questionnaires throughout the region and disseminated them in local languages, ensuring an even approach in survey implementation.

IV.3 WeBER Monitoring Results

Principle 2: The policy and legal frameworks for a professional and coherent public service are established and applied in practice; the institutional set-up enables consistent and effective human resource management practices across the public service
WeBER indicator "Public availability of official data and reports about the civil service and employees in central state administration"

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96 Refer to the methodological note in the end.

WeBER's approach to the measurement of this principle is concerned with the first part of the formulation of the principle. More specifically, the indicator measures public availability of official data and reports about the civil service and employees in central state administration. This indicator provides an in-depth view into the government reporting practices in the area of civil service. The specific elements that are analyzed as part of the indicator are as follows:

Indicator elements	Scores
The Government keeps reliable data pertaining to the public service	2/4
The Government regularly publishes basic official data pertaining to the public service	0/4
Published official data includes data on employees other than full-time civil servants in the central state administration	0/4
Published official data on public service is segregated based on gender and ethnic structure	0/2
Published official data is available in open data format(s)	0/1
The government comprehensively reports on the public service policy	4/4
The government regularly reports on the public service policy	2/2
Reports on the public service include substantiated information concerning the quality and/or outcomes of the public service work	1/2
Data and information about the public service are actively promoted to the public	1/2
Total score	10/25
Indicator value (scale 0-5)[97]	2

Albania scores average points in the first WeBER element assessing reliability of data pertaining to civil service. The element is measured using SIGMA's latest evaluation of the HRM information systems, done within the 2017 assessment.[98] SIGMA finds that the Human Resource Management Information System (HRMIS) for Albania continues to be at an initial stage of development, which hampers strategic human resource (HR) management of the civil service.[99] Although HRMIS expansion has been an important priority for a long time, full-scale implementation has lagged behind and remains yet to be finished. See the following table for the progress in populating the HRMIS in the past three years.

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97 Conversion of points: 0-5 points = 0; 6-9 points = 1; 10-13 points = 2; 14-17 points = 3; 18-21 points =4; 22-25 points =5.

98 As SIGMA performs a thorough on-site review of the official databases, the latest results provided by SIGMA are taken over for the purposes of this element. More specifically, the values of sub-indicator 7 of the indicator 3.2.1 - Adequacy of the policy, legal framework and institutional set-up for professional human resource management in public service – are taken.

99 Human Resource Management Information System (HRMIS) is a system built to assist DoPA and state institutions in the process of human resources management. This system was first developed in 2004 by the DoPA IT Department. By 2009, DoPA tried several times to put HRMIS into operation, however due to some issues, the only achievement was a pilot implementation in the city of Tirana.

Table 8. Progress in uploading positions and individual files of public employees in HRMIS

	2015	2016	2017
Institutions (added yearly)	No information available	330	550 (220 LGUs)
Employees (added)	45,000 (34,000 LGUs)	11,000	6,000

Sources: PAR Strategy Annual Monitoring Report 2015, 2016, 2017

Next, WeBER further analyses if the government regularly publishes basic official data on the number of civil servants. For this element and for the subsequent three elements, Albania scores 0 points since the government does not have an established practice and did not publish basic official data on the number of civil servants (per institution or type of institution and per rank/function in the civil service) in the last three years preceding the measurement 2014-2016.

However, the Department of Public Administration (DoPA) regularly reports on civil service policy, since the requirement for such reporting is stipulated by the civil service law; and annual reports on public service are available and easily accessible at the DoPA website.[100]

Moving to the next element, DoPA reporting is assessed as moderately comprehensive. The latest available report when the measurement was done, i.e DoPA Annual Report 2016, covered five out of seven key issues for public service – though at differing level of elaboration, namely: planning and recruitments[101], career development[102], trainings[103], disciplinary procedures and decisions[104] and integrity issues and measures.[105] Appraisals and salaries were not covered. As a rule, annual reports are usually structured around the main topics on which the Council of Ministers reports the objectives of the Government to the Parliament.

Looking at whether annual reporting includes more than just basic activity information, i.e. if they reflect on the outcomes and quality of work of the civil service, such efforts were identified in the DoPA Annual Report 2016, though not in a comprehensive and evidence-based manner. There were no data or evidence to support statements or findings from independent sources or substantiated information concerning the quality and/or outcomes of the public service work.[106]

The last element looks at whether the government engaged in any dissemination or

100 As per Article 6 of Law nr.152/2013, amended the CoM reports annually to the Parliament on the policies in public service and their implementation.

101 Pg. 11-19. The sections elaborated on the annual plan as per basic ranks of the civil service, the recruiting process including the number of competitions as per ranks, the number of applications received, data on the applicants, and data on the recruitments per rank.

102 Pg. 18. The section elaborates on the mobility in the public service.

103 Pg. 26-34.

104 Pg. 20-21. The section elaborates on the types of disciplinary measures.

105 Pg. 21-22.

106 Report included general statements on quality and outcomes

promotion of data and reports on civil service for 2016. Monitoring showed promotional efforts from DoPA, especially through using its social network pages.

WeBER indicator "Performance of tasks characteristic for civil servants outside of the civil service merit-based regime"

The second WeBER indicator targeting Principle 2 on policy and legal framework analyses the performance of tasks characteristic for civil service outside of the civil service merit-based regime. More specifically, it looks at the following individual elements:

Indicator elements	Scores
The number of temporary engagements for performance of tasks characteristic of civil service in the central state administration is limited by law.	0/4
There are specific criteria determined for the selection of individuals for temporary engagements in the state administration.	4/4
The hiring procedure for individuals engaged on temporary contracts is open and transparent.	2/4
Duration of temporary engagement contracts is limited.	0/4
Civil servants perceive that temporary engagements in the administration are an exception.	1/2
Civil servants perceive that performance of tasks characteristic of civil service by individuals hired on a temporary basis is an exception.	1/2
Civil servants perceive that appointments on a temporary basis in the administration are merit-based.	1/2
Civil servants perceive that the formal rules for appointments on a temporary basis are applied in practice.	1/2
Civil servants perceive that individuals hired on a temporary basis go on to become civil servants after their contracts end.	1/2
Civil servants perceive that contracts for temporary engagements are extended to more than one year.	1/2
Total score	12/28
Indicator value (scale 0-5)[107]	2

An important part of human resource management in civil service relates to temporary forms of employment that deviate from the standard civil service regime, which is normally subject to merit-based criteria, hence hindering the merit principle. In central governance units of public administration in Albania, to this regard there is a two-track regime that includes "employees with temporary employment contracts" and "external experts".

Employees and trainees/interns, other than civil servants, can be employed temporarily at the units of the central government for up to 1 year. DoCM no.60 dated 31.01.2018[108] defined the total number of employees with a temporary work contract for the year 2018 and the respective number of vacancies for each institution. The Labor Code of

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107 Conversion of points: 0-4 points = 0; 5-9 points = 1; 10-14 points = 2; 15-19 points =3; 20-24 points =4; 25-28 points = 5.

108 DoCM no.60 dated 31.01.2018 "On the determination of the number of employees with temporary working contracts for the year 2018 in the central government units"

the Republic of Albania regulates their labour relations.[109]

On the other hand, external experts are contracted based on a particular procedure defined in the public procurement (PP) law in force.[110] According the definition in the PP law, "Consultancy contracts" are contracts for services of intellectual and advisory nature. For temporary and complex works that require an inter-sectorial approach, working groups may be established, composed by civil servants of line ministries or depended institutions and external experts.[111]

The first WeBER element looks at statutory limits on the number or percentage of temporary engagements. Regarding employees with temporary employment contracts, there are only soft limits on such engagements regulated through a decision passed by the Council of Ministers that gets changed several times a year based on emerging needs, so it cannot be considered a limiting regulation. See Table 10 for an overview of temporary engagements since 2014. On the other hand, regarding consultancy contracts, the public administration and public procurement legislation does not foresee a limit.[112]

Table 9. Employees with temporary contracts

Year	2014	2015	2016	2017	2018
Total initial number planned	541	923	1723	2225	1752
1st change	610	1518	1751	2270	1789
2nd change	756	2046	2181	2389	1989
3rd change	865	2053	2196		1995
4th change	887	2060	2207		
5th change	907		2210		
Total final number	911	2260	2410	2401	

The next WeBER elements look at further limitations and rules in relation to temporary engagements. Duration of temporary engagement is effectively limited for employees with a temporary employment contract. The general timeframe is 1 year but for specific jobs it varies from 4 months to 6 months. Alternatively, the public administration and public procurement legislation do not foresee a specific duration for expert work. It is the public contracting authority in its public procurement order that defines the consultancy service and duration of the work contract. However, the renewal of the consultancy contract is not foreseen – expect for the possibility of its extension with relevant clarifications.

Regarding the criteria for selection of temporary employees, for employees with temporary employment contracts, there are no additional criteria or additional recruitment

109 Law no. 7961/1995 "Labor Code of the Republic of Albania", amended

110 Law no. 9643, dated 20.11.2006 "On public procurement", amended

111 In case of the Council of Ministers administration - article 12 of the law no 9000/2003.

112 Articles 16 and 18 of the law no. 90/2012 Law no. 90/2012 "On the organization and functioning of state administration"

procedures for the applicants but every government institution announces the criteria and the procedures for its job positions. For external experts, the respective public authority drafts and approves the Terms of Reference (ToR) for the specific expertise, which include requirements, specific criteria and duties/competences. ToRs are drafted taking in consideration the criteria for a technical evaluation of the candidates foreseen in the DoCM no.914 dated 29.12.2014 "For the approval of public procurement regulations"[113], as following: the consultant experience, the quality of the proposed methodology, the qualifications of the main staff proposed if required, the transfer of knowledge. These criteria are defined by the public contracting authority and are not similar to those for civil service recruitment.

The respective contracting authority: drafts the estimation of the costs for the consultancy; issues the order of public procurement; issues the order for the establishment of the Offer Evaluation Commission, for this consultancy service The Public Procurement Agency publishes the calls for consultancy services in compliance with the regulations foreseen in the PP law. The selection process of the experts is conducted based on the technical and financial offers of the qualified candidate. The Offer Evaluation Commission evaluates the technical offers based on the technical criteria applying an evaluation scheme defined in the PP law.

The next 6 WeBER elements use the results from the civil servants survey and Albania fares average on all of them. First of all, slightly more than a third or 32% of surveyed civil servants stated that formal rules for hiring people on a temporary basis are applied in practice often or always, while 20% of them stated that this happens rarely or never. Still, this question has the highest proportion of don't know/don't want to answer responses - 41%. It is plausible that respondents found this question difficult to respond to due to low awareness on such formal rules.

Figure 16. Agreement with the statement "The formal rules for hiring people on a temporary basis are applied in practice" (%)
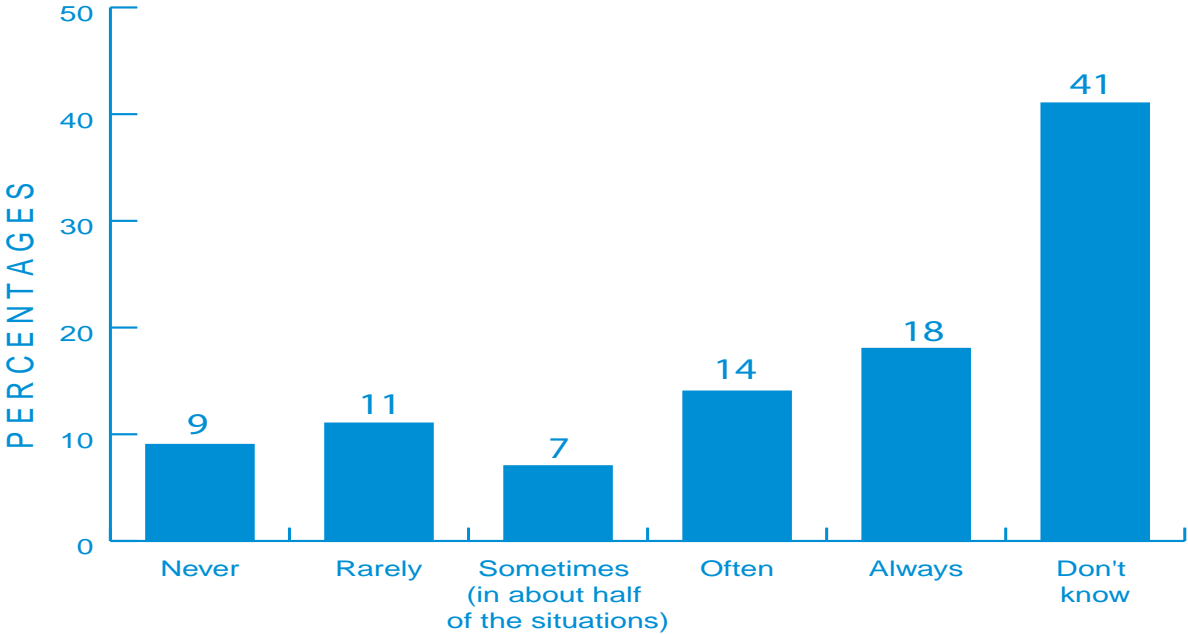
Note: Due to rounding, percentages may not always appear to add up to 100%. Base: N=990

113 http://www.app.gov.al/GetData/DownloadDoc?documentId=e4edf644-dbeb-4c09-a4f5-84498f06f981

The proportions of don't know/don't want to answer responses for the other statements on temporary hiring ranged from 27% to 37%. 43% of surveyed civil servants reported that people hired on a temporary basis are often or always selected based on their qualification and skills. 21% stated that often or always they perform tasks that should be normally performed by civil servants. 20% stated that often or always individuals go on to become civil servants after their temporary engagement. 9% stated that this happen sometimes, while other 34% stated that this happens rarely or never.

Table 11 Perceptions of civil servants on temporary hiring practices (%)

	Never	Rarely	Sometimes	Often	Always	Don't know
When people are hired on a temporary basis, they are selected based on qualifications and skills	15	12	5	13	20	35
Individuals who are hired on a temporary basis perform tasks which should normally be performed by civil servants	25	20	8	12	9	27
Such contracts get extended to more than one year	30	15	7	11	4	34
Individuals hired on a temporary basis go on to become civil servants after their temporary engagements	19	15	9	13	7	37

Note: Due to rounding, percentages may not always appear to add up to 100%. Base: N=990

How does Albania do in regional terms?

Indicator P2 I1: Public availability of official data and reports about civil service and employees in central state administration
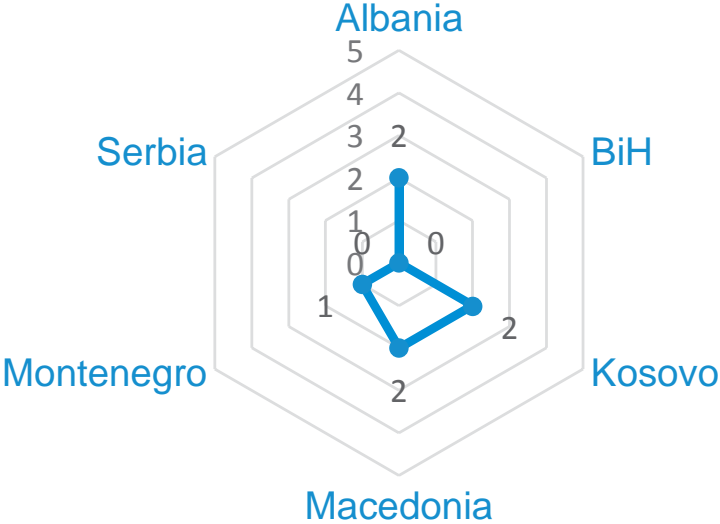
For more information on regional results, please visit www.par-monitor.org

Indicator P2 I2: Performance of tasks characteristic for civil service outside of the civil service merit-based regime

Albania
5
4
3 2
2
Serbia   BiH
1 1   1
0
1   1
1
Montenegro   Kosovo

Macedonia

[
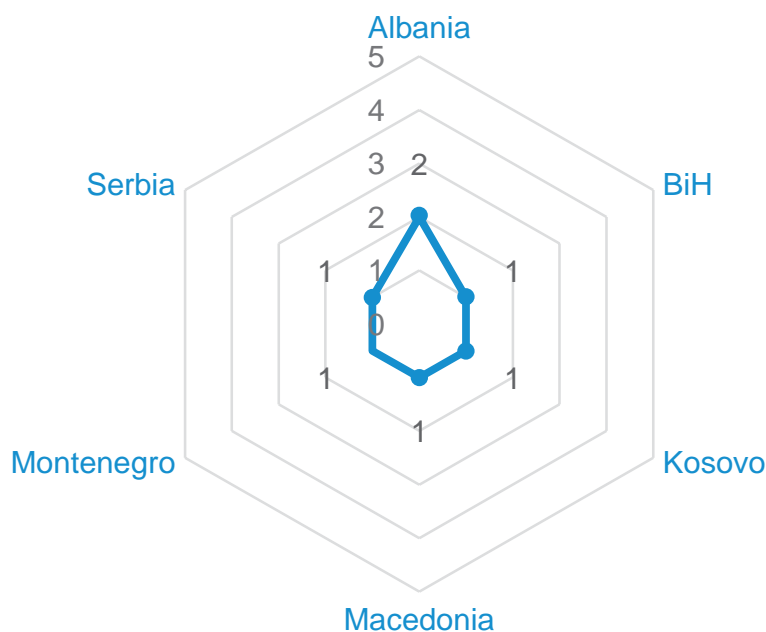
For more information on regional results, please visit www.par-monitor.org

Principle 3: The recruitment of public servants is based on merit and equal treatment in all its phases; the criteria for demotion and termination of public servants are explicit;

WeBER Indicator "Openness, transparency and fairness of recruitment into the civil service"

Regarding recruitment of civil servants, WeBER monitors the openness, transparency and fairness of recruitment into the civil service. Therefore, the focus is on external recruitment (i.e. public competitions for vacancies), rather than on internal mobility procedures, which are often based on internal competitive procedures. The individual elements that the indicator analyses are as follows:

Indicator elements	Scores
Information about public competitions is made broadly publicly available	2/4
Public competition announcements are written in a simple, clear and understandable language	4/4
During the public competition procedure, interested candidates can request and obtain clarifications, which are made publicly available	0/4
There are no unreasonable barriers for external candidates which make public competitions more easily accessible to internal candidates	2/2
The application procedure imposes minimum administrative and paperwork burden on candidates	0/4
Candidates are allowed and invited to supplement missing documentation within a reasonable timeframe	0/4
Decisions and reasoning of the selection panels are made publicly available, with due respect to the protection of personal information	4/4

Indicator elements	Scores
Information about annulled announcements is made publicly available, with reasoning provided	0/4
Civil servants perceive the recruitments into the civil service as based on merit	1/2
Civil servants perceive the recruitment procedure to ensure equal opportunity	2/2
The public perceives the recruitments done through the public competition process as based on merit	1/2
Total score	16/36
Indicator value (scale 0-5)[114]	2

Public competitions (vacancy announcements) for civil service jobs[115] are required to be disseminated using two single-point nation-wide channels: the official website of DoPA and the portal "National Employment Service (NES)".[116] DoPA is responsible for the electronic publication of vacancy announcements and for the candidates' electronic application on its official website. NES is only responsible for the electronic publication of announcements, as one of the services offered on the portal "NES".[117] Furthermore, the regulatory framework in force allows institutions to use alternative ways of publishing announcements[118], in addition to the afore-mentioned mandatory ways.[119]

The announcement of any admission procedures shall be published at least 35 calendar days before the date foreseen for the competition[120] and remains published until the end of the procedure.[121] For 2018, DoPA started recruitment procedures in February[122], then in May[123] and July.[124]

Review of a sample of 5 vacancy announcements showed that the announcements

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114 Conversion of points: 0-6 points = 0; 7-12 points = 1; 13-18 points = 2; 19-24 points = 3; 25-30 points =4; 31-36 points = 5.

115 This includes state administration institutions.

116 The Council of Ministers approves the detailed rules for the admission procedure and evaluation of candidates (Article 22 of CSL). For institutions of the state administration, the announcement of public competitions for every group of positions in the executive category (1-the group of general administrative positions, that includes positions with administrative duties applicable across all institutions of the civil service and that require general administrative knowledge; 2-the group of special administrative positions, that includes positions with specific duties applicable across some institutions of the civil service and that require special knowledge of a particular profession - Article 19/8 of CSL) is published in the official website of DoPA and in the portal "National Employment Service".

117 Chapter VIII of DoCM no. 243 dated 18.03.2015.

118 As deemed appropriate by them and as recognized by the legislation in force.

119 Article 7 of Chapter II of DoCM no. 243 dated 18.03.2015.

120 Article 8 of Chapter II of DoCM no. 243 dated 18.03.2015.

121 Article 5 of Chapter II of DoCM no. 243 dated 18.03.2015.

122 http://dap.gov.al/dap/buleti-javor/190-buletini-mujor-shkurt-2018

123 http://dap.gov.al/dap/buleti-javor/203-buletini-mujor-mars-2020

124 http://dap.gov.al/dap/buleti-javor/206-buletini-mujor-korrik-2018

were published on the website of DoPA[125] and NES[126]. NES has only active announcements available (that direct you automatically to DoPA's website). Only 2 out of 5 announcements were also published in the Facebook page of DoPA.[127] Albania did not receive maximum points for this element, since broad public availability (as described in the WeBER methodology) requires publication through at least 3 different means of advertising.

Sample of 5 announcements for lateral transfers/admission to the civil service in the executive/specialist category

Announcement #1591 Type of diploma "Economic sciences/Law/Exact sciences", minimum requirement "Professional master" - Category IV-A

Announcement #1629 Type of diploma "Archivist", minimum requirement "Professional master" - Category IV-B

Announcement #1675 Type of diploma "Economic sciences/Law/Political sciences/IR/European Studies", minimum requirement "Master of Science" - Category III-B & IV-A

Announcement #1678 Type of diploma "Law", minimum requirement "Master of Science" - Category III-B

Announcement #1679 Type of diploma "Law", minimum requirement "Master of Science" - Category III-B & IV-A

As per the regulatory requirements, any public competition announcement shall contain the following information:[128] a) Main field on which the competition will be based, as well as the skills and qualities that will evaluated in the competition; b) Stages of the competition; c) Number of planned places to be filled; ç) General requirements in accordance with Article 21 of CSL that include Albanian citizenship, full legal capacity to act, proficiency in spoken and written Albanian, appropriate health condition to carry out the respective duties, a clean criminal record whereby the candidate has not been sentenced by a final court decision for a crime or for a criminal contravention committed by intention, not having been dismissed from the civil service as a disciplinary sanction that has not been deleted in accordance with this law, fulfillment of the specific criteria related to education, experience and others for the respective category, class, group and position); d) General job description of general administrative positions/special administrative positions; dh) Specific requirements for the general administrative positions /special administrative positions; e) Documents to be submitted and their way of submission; ë) Deadline for application; f) Date of publishing the results for the preliminary verification of candidates; g) Manner of evaluating the candidates at the stage of the preliminary verification, as well as in the evaluation phase of candidates; gj) Ways of notification and communication with candidates.

125 http://dap.gov.al/?option=com_content&view=article&id=5

126 http://shkp.gov.al/departamenti-i-administrates-publike/

127 DoPA FB page (here: https://www.facebook.com/DepartamentiAdministratesPublikeDAP/) has over 11k likes. Announcement #1675 was published on 22 March 2018, Announcement #1679 on 20 March 2018.

128 Article 9 of Chapter II of DoCM no. 243 dated 18.03.2015.

The review of the sample of vacancy announcements showed that public competition announcements follow a standardized model in structure and are written in a simple, clear and understandable language.

The announcements start with a general job description of the position. For external candidates, Paragraph 2.1 "Requirements and specific requirements" lists general requirements[129] and specific requirements.[130] For the sample reviewed, specific requirements ranged from: requirements on the level and type of education, professional experience to foreign language proficiency. However, regarding work experience, announcement #1675 did not specify the minimum years of professional experience required. Regarding foreign language proficiency, whilst announcements #1591, #1678 and #1679 required good knowledge of English, announcement #1678 required very good knowledge of English. However, there were no explanations on how these assessments of language proficiency are converted in standardized tests of English.

Paragraph 2.2 "Documentation, ways and deadline of submission" lists required documents, ways of submission and deadline.[131] Required documents were standardized for the sample and included:

1. A CV (There was a link to download the CV template and also tips provided to better fill in the CV)[132]
2. Photocopy of the diplomas (including the Bachelor degree/or recognition and equivalence of a foreign diploma)
3. Photocopy of the workbook
4. Photocopy of Identity Card (ID)
5. Medical certificate of good health
6. Self-declaration of criminal conviction status
7. Any other documentation that certifies the trainings, qualifications, additional education, or other positive assessments mentioned in the CV

Application is online with link provided.[133] Application deadline was highlighted in red. Paragraph 2.3 "Results on preliminary verification" specified the date when DoPA and NES will publish the list of qualified candidates passing the verification phase and the time and place of the written exam and interview. It is specified that non-qualified candidates would be contacted electronically by DoPA on the same date on the reasons behind their disqualification.

Paragraph 2.4 "Fields of knowledge, skills and qualities on which the exam and interview will be based" listed in bullet points the knowledge needed for the written exam and for the interview separately. However, for all the 5 announcements the knowledge needed for the interview was unified and generic. It included a) Knowledge, skills, competences with respect to general job description for the positions; b) Previous experience; c) Aspirations and career expectations.

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129 Under point ç of Article 9 of Chapter II of DoCM no. 243 dated 18.03.2015 above.

130 Point dh ibid.

131 Points e and ë of Article 9 of Chapter II of DoCM no. 243 dated 18.03.2015 above.

132 http://www.dap.gov.al/legjislacioni/udhezime-manuale/60-jeteshkrimi-standard

133 http://hrm.gov.al/Regjistrohu.aspx

Paragraph 2.5 "Way of assessing candidates" described the structure of appointing points (in total 100). Also a link to the Instruction of DoPA was provided to access the detailed methodology. Paragraph 2.6 "Date of results of the competition and way of communicating them" explained that the winner is announced publicly in the website of DoPA and NES and that all candidates are notified individually via their e-mail for the results.

As a good practice, DoPA has introduced user-friendly approaches that assist applicants to successfully apply for jobs in public administration through producing several video tutorials explaining the application and selection procedure in detail and in a simple manner. The tutorials are available on the website of DoPA but not in the body of the calls.[134]

Moving to the next WeBER element, there is no established practice of collecting and providing additional information and clarifications for individual public competition procedures (apart from the complaint procedure), which would be available to all interested candidates, thus ensuring that all candidates are treated equally and provided the same information.

As specified in the methodology, there are no unreasonable barriers for external candidates, which would make public competitions more easily accessible to internal candidates. Review of the 5 announcements from the sample did not show any discriminatory requirements that were a special burden for external candidates.

The public competition procedure for recruitment in the civil service is held in two phases:[135] 1) Preliminary verification, which aims to verify if candidates fulfill the general and specific criteria; and 2) Evaluation of the candidates, which consists in three components: a) evaluation of the personal CV; b) a written test and, c) a structured interview. Looking specifically at how burdensome the application procedure is in terms of the documents that need to be submitted, Albania does not satisfy the requirements to receive any points in this WeBER element. The application process is organised in one phase, with all documents to be obtained and submitted by the candidate upfront and there are more than five different types of documents to be submitted, as follows:

a- A CV
b- Photocopy of the diplomas (including the Bachelor degree/or recognition and equivalence of a foreign diploma)
c- Photocopy of the workbook
d- Photocopy of Identity Card (ID)
e- Medical certificate of good health
f- Self-declaration of criminal conviction status
g- Any other documentation that certifies the trainings, qualifications, additional education, or other positive assessments mentioned in the CV

WeBER monitoring showed that it is currently not possible in any country in the region

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134 http://dap.gov.al/vende-vakante/si-te-aplikoni. Video tutorials: Admission to the civil service Creating an account, uploading and applying.

135 Chapter IV of the DoCM no. 243, dated 18.01.2015

to provide only an application form or CV with appropriate information and statements in the first phase and submit proofs at a later stage (for example, once candidates are shortlisted for the subsequent application phases).

The current regulatory framework does not allow candidates to supplement missing documentation in the application procedure, but rather stipulates that incomplete applications will be automatically dismissed. The preliminary verification phase of the competition procedure intends to verity if candidates fulfill the announced criteria based on submitted documents. The non-qualified candidates are listed in a special list with respective explanations for their non-qualification. This list is not published online but applicants are notified individually. Within 5 days candidates may submit a complaint for their non-qualification to the responsible unit.[136]

Albania gets the maximum points in this WeBER element regarding the transparency of the decisions of selection committees in the recruitment procedures. A list with the names of the qualified candidates of the verification phase[137] and the winning list with the respective ranking and scores at the end of the competition are published on the DoPA website and NES portal. The review of the sample of 5 vacancy announcements confirmed this practice.

However, when further analysing the transparency of the outcome of the selection process, i.e. if information and reasoning is published when public announcements are annulled, Albania scores 0 in this element. Firstly, the legislation in force foresees only one case with no winners in a competition process in the civil service. If at the end of the process no one from the candidates has achieved more than 70 out of 100 points, the selection committee decides the closure of the evaluation phase without a selection of candidates. The responsible unit makes the announcement and publishes it on the website of DoPA and NES. In such case with no winners or winners with less than 70 points, the responsible unit reopens the procedure for admission within 5 days from the termination of the complaint process.[138] This practice was verified in practice through reviewing the DoPA website. However, in response to a FOI request[139], DoPA stated that for the period June 2016-May 2018, 7 public announcements were annulled for a variety of reasons ranging from essential irregularities found during the competition process, civil servants who have obtained the right of return to their previous position by a final court decision, the fact that the job position had undergone significant changes in the specific criteria and job descriptions to the changing of the structure of the state administration institution. No online evidence was found on the annulled competitions.

Turning to civil servants perception of meritocracy in the recruitment process at their institution, there appears a positive perception among Albanian civil servants where the majority or 64% of surveyed civil servants either agreed or strongly agreed that civil servants are recruited on the basis of qualifications and skills. However, when the

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136 Chapter IV of the DoCM no. 243, dated 18.01.2015.

137 The Committee lists the qualified candidates with more than 70 points (the total points are 100). Candidates with less than 70 points are listed in another particular list, which is not published, and they are notified individually.

138 Chapter IV/20 of the DoCM no. 243 dated 18.03.2015 and Chapter II/ 32-33 of the DoCM no. 242, date 18.3.2015.

139 FOI received by DoPA on 02.02.2018

question is inversed, i.e. when asked if it is necessary to have personal and political connections to get a civil service job in their institution, 44% of surveyed civil servants disagreed or strongly disagreed, while 20% neither disagreed nor agreed.

Table 10. Agreement with statements on the meritocracy of recruitment in the civil service (%)

	Strongly disagree	Disagree	Neither disagree nor agree	Agree	Strongly agree	Don't know/
Civil servants in my institution are recruited on the basis of qualifications and skills	8	11	15	38	26	4
To get a civil service job in my institution, one needs to have connections	18	26	20	18	12	6

Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%.
Base: N=1116

Furthermore, there appears to exist a perception gap between civil servants and the average Albanian citizens. Whilst 64% of surveyed civil servants think that civil servants are recruited on the basis of qualifications and skills, only 35% of the Albanian citizens hold the same opinion. 51% or more than half of the public disagreed or strongly disagreed that there is meritocracy in the recruitment in the civil service. Negative perceptions on the recruitment procedure may impact the interest of potential candidates for pursuing careers in the civil service.

Figure 17. Public perception - Public servants are recruited through public competitions based on merit (%)
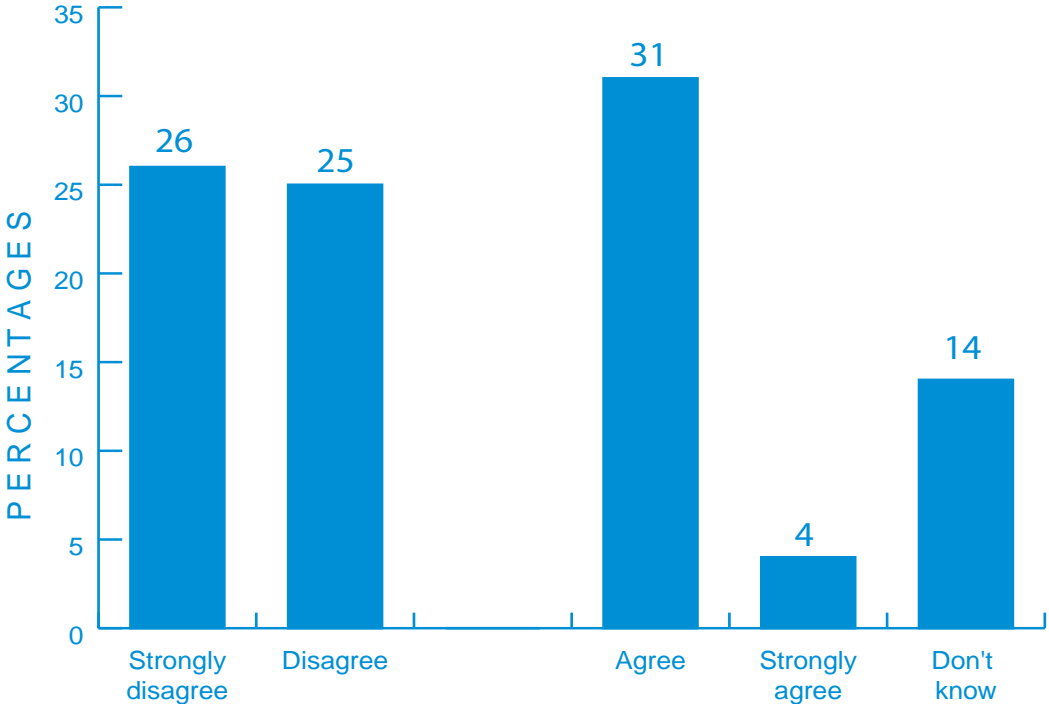
Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%.
Base: N=1013

In general, there is a positive perception among civil servants that potential candidates are treated equally, regardless of gender, ethnicity or another personal trait that could be basis for unfair discrimination, and as a result Albania gets maximum points in this element. 68% of surveyed civil servants either agreed or strongly agreed that in the recruitment process all civil servants are treated equally, whereas only 13% disagreed or strongly disagreed.

Figure 18. Agreement with the statement "In the recruitment procedure for civil servants in my institution all candidates are treated equally" (%)
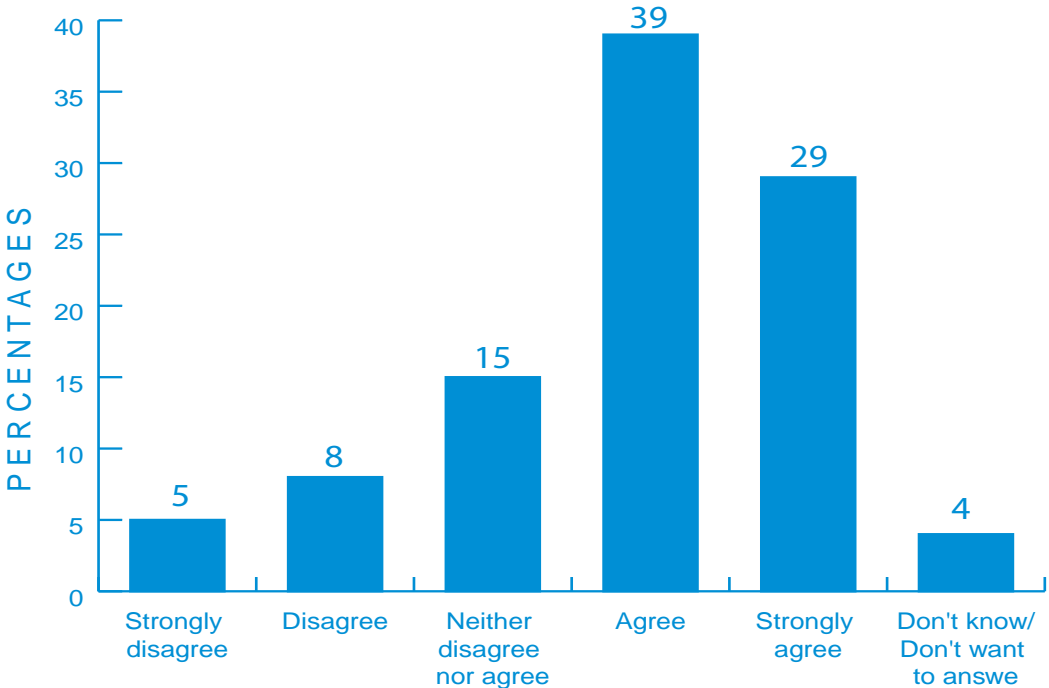
Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. Base: N=1116

How does Albania do in regional terms?

Indicator P3 I1: Openness, transparency and fairness of recruitment into the civil service
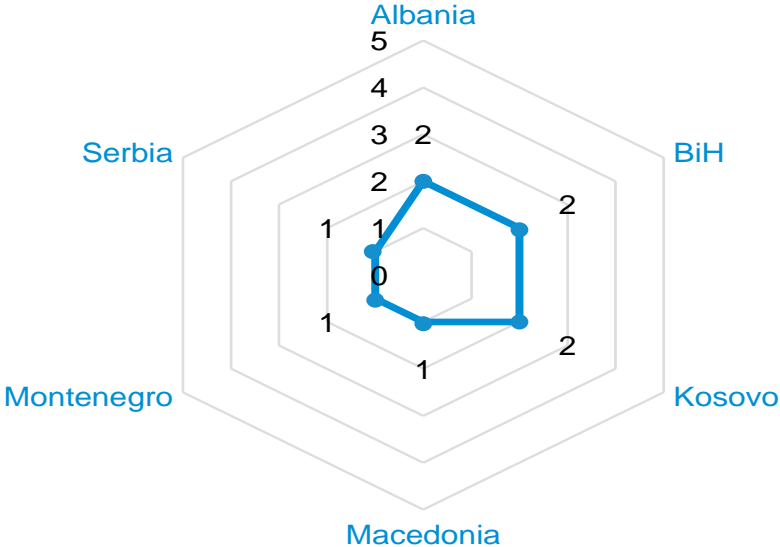
For more information on regional results, please visit www.par-monitor.org

> **Principle 4:** Direct or indirect political influence on senior managerial positions in the public service is prevented

WeBER Indicator: Effective protection of senior civil servants' position from unwanted political interference

WeBER attempts to provide a comprehensive measurement of the effectiveness of protection of senior civil servants' position from unwanted political interference. It does so by combining results from SIGMA assessment, analysis of legislation, information and data acquired from relevant institutions, and complements this with survey data (both civil servants and CSO surveys data). The elements analyzed are as follows:

Indicator elements	Scores
The Law prescribes competitive, merit-based procedures for the selection of senior managers in the civil service	2/2
The law prescribes objective criteria for the termination of employment of senior civil servants	2/2
The merit-based recruitment of senior civil servants is efficiently applied in practice	4/4
Acting senior managers can by law, and are, only appointed from within the civil service ranks for a maximum period limited by the Law	4/4
Ratio of eligible candidates per senior-level vacancy	0/4
Civil servants consider that the procedures for appointing senior civil servants ensure that the best candidates get the jobs	1/2
CSOs perceive that the procedures for appointing senior civil servants ensure the best candidates get the jobs	0/2
Civil servants perceive that senior civil servants are appointed based on political support	1/2
Existence of vetting or deliberation procedures on appointments of senior civil servants outside of the scope of the civil service legislation	2/2
Civil servants consider that senior civil servants would not implement and can effectively reject illegal orders of political superiors	1/2
Civil servants consider that senior civil service positions are not subject of political agreements and "divisions of the cake" among the ruling political parties	1/2
Civil servants perceive that senior civil servants are not dismissed for political motives	1/2
Civil servants consider the criteria for dismissal of senior public servants to be properly applied in practice	0/2
CSOs consider senior managerial civil servants to be professionalised in practice	0/2
Civil servants perceive that senior civil servants do not participate in electoral campaigns of political parties	1/2
Share of appointments without competitive procedure (including acting positions outside of public service scope) out of the total number of appointments to senior managerial civil service positions	4/4
Total score	24/40
Indicator value (scale 0-5)[140]	3

140

Top Management Corps (TMC or TND in Albanian) comprise the senior managerial positions in the institutions of state administration.

Figure 19. Positions of Top-level Management

Top-level management	General secretary
	Director of department
	Director of general directorate
	Equivalent positions

The civil service legislation establishes the recruitment criteria and procedures for senior managerial positions based on merit, equal opportunity and open competition.[141] The law prescribes that admission to the TMC is possible through three different procedures:

1) Through a national competition, open to civil servants and external candidates, followed by an in-depth training programme organised by ASPA, and passing of the final exam. This shall be the standard procedure.[142]

2) Directly through a national competition, open as a rule to civil servants only,[143] until the first cohort finishes the ASPA training or in case the numbers of candidates that finish the programme is insufficient.[144] Members of the TMC appointed through this procedure are required to attend the in-depth training programme ex post but they do not go through the final test.

3) Through direct appointment of senior civil servants from independent institutions to TMC positions in the state administration, following a selection assessment conducted directly by DoPA. Once appointed, however, there is the obligation to attend the ASPA in-depth training and to take the exam.[145]

The National Selection Committee (NSC) manages the national competition. Regulation of the composition and functioning of the NSC is aimed at guaranteeing professionalism and independence. The NSC is made up of nine members, five of which are external independent experts selected through open competition among high-level professionals and academics.[146]

Based on SIGMA's assessment of the legislation and practice for recruitment and dismissal of senior civil servants, Albania emerges as the only country that receives a

141 Articles 27-31 of CSL.

142 CSL No. 152/2015, Articles 27.4 and 28.

143 Përjashtimisht, Këshilli Ministrave mund të vendosë që procedura e pranimit në TND të jetë e hapur edhe për kandidatët e tjerë, që plotësojnë kërkesat specifike për pranimin në TND

144 CSL No. 152/2015, Articles 27.5 and 29. Members of the TMC appointed through the exceptional procedure are obliged to attend ex post the in-depth training programme, although they do not undergo the final test. The national competition is managed in both cases by the National Selection Committee (NSC).

145 Article 30/5 and 30/5/1. Article 32 regulates recruitment for senior management positions in independent institutions and local governments with a remission to Article 20, on general principles for recruitment in the civil service.

146 CSL No. 152/2015, Articles 28, 29 and 31.

largely positive evaluation from SIGMA, although with the caveat that the innovative TMC has not yet been fully established.[147] SIGMA recognized progress in implementing the new, centralised and highly professionalised system for senior civil servants recruitments. Out of the 4 WeBER elements that use SIGMA assessments, Albania receives minimal points only for the element "Ratio of eligible candidates per senior-level vacancy" pointing to the problem of low number of eligible candidates.

Next, Albania gets maximum points on the WeBER element further investigating the selection and appointment procedures, since there are no additional political vetting procedures outside of the scope of civil service law and its bylaws.
One of the major problems in relation to politicization of senior civil servants is the appointment of acting managers into vacant positions. However, since pursuant to the legislation in force acting positions are not allowed, Albania gets maximum points in this element.

Turning to perceptions, less than half of surveyed civil servants or 48% agreed or strongly agreed that procedures for appointing senior civil servants ensure that the best candidates get the job. Some 20% were neutral, while 20% disagreed or strongly disagreed. On the other hand, this is contrasted with a generally negative perception from CSOs, where only 16% of surveyed CSOs perceived meritocracy in the appointment of senior civil servants in Albania. 49% of surveyed CSOs disagreed or strongly disagreed with the statement that procedures for appointing senior civil servant ensure that the best applicants get the job.

Figure 20. Agreement with the statement "Procedures for appointing senior civil servants ensure that the best candidates get the jobs" – Civil servants vs Civil society(%)
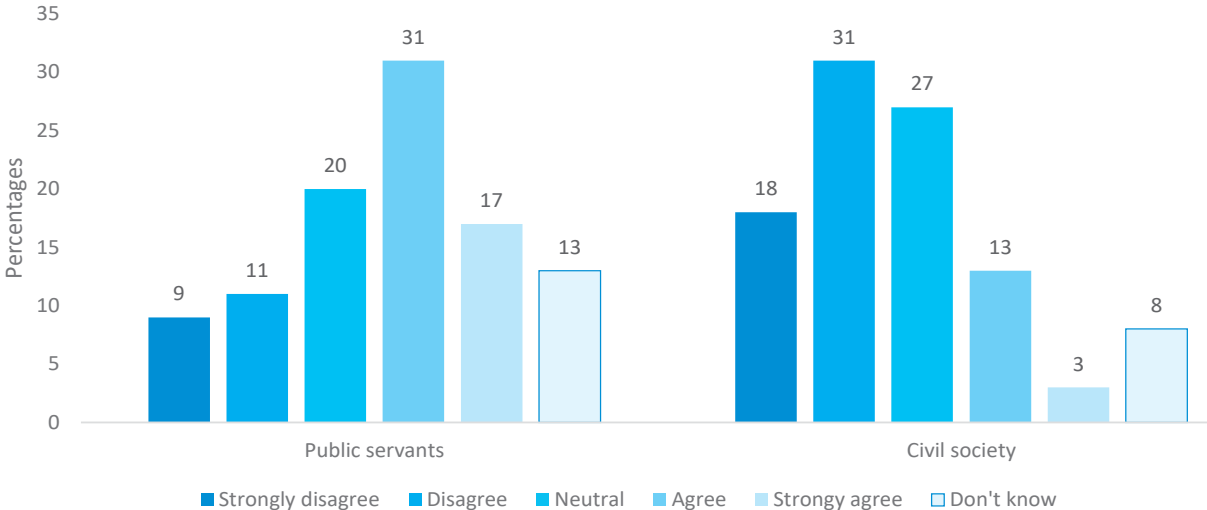
Note: Due to rounding, percentages may not always appear to add up to 100%. Base: N=911 and N=88

Despite efforts towards depoliticizing senior civil service with the practice of pooled recruitment, perceptions of civil servants on the issue appear to exhibit a bimodal behav-

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147 According to the latest SIGMA Monitoring Report for Albania the score for the sub-indicator "Adequacy of the legislative framework for merit-based recruitment for senior civil service positions" is 13 out of 15. The score for the sub-indicator "Objectivity of criteria for the termination of employment of senior civil servants in the legislative framework" is 4 out of 4. The score for the sub-indicator "Application in practice of recruitment procedures for the senior civil service" is 7 out of 9.

ior. While only 20% of surveyed civil servants disagreed or strongly disagreed on the merit character of appointments to senior service positions, the proportion of respondents that claimed that senior civil servants are appointed thanks to political support often or always rises to 32% (or one third of the sample). Also, 33% think that this happens rarely or never. 27% of those surveyed don't know or don't want to answer about the sensitive topic of political influence in the appointment of senior civil servants.

Figure 21. Agreement with the statement "Senior civil servants are at least in part appointed thanks to political support" (%)
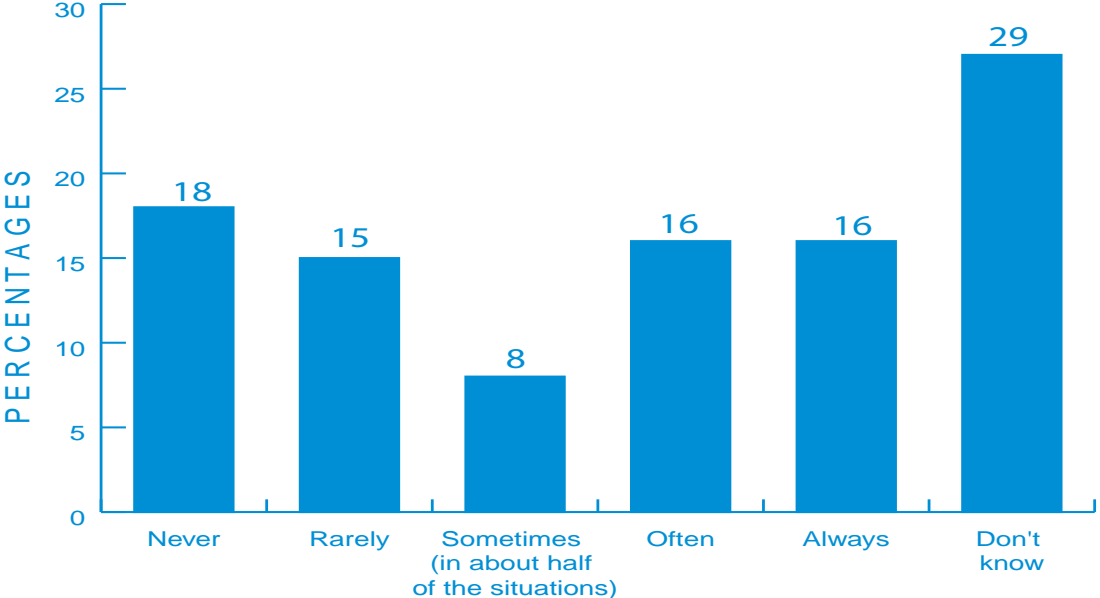
Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. Base: N=911

Furthermore, along the same line, just 37% of surveyed civil servants disagreed or strongly disagreed with the statement that senior civil service positions are subject of political agreements and "divisions of the cake" among the ruling political parties, while 18% neither disagreed nor agreed. Some 26% agreed or strongly agreed.

Figure 22. Agreement with the statement "Senior civil service positions are subject of political agreements and "divisions of the cake" among the ruling political parties" (%)
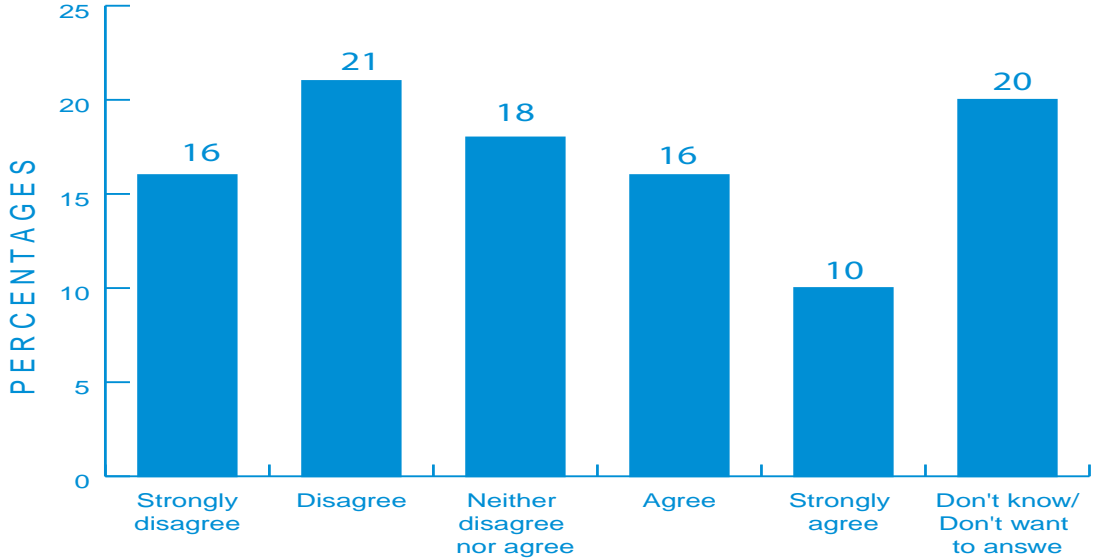
Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. Base: N=923

Another sensitive question where around a third of respondents (32%) refused to state their opinion is the question on how frequently senior civil servants of their institution participate in electoral campaigns of political parties during elections. In Albania, the latest parliamentary elections were held on 25 June 2017. Following a political agreement on May, the government established a ministerial Task Force to coordinate governmental action to avoid and reprimand improper behavior of administrative bodies in the electoral process. DoCM No. 473, dated 1.6.2017[148] stipulated that employees of the state administration, during official working hours and within the premises of state institutions, were prohibited from participating in any political activity or electoral campaign. However, civil servants, were additionally prohibited from: a) campaigning for an electoral subject; b) manifesting with placards or any other means written and publicly exposed; c) being a protagonist in political activities. / activities. From our survey, only 19% of surveyed civil servants reported that senior civil servants of their institution participated in electoral campaigns often or always in the past two years, while 5% reported that this happened sometimes. 46% stated that this practice happened rarely or never.

Figure 23. Agreement with the statement "In my institution, senior civil servants participate in electoral campaigns of political parties during elections" (%)
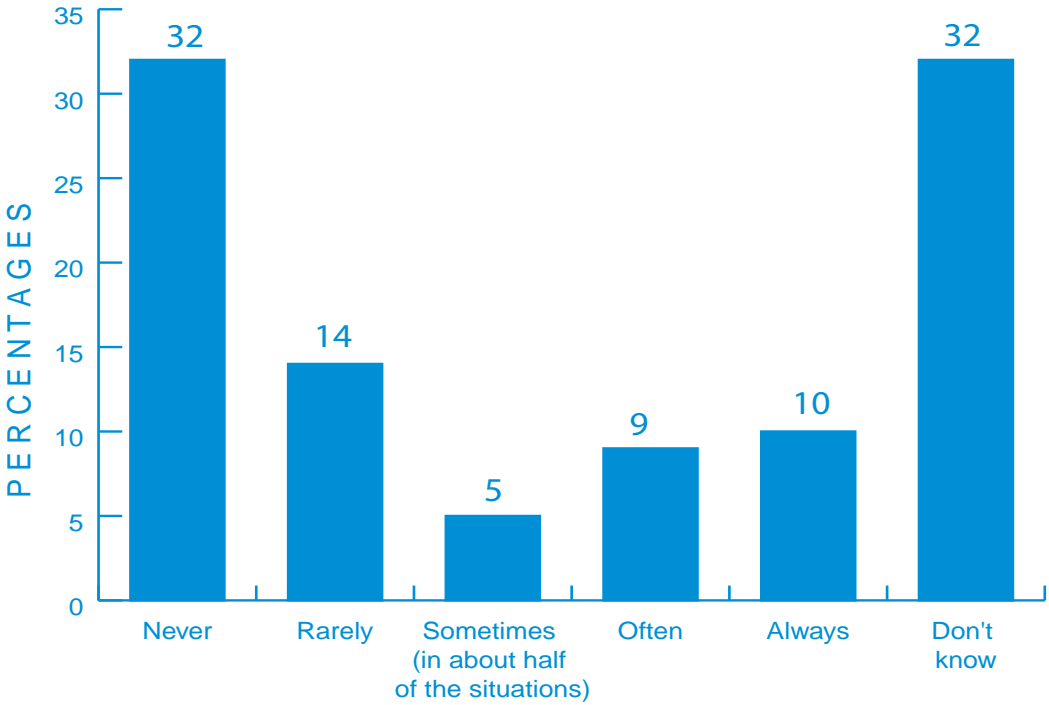
Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%.
Base: N=911

Regarding political vulnerability of senior civil servants, only 37% of surveyed civil servants either agreed or strongly agreed that senior civil servants can reject an illegal order from a minister without endangering their position, while 22% disagreed or strongly disagreed. On the other hand, when asked specifically for the situation in their institution, only 15% of surveyed civil servants agreed or strongly agreed that that senior civil servants would implement illegal actions if political superiors asked them to do so. Near

148 DoCM No.473, dated 1.6.2017 "On taking measures and monitoring the activity, behavior or the use of human, financial and logistics resources of the state administration, during the electoral process for the parliamentary elections for the year 2017" Also PM Order No.65 dated 12.5.2017.

half or 48% disagreed or strongly disagreed with this statement.

Table 11. Political vulnerability of senior civil servants (%)

	Strongly disagree	Disagree	Neither disagree nor agree	Agree	Strongly agree	Don't know/
Senior civil servants can reject an illegal order from a minister or another political superior, without endangering their position	9	13	20	26	11	22
In my institution, senior civil servants would implement illegal actions if political superiors asked them to do so	23	25	16	9	6	20

Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%.
Base: N=911

On the other hand, civil society still harnesses negative perceptions with regard to the professionalism of senior civil servants. Only 23% of surveyed CSOs agreed that senior civil servants are professional in practice (rather than political favorites), while 35% were neutral. In the same proportion, 36% disagreed or strongly disagreed.

Figure 24. CSOs Agreement with the statement "Senior managerial civil servants are professional in practice" (%)
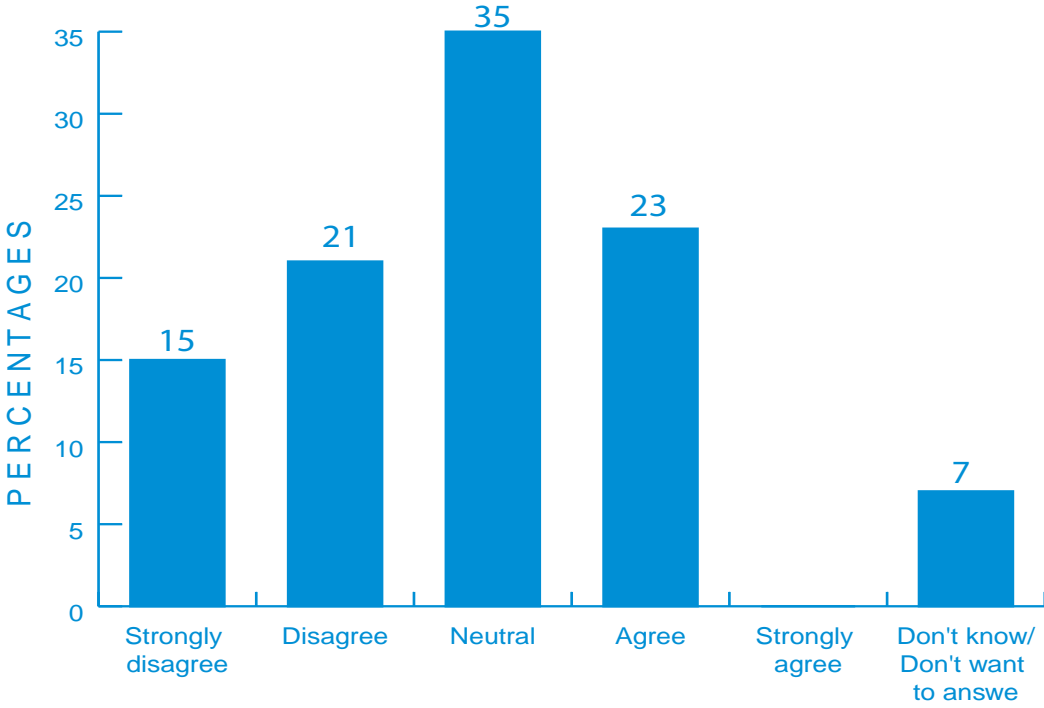
Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%.
Base: N=88

Termination of service in the TMC is regulated on the same basis as for all civil servants. Specific terms applying to TMC members relate only to the unsuccessful completion of ASPA's in-depth training and to a situation in which a TMC member has not

been assigned to a regular position for at least eight months in a five-year period.[149] To this regard, around one-third of respondents (31%-34%) didn't know or didn't want to answer on the statements regarding dismissing of senior civil servants. 41% of surveyed civil servants stated that formal rules and criteria for dismissing senior civil servants were either often or always applied in practice, whereas some 19% stated that this happened rarely or never.

Asked specifically on political influences in the dismissal of senior civil servants in their institution, the data appear to corroborate the previous findings and there is no perception gap between their institution and institutions of the state administration in general. In the same proportion, 40% of surveyed civil servants stated that senior civil servants of their institution either never or rarely get dismissed for political motives. Some 23% stated that this happened either often or always.

Figure 25. Dismissing of senior civil servants (%)
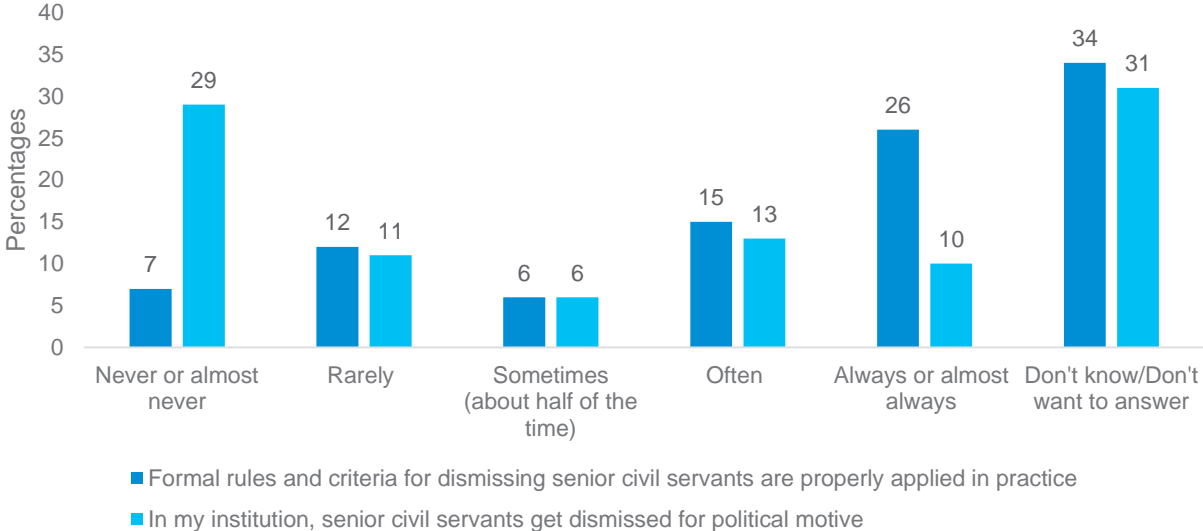
Formal rules and criteria for dismissing senior civil servants are properly applied in practice
In my institution, senior civil servants get dismissed for political motive

Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. Base: N=911

How does Albania do in regional terms?

Indicator P4 I1: Direct or indirect political influence on senior managerial positions in the public services is prevented

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149 DCM No. 118 of 5 March 2014 on the Procedures for the Appointment, Recruitment, Management and Termination of Civil Service Relations of the Top-Level Management Civil Servants and Members of the TMC, amended by DCM No. 388 of 6 February 2015.
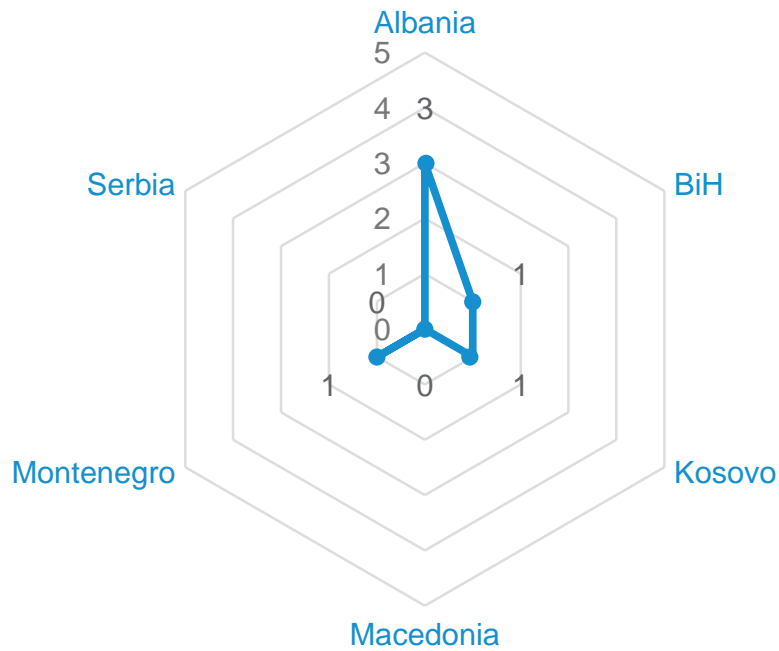
WeBER Indicator: Transparency, clarity and public availability of information on the civil service remuneration system

In relation to the remuneration system for civil servants, WeBER monitors the transparency, clarity and public availability of information on the civil service remuneration system. More specifically, it looks at the following elements:

Indicator elements	Scores
The civil service remuneration system is simply structured	2/4
The civil service salary/remuneration system foresees limited and clearly defined options for salary supplements additional to the basic salary	2/4
Information on civil service remuneration system is available online	2/6
Citizen friendly explanations or presentations of the remuneration information are available online	0/2
Discretionary supplements are limited by legislation and cannot comprise a major part of a civil servant's salary/remuneration	4/4
Civil servants consider the discretionary supplements to be used for their intended objective of stimulating and awarding performance, rather than for political or personal favouritism	2/2
Total score	12/22
Indicator value (scale 0-5)[150]	3

A simple and clear-cut structure of the remuneration system is one of the first preconditions to achieve transparency in terms of allowing the public to see and understand what the different categories of civil servants earn. WeBER defines simplicity of the

150 Conversion of points: 0-3 points = 0; 4-7 points = 1; 8-11 points = 2; 12-15 points = 3; 16-19 points = 4; 20-22 points = 5.

structure as meaning that all elements of the salary structure are defined in the legislation, including their concrete values.

Albania's system is assessed as partially simply structured, which means that despite the overall simple legal framework, there are deficiencies that decrease transparency. More specifically, in Albania, majority of the salary elements are set by a Council of Ministers' decision.

Article 34 of the CSL establishes the right to remuneration for the duties performed in the civil service, in accordance with the law. Position-related components include the basic salary of the category, the supplement of the respective class to which the position belongs to and the supplement for extreme working conditions. Person-related salary components take the form of progressively ordered salary steps established within each class. Progression from one salary step to another is based on the following: a) the performance appraisal results; b) the seniority in the civil service; c) successful conclusion of the mandatory training programs for each salary step.

The Council of Ministers, with DoCM no. 142 dated 12.3.2014[151] defines: a) the classes for each category of public service position;[152] b) general description of the job position, and general requirements for every category, class and group; c) positions included in each category, class and group; and d) the methodology of classification of a position in a specific category, class or group.

DoCM no. 187 dated 08.03.2017[153], amended defines the structure and amount of the salaries according to the above-mentioned categories of civil servants.

The structure/elements of a salary consist of: the basic salary and the supplement for the job position:
- The group salary[154] - defined according to the education level required for the specific job position;[155]
- Annual supplement for work experience[156] - calculated up to 2% of the group salary annually, starting after the first year of work up to 25 years.
- Supplement for the qualification[157] - job positions that benefit from this type of supplement are foreseen in the DoCM. Criteria to benefit from this supplement include: i) if the qualification or academic title of the civil servant is in compliance with the job description – this is awarded after the approval of DoPA in a case-by-case basis; ii) if the qualification or academic title of the civil servant is higher

151 DoCM no. 142 dated 12.03.2014 "On the description and classification of positions in the institutions of the state administration and independent institutions", amended

152 Category I- senior level; category II- medium manager; category III- low level; category IV- executive level

153 DoCM no. 187 dated 08.03.2017 "For the approval of the structure and the remuneration level of civil servants, deputy minister and employees of the cabinet, prime minister office, the apparatus of the line ministries, administration of the Office of the President, Parliament, Central Election Commission, Supreme Court, Office of the General Prosecutor Office and some independent institutions, institutions under the authority of the Prime minister's Office, institutions under the authority of the line ministries and the administration of the Prefect"

154 Paga e grupit

155 1 – MSc or MA, 2- Professional Master, 3-Bachelor

156 Shtesa vjetore për vjetërsi

157 Shtesa për kualifikim

than the one defined in the job description, he/she may profit only the supplement specified for the job position; iii) if the employee has a qualification or academic title lower than the one defined in the job description, he/she can only profit from the supplement in compliance with the qualification or academic title that he/she already has; In any case, the civil servant only benefits from the supplement of his highest qualification/academic title.

- Supplement for the job position[158] - This component is the most important and with the highest monetary value in the salary structure, which rewards the relative value of the job position;

Important parts of the remuneration system are the supplements to the basic salary, which are based on various criteria (for example, overtime work, work on a holiday, work in extreme or dangerous conditions, etc.). WeBER also looks at whether these supplements are clearly defined and limited in the relevant legislation, including whether there are rules on how the different supplements are combined and which of them are mutually exclusive. In Albania, these salary elements are regulated by a decision of the Council of Ministers, which does not elaborate their relations and mutual exclusions.

Supplements foreseen by the legislation in force are as below:
- Supplement given for the particular nature of job position:[159] e.g 1) civil servants that work in positions related to the process of the informatization of the public administration graduated in ICT[160] and 2) civil servants in Prime Minister Office in specific departments etc. There are 17 sub-articles stipulating these cases.
- Supplement for difficult working conditions and harmful for the individual's health[161]
- Supplements for overtime work, night work or work on weekends or public holidays. DoCM no. 511 date 24.10.2002[162] defines the regulations on compensations of hours worked beyond the official working time. Article no. 5 defines the procedure and the manner of obtaining supplements for overtime work, for work during night or on weekends or during public holidays. As a rule, the civil servant or the employee of the public administration for overtime hours shall be compensated with time of in lieu instead of being paid additional remuneration for working such overtime.[163] In cases where it is impossible to get TOIL, the civil servant or employee is entitled to additional remuneration, calculated on the hours of overtime worked based on his/her hourly wage plus 25% or 50%. This process is approved by the head of the institution, following the request of the direct superior of the civil servant/employee. The Labor Code[164] also defines legal provisions on compensation rights for employees working during holidays or use of salary supplements for overtime work, for night night or work on weekends or public holiday days.

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158 Shtesa e pozicionit

159 Article 4 fo the DoCM no 187/2017 amended

160 Civil Servants working at AKSHI are exempted

161 Article 5

162 "For the official working time and holidays in public institutions" amended.

163 TOIL is accrued on a time-for-time basis plus 25% of the overtime hours or for overtime work during weekends or public holidays, or from 10:00 p.m - 6:00 a.m plus 50% of the overtime hours.

164 Articles 76-108

Performance-related elements of pay can be a stimulating tool for managers, but unless they are very clearly limited and carefully used, they can substantially distort the transparency and predictability of the overall remuneration system for civil servants. WeBER uses SIGMA's assessment to monitor the use of bonuses (or other performance pay tools),[165] but complements it with the perception of civil servants regarding the use of bonuses. Albania scores the maximum points since the law excludes the possibility of awarding bonuses or other performance elements of pay.

Finally, the indicator uses SIGMA's assessment the public availability of information about the remuneration system.[166] To this regard, only DoCM No. 187/2017 has been published, in the Official Gazette, but the text of the decision is dense and complex, and does not include the total salaries for different categories, but instead information on base salaries for different groups of institutions opposed with lists of different salary supplements for different positions. WeBER then further analyses if there are any citizen-friendly explanations or other information about the remuneration for civil servants. For Albania, citizen-friendly explanations or presentations of the remuneration information are not available online.

How does Albania do in regional terms?

Indicator P5 I1: Transparency, clarity and public availability of information on the civil service remuneration system
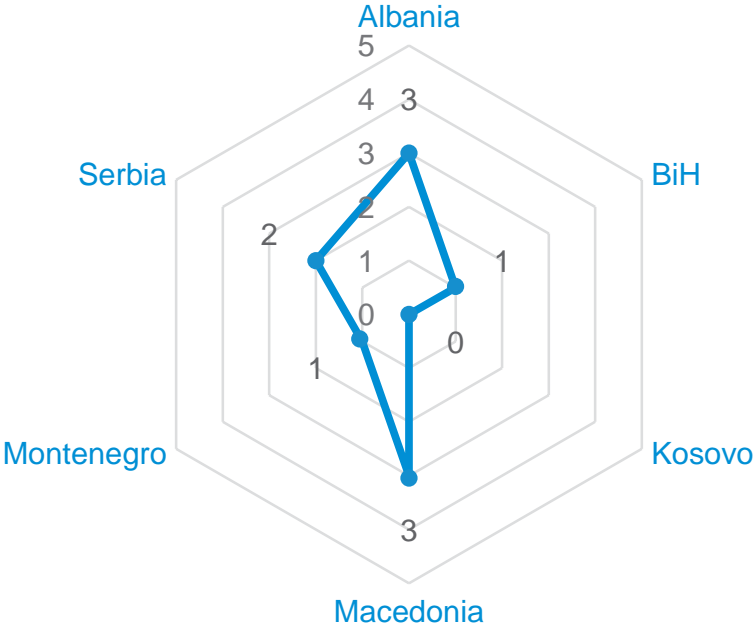
For more information on regional results, please visit www.par-monitor.org

Principle 7: Measures for promoting integrity, preventing corruption and ensuring discipline in the public service are in place

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165 Scores from SIGMA's indicator 3.5.1, sub-indicator 6: Managerial discretion in the allocation of bonuses are used to calculate this element. SIGMA's methodology: Expert review of legislation supplemented with the analysis of one source of quantitative data: Percentage of bonuses with respect to total gross annual salary by professional category. The proportion can be slightly higher in high-level positions and lower in professional positions without managerial responsibility, but it should not go beyond 20% of the total salary, on average.

166 SIGMA, indicator 3.5.1 "Fairness and competitiveness of the remuneration system for civil servants", sub-indicator 3 – "Availability of salary information". SIGMA methodology: Expert review of official websites to verify if the information on the salary is available for the candidates for the civil service and general public.

WeBER Indicator: Effectiveness of measures for the promotion of integrity and prevention of corruption in the civil service

Whereas WeBER does not focus on disciplinary measures in the civil service, it does measure the effectiveness of measures for the promotion of integrity and prevention of corruption in the civil service. The following elements comprise the indicator:

Indicator elements	Scores
Integrity and anti-corruption measures for the civil service are formally established in the central administration	4/4
Integrity and anti-corruption measures for the civil service are implemented in central administration	2/4
Civil servants consider the integrity and anti-corruption measures as effective	2/2
CSOs consider the integrity and anti-corruption measures as effective	0/2
Civil servants consider that the integrity and anti-corruption measures are impartial	1/2
CSOs consider that the integrity and anti-corruption measures in state administration are impartial	0/2
Civil servants feel they would be protected as whistle blowers	0/2
Total score	9/18
Indicator value (scale 0-5)[167]	2

Albania has an integrity system that is assessed as quite comprehensive in terms of legislation and policy framework, even though its degree of complexity and fragmentation remains high. However, its implementation in practice appears to be lagging behind as shown by SIGMA 2017 Monitoring Report for Albania and corroborated by our survey results.

As part of the WeBER survey of civil servants, the respondents were asked if the integrity and anti-corruption measures in place in their institution are effective in achieving their purpose. Civil servants appear to have generally positive perceptions regarding the effectiveness of integrity and anti-corruption measures being implemented, and as a result Albania scores maximum points under this element. At 61%, the majority of surveyed civil servants either agreed or strongly agreed that integrity and anti-corruption measures[168] in place in their institution are effective in achieving their purpose, in comparison to 10% who disagreed or strongly disagreed. On the other hand, civil society respondents demonstrate a definite critical stance. Just 16% of them are convinced on the effectiveness of the integrity and anti-corruption measures in place, compared to the majority or 54% that disagreed or strongly disagreed.

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167 Conversion of points: 0-3 points = 0; 4-6 points = 1; 7-9 points = 2; 10-12 points = 3; 13-15 points = 4; 16 -18 points = 5.

168 These measures may include codes of ethics, disciplinary measures related to ethics and integrity of civil servants, integrity plans, provisions for dismissal related to integrity, etc.

Figure 26. Agreement with the statement "Integrity and anti-corruption measures in place in institution are effective in achieving their purpose" (%)
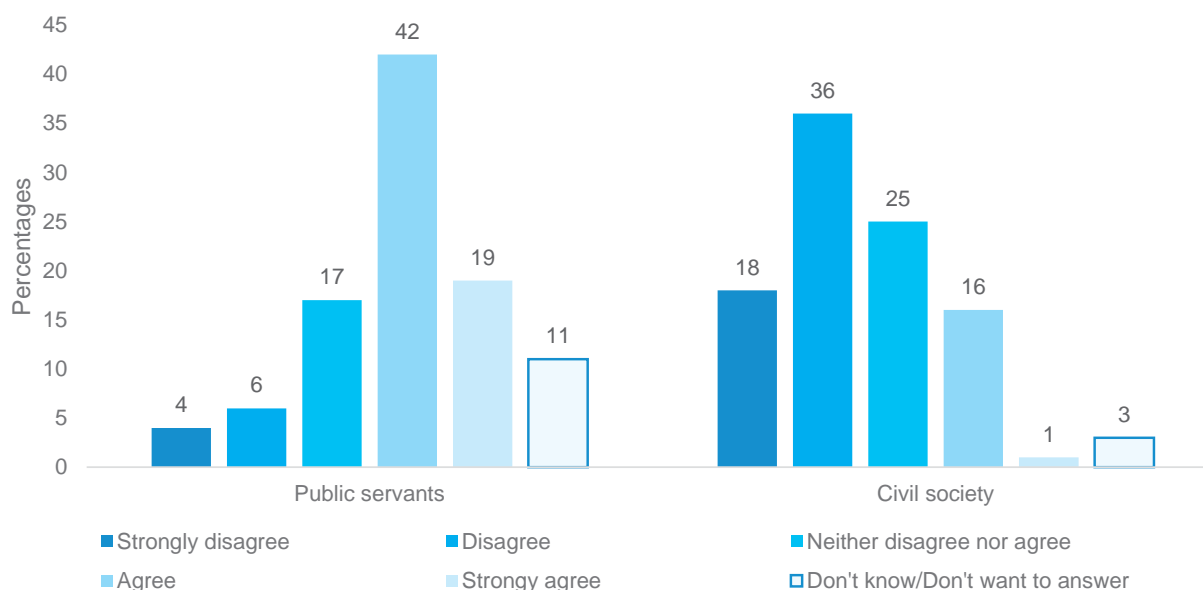
Public servants:
- Strongly disagree: 4
- Disagree: 6
- Neither disagree nor agree: 17
- Agree: 42
- Strongy agree: 19
- Don't know/Don't want to answer: 11

Civil society:
- Strongly disagree: 18
- Disagree: 36
- Neither disagree nor agree: 25
- Agree: 16
- Strongy agree: 1
- Don't know/Don't want to answer: 3

Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. Base: N=886, N=88

However, when asked on the impartiality of the integrity and anti-corruption measures, civil servants are slightly less positive in their perceptions. 58% think that these measures are impartial and that they are applied to all civil servants in their institution in the same way. Once again, the same question produced far more negative responses when asked to the CSOs. Just 8% of surveyed CSOs is convinced on the impartiality of these measures, in comparison to 57% that either disagreed or strongly disagreed.

Figure 27. Agreement with the statement "Integrity and anti-corruption measures in place in my institution are impartial" (%)

Public servants:
- Strongly disagree: 5
- Disagree: 9
- Neither disagree nor agree: 17
- Agree: 39
- Strongy agree: 19
- Don't know/Don't want to answer: 11

Civil society:
- Strongly disagree: 18
- Disagree: 39
- Neither disagree nor agree: 28
- Agree: 8
- Strongy agree: 1
- Don't know/Don't want to answer: 6
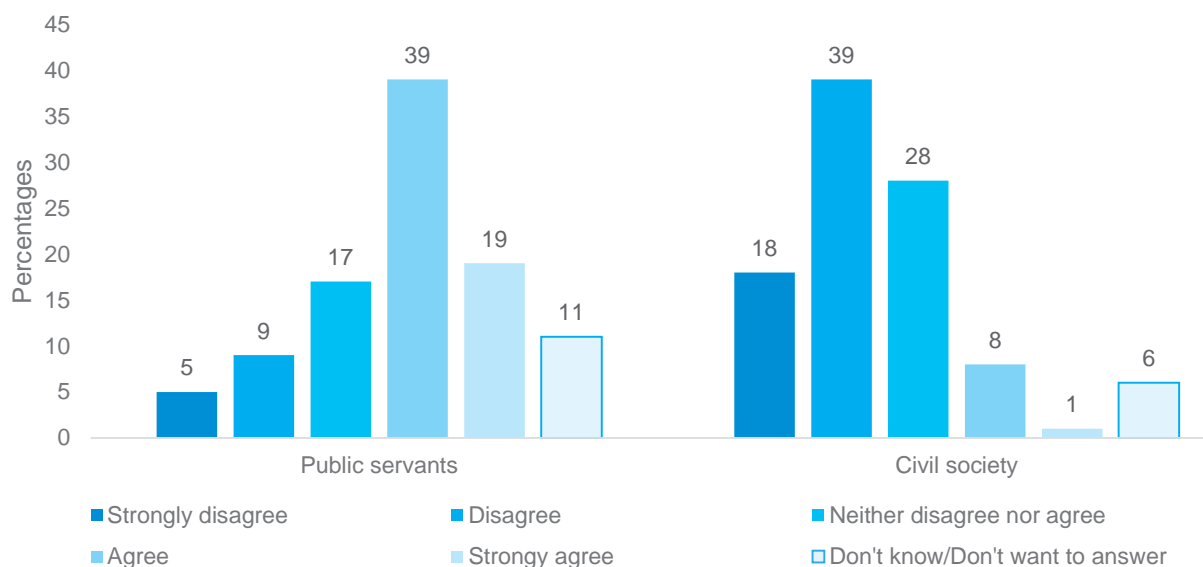
Note: Due to rounding, percentages may not always appear to add up to 100%. Base: N=886, N=88

Albania does not get any points for the element assessing the perceived level of pro-

tection for whistleblowers. Only 18% of surveyed civil servants would feel protected if they were to become whistle-blowers, out of whom just 6% strongly agreed. In contrast, more than a third of surveyed civil servants (32%) declared that they would not feel protected if they were to become whistle-blowers in the institutions they work. Some 28% decided not to say or didn't know. These results are important because public institutions can expect success with their whistleblower mechanism only if employees perceive a high level of protection for whistleblowers.

Figure 28. Agreement with the statement "If I were to become a whistle-blower, I would feel protected" (%)
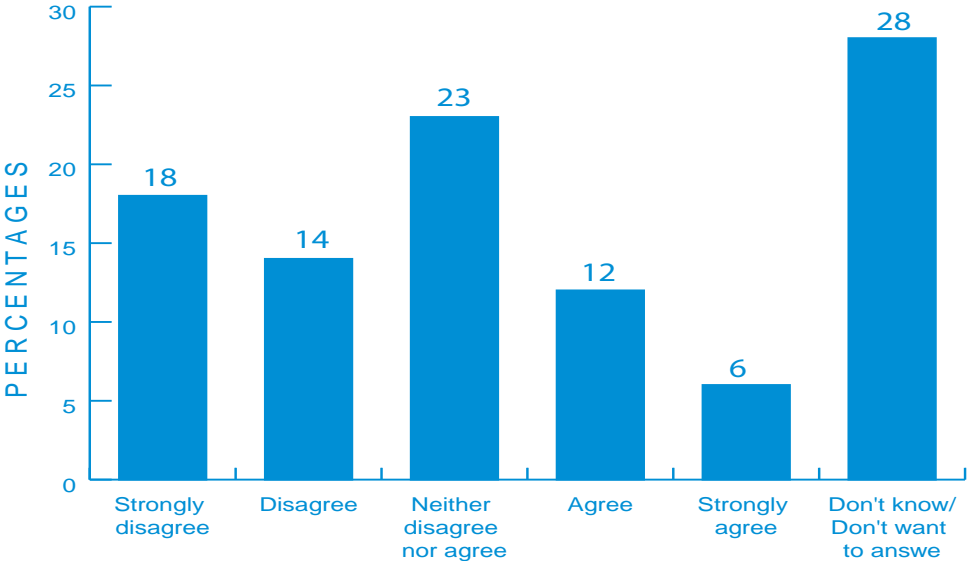
Note: Due to rounding, percentages may not always appear to add up to 100%. Base: N=886

How does Albania do in regional terms?

Indicator P7 I1: Effectiveness of measures for the promotion of integrity and prevention of corruption in the civil service

For more information on regional results, please visit www.par-monitor.org

IV.4 Summary results and recommendations: Public Service and Human Resource Management

Under public service and human resource management, WeBER monitors public availability of information, transparency of procedures as well as civil servants' and CSOs' perceptions of the public service professionalism and integrity and the merit character of recruitment. Albania still does not have a fully established system for collecting and monitoring data and information about the public service, event though it has been an important priority for a long time. This, in turn, affects public reporting on the number of civil servants and wider public service policy. As a result, the government does not have an established practice of publishing basic official data on the number and other characteristics of civil servants, even though the Department of Public Administration (DoPA) regularly reports on civil service policy.

Concerning admissions to civil service, Albania has a centralized system that includes pool recruitments – mainly driven by efforts to curb political influence over the process. Recruitment is carried out through public vacancy announcements published nation-wide. These announcements follow a standardized model in structure and are written in a non-bureaucratic style that can be understandable to a non-expert audience. DoPA has also introduced user-friendly approaches to assist external applicants in applying for jobs in state administration institutions. Moreover, recruitment procedures do not give internal candidates an unfair advantage by placing unreasonable burden on external applicants. In addition, there is transparency in making available to the public decisions of the selection committees. Against this backdrop, civil servants have a predominantly positive perception on the meritocratic character of the recruitment process. But there appears to exist a perception gap between civil servants and the average Albanian citizens. Whilst 64% of surveyed civil servants think that civil servants are recruited on the basis of qualifications and skills, only 35% of the Albanian citizens hold the same opinion. 51% or more than half of the public disagreed on the meritocracy in the recruitment in the civil service.

Senior civil servants are identified as Top-level Management Corps (TMC) and are also recruited through a centralized pool-recruitment system and appointed afterwards from a pool of pre-selected candidates. The regulatory framework in place adequately protects senior civil service positions from undue political influence. The law does not allow appointment of acting managers into vacant positions and there are no additional political vetting procedures outside of the formal civil service system. Turning to perceptions, 48% of surveyed civil servants agreed that procedures for appointing senior civil servants ensure that the best candidates get the job. On the other hand, this is contrasted with a generally negative perception from CSOs, where only 16% of surveyed CSOs perceived meritocracy in the appointment of senior civil servants. Despite efforts towards depoliticizing senior civil service with the practice of pooled recruitment, perceptions of civil servants on the issue appear to exhibit a bimodal behavior. 32% of surveyed civil servants claimed that senior civil servants are appointed thanks to political support either often or always, whilst in the same proportion 33% reported that this happened rarely or never. Regarding political vulnerability of senior civil servants, 37% of surveyed civil servants stated that senior civil servants could reject an illegal order from a minister without endangering their position. 15% claimed that

senior civil servants would implement illegal actions if political superiors asked them to do so, while 48% disagreed.

Regarding integrity and prevention of corruption in civil service, even though Albania has a comprehensive policy and legal framework in place, implementation in practice is lagging behind. At 61%, the majority of surveyed civil servants stated that integrity and anti-corruption measures in place are effective in achieving their purpose in their institution. However, civil servants appear insecure about the whistle-blower protection mechanisms; only 18% of surveyed civil servants would feel protected if they were to become whistle-blowers.

It is recommended that:
- Full-scale functionality of the Human Resource Management Information System (HRMIS) should be achieved in order to enable adequate human resource planning, monitoring and homogeneous management.
- DoPA should establish the practice of publishing periodical statistical data on the civil service (including the number of civil servants per institution or type of institution and per rank/function in the civil service).
- DoPA annual reporting on civil service policy should include more substantiated information concerning the quality and/or outcomes of public service work.
- In order to ensure that all candidates are treated equally and provided the same information during recruitment, DoPA should establish the practice of collecting and providing additional information and clarifications for competition procedures (apart from the complaint procedure), which would be available to all interested candidates.
- DoPA should publish duly information in the cases when public competitions are annulled.
- DoPA should ensure that access to senior civil service is done through the standard procedure – through a national competition followed by an in-depth training programme organised by ASPA and passing of the final exam.
- DoPA should put forward the salary reform in civil service ensuring a simple and clear-cut structure of the remuneration system.
- DoPA should publish citizen friendly explanations or presentations of the information on remuneration in the civil service. This should also include information on average total salaries per rank/functions in the civil service.
- Institutions of the state administration should raise awareness promote the whistle blower protection system to their employees.

V. Accountability

WeBER indicators used in Accountability and country values for Albania

P2 I1: Civil society perception of the quality of legislation and practice of access to public information

0	**1**	2	3	4	5

P2 I2: Proactive informing of the public by public authorities

0	1	**2**	3	4	5

V.1 State of Play in Accountability

The state of play herein will focus principally on external accountability of the government and administration towards the public, and particularly on the practice of reactive and proactive information provision by administration bodies as it is enacted in the public information legislation.

The right to information is enshrined in Article 23 of the Albanian Constitution. Law No. 119/2014 "On the Right to Information" regulates the right of access to information being produced or held by public authorities. Following long time civil society advocacy, the new law was adopted in September 2014 and aims to encourage integrity, transparency and accountability of public authorities.[169]

Every person has the right to access public information without having to explain the reasons as to why.[170] "Person" means any natural or legal person, local or foreign, as well as any stateless persons.[171] The law prescribes minimum requirements for the contents of the requests for information. The information request shall be in writing and delivered by hand, mail or email, with the correct identity of the applicant and his/her signature. It should contain[172]: full name of the requester; postal or electronic address where the information is requested to be send; description of the information required; format in which the information is preferred; and any information that the requester

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169 Previous law was law no. 8503/1999.

170 Article 3/1

171 Article 2/3

172 Article 11

considers that might help identify the information required. Regarding deadlines for receiving the requested information, as a rule, the public authority handles the information request no later than 10 working days from the day of submission.[173] It is free to file requests.[174]

A register of requests and responses is required to be maintained and made public by the public authority, showing all the requests for information and the information contained in the responses. The register shall be updated every 3 months and be published on the public authority's website, as well as in the reception facilities of the public authority's offices.[175] The law requires the appointment of the Right to Information Coordinators in every public authority body. They are responsible for coordinating the work for guaranteeing the right to information and face administrative liability for failure to implement the provisions of the law.[176]

Regarding administrative liability[177], in most cases, liability is assigned to Right to Information Coordinators of the respective institutions, although they do not make the decisions on whether to disclose or refuse access to information; heads of institutions or other decision makers are mainly exempted from administrative liability, which has encouraged an administrative "blame-game".

The Commissioner for the Freedom of Information and Protection of Personal Data is the only competent organ responsible for the review of administrative appeals. Every person has the right to appeal administratively in accordance with the Law and the Code of Administrative Procedure. The Commissioner is required to report to the Parliament on the implementation of the law.

When it comes to proactive information provision, proactive disclosure is also incorporated in the legislation through the establishment of Institutional Transparency Programs.[178] The Commissioner for Freedom of Information and Personal Data Protection approves and distributes the model transparency programs for different categories of public authorities.[179] The Order of the Commissioner nr.14, dated 22.01.2015 outlines the model.[180] Public authorities shall also create and archive a digital copy on their website, complete with information required, as well as methods, mechanisms and

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173 Unless otherwise provided for by the particular Law. (Article 15/1).

174 Article 13

175 Article 8/9. The Commissioner for Freedom of Information and Protection of Personal Data (IDP) sets the standards on the format and the content of the register. As a new initiative, Decision No. 145, dated 13.03.2018 "On the establishment of the public database "Electronic register for requests and responses for the right to information" stipulates the creation of an electronic database with requests and responses of the requests in the portal pyetshtetin.al. The Commissioner for Freedom of Information and Personal Data Protection will be responsible for its creation and management.

176 Article 10

177 Article 18.

178 Article 4,5,6,7. The administrative appeal is made to the Commissioner for Freedom of Information and Protection of Personal Data within 30 days from the day when: (a) the applicant has received the notice for the refusal of the information; (b) the deadline for giving the information foreseen in this Law has passed The Commissioner takes a decision on the appeal within 15 working days from the date when the appeal is filed.

179 Article 6

180 Urdhër i KDIMDHP nr. 14, datë 22.1.2015 Për miratimin e programit model të transparencës

frequency of publication of public information made publicly available without request. But, in practice, proactive disclosure of public information organized around transparency programmes has not proved effective. The latest EC report (2018) also highlighted that the implementation of the right to information law has revealed shortcomings in its legal framework. SIGMA (2017) has recommended amendments to the law with regard to administrative liability mechanisms and proactive disclosure of public information. The Commissioner has launched consultations with civil society in June 2018 to address some of those changes.

V.2 What does WeBER monitor and how?

The SIGMA Principle covering the right to access public information is the only Principle presently monitored in the Accountability area.

Principle 2: The right to access public information is enacted in legislation and consistently applied in practice.

This Principle bears utmost significance from the perspective of increasing the transparency of the administration and holding it accountable by the civil society and citizens, but also from the viewpoint of safeguarding the right-to-know by the general public as the precondition for better administration. The WeBER approach to the Principle does not consider assessment of regulatory solutions embedded in free access to information acts, but it relies on the practice of reactive and proactive information provision by administration bodies. On one hand, the approach considers the experience of civil society with the enforcement of the legislation on access to public information, and on the other, it is based on direct analysis of the websites of administration bodies.

Monitoring is performed by using two WeBER indicators, the first one entirely focusing on civil society perception of the scope of right to access public information and whether enforcement is enabling civil society to exercise this right in a meaningful manner. To explore perceptions, a survey of civil society organisations in Western Balkan was implemented using an online surveying platform, in the period between the second half of April and beginning of June 2018.[181] The uniform questionnaire with 33 questions was used in all Western Balkans ensuring an even approach in survey implementation. It was disseminated in local languages through the existing networks and platforms of civil society organisations with large contact databases but also through centralised points of contact such as governmental offices in charge of cooperation with civil society. To ensure that the survey targeted as many organisations as possible in terms of their type, geographical distribution, and activity areas, and hence contribute to is representativeness as much as possible, additional boosting was done where needed to increase the overall response. Finally, a focus group with CSOs was organised to complement survey findings with qualitative data. However, focus group results are not used for point allocation for the indicator.

The second indicator has proactive public informing by administration bodies as its

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181 The survey of CSOs was administered through an online questionnaire. In Albania, the survey was conducted in the period from 23 April to 28 May 2018. The data collection method included a self-administered questionnaire (web SAQ).

focus, particularly by monitoring comprehensiveness, timeliness and clarity of the information disseminated through official websites. In total, 18 pieces of information are selected and assessed against two groups of criteria: 1) basic criteria, looking at completeness, and whether information is up to date, and 2) advanced criteria, looking at the accessibility and citizen friendliness of the information.[182] A search of information is conducted through the official websites of the sample of seven administration bodies consisting of three line ministries - a large, a medium, and a small ministry in terms of thematic scope, a ministry with a general planning and coordination function, a government office with centre-of-government function, a subordinate body to a minister/ministry and a government office in charge of delivering services.

V.3 WeBER Monitoring Results

> Principle 2: The right to access public information is enacted in legislation and consistently applied in practice

WeBER indicator "Civil society perception of the quality of legislation and practice of access to public information"

This principle is approached by monitoring civil society perception of the quality of legislation and practice of access to public information. The elements of the indicator are:

Indicator elements	Scores
CSOs consider that the information recorded and documented by public authorities is sufficient for the proper application of the right to access public information	0/4
CSOs consider exceptions to the presumption of public character of information to be adequately defined	1/2
CSOs consider exceptions to the presumption of public character of information to be adequately applied	0/4
CSOs confirm that information is provided in the requested format	1/2
CSOs confirm that information is provided within prescribed deadlines	1/2
CSOs confirm that information is provided free of charge	2/2
CSOs confirm that the person requesting access is not obliged to provide reasons for requests for public information	1/2
CSOs confirm that in practice the non-classified portions of otherwise classified materials are released	0/4
CSOs consider that requested information is released without portions containing personal data	0/2
CSOs consider that when only portions of classified materials are released, it is not done to mislead the requesting person with only bits of information	1/2
CSOs consider that the designated supervisory body has, through its practice, set sufficiently high standards of the right to access public information	2/4
CSOs consider the soft measures issued by the supervisory authority to public authorities to be effective	1/2

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182 Exceptions being information on accountability lines within administration bodies, which is assessed only against the first group of criteria, and information available in open data format which is assessed separately.

Indicator elements	Scores
CSOs consider that the supervisory authority's power to impose sanctions leads to sufficiently grave consequences for the responsible persons in the noncompliant authority	1/2
Total score	11/34
Indicator value (scale 0-5)[183]	1

As revealed by survey results, civil society perceptions on the practice of access to public information are not very positive. Firstly, CSOs, perceive that, in general, the information recorded and documented by public authorities is not sufficient for the proper application of the right to access public information.[184] Only 28% of surveyed CSOs agreed that public authorities record sufficient information to enable the public to fulfill the right to information. 33% of them either disagreed or strongly disagreed, while 31% held a neutral viewpoint.

Figure 29. Agreement with the statement "In exercising their activities, public authorities record sufficient information to enable the public to fulfil the right to free access of information of public importance" (%)
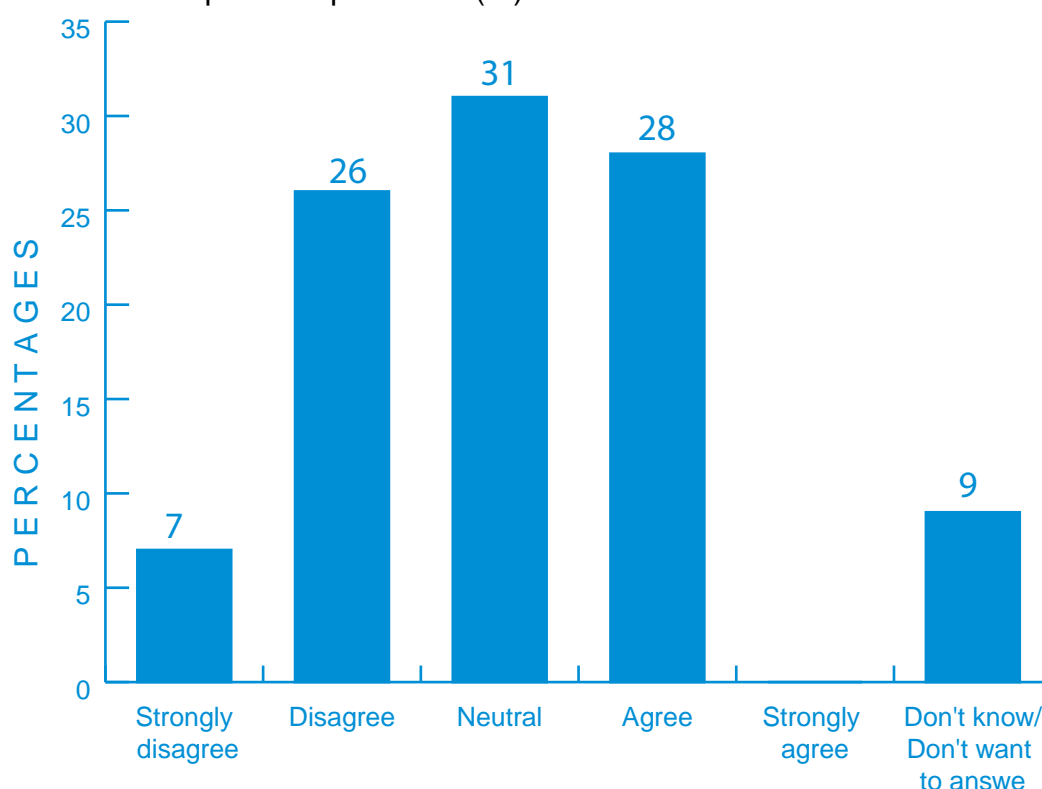
Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%.
Base: N=93

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183 Conversion of points: 0-6 points = 0; 7-11 points = 1; 12-17 points = 2; 18-23 points =3; 24-28 points = 4; 29-34 points = 5.

184 FOI requests can only be sent for information which already exists in some recorded format (written, audio, video, etc.). Hence, if certain information is not recorded, the right to access that information cannot be fulfilled. This element looks at whether the administration records the information to an extent which allows for this right to be fulfilled.

Moving to the next two WeBER elements, CSOs do not consider exceptions to the presumption of public character of information to be adequately applied in practice. In the legislation, the list of possible restrictions on access to information is extensive and includes many general clauses that could create disproportionate or arbitrary restrictions to access to information. The right to information may be restricted if its disclosure may harm the following interests:[185] protection of private interests[186], protection of national interest[187], and protection of the professional secrecy. For example, access to information can be refused when it causes "clear and serious harm to the following interests", such as "conduct of inspection and auditing procedures of public authorities"; "preliminary consultations and discussions within or between public authorities on public policy development"; or "progress of international or intergovernmental relations". Furthermore, the right to information is restricted even when, despite the assistance provided by the public authority, the request remains unclear and it becomes impossible to identify information required. Survey results show that whilst 46% of surveyed CSOs either agreed or strongly agreed that legislation prescribes adequate exceptions to the public character of information produced by public authorities, only 18% reported that these exceptions are adequately applied in practice.

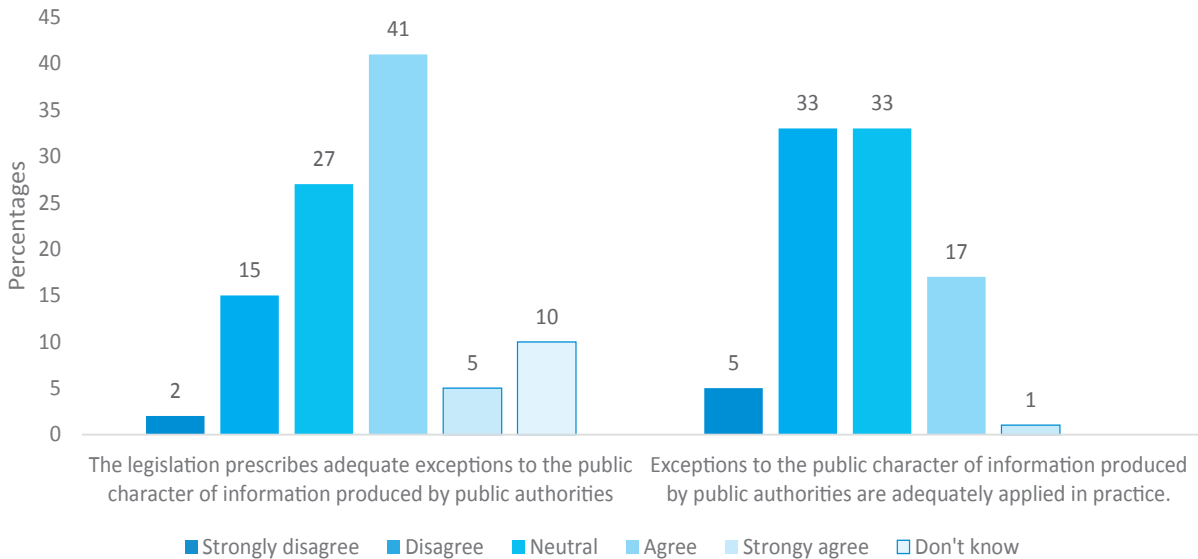Figure 30. Agreements with statements on exceptions to the public character of information (%)

Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. Base: N=93

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185 Article 17

186 Including: a) the right to a private life; (b) trade secret; (c) copyright; (d) patents

187 Including: (a) national security, as defined by the legislation for classified information; (b) prevention, investigation and prosecution of offences; (c) conduct of an administrative investigation within a disciplinary proceeding; (d) conduct of inspection and auditing procedures of public authorities; (e) formulation of state monetary and fiscal policies; (f) equality of parties in court proceedings and the conduct of litigation; (g) preliminary consultations and discussions within or between public authorities on public policy development; (h) progress of international or intergovernmental relations;

Figure 31. Has you organization sent a request for free access of information in the past two years? (%)

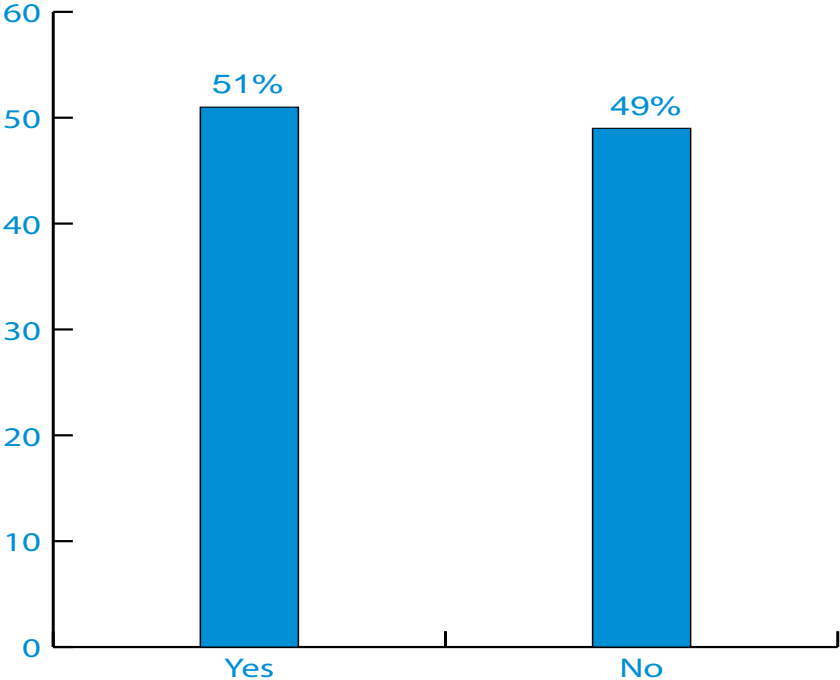*Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. Base: N=93*

The next WeBER elements only use the results from the sub-sample of the CSOs survey that reported to have exercised the right to information in the past two years i.e 51% of the surveyed CSOs (n=47). With regard to their experiences with requests to information, results show that CSOs mostly have problems with information that is not in the requested format, followed by information not provided within the prescribed deadlines. 39% of surveyed CSOs (n=18) stated that the information was rarely or never in the requested format, while 31% (n=14) that it was rarely or never within prescribed deadlines. Another 35% (n=16) reported that it happened sometimes. The legislation stipulates that the public authority shall handle the information request no later than 10 working days from the day of submission.[188] In the case that the public authority receives the information request and forwards it to another authority, it replies no later than 15 working days from the request having being received by the first authority.[189] Additionally, 39% (n=18) reported that either often or always when requesting access they are asked to provide reasons for such a request, this in contradiction with Article 3.1 of the law stipulating that "Everyone has the right to access public information, without having to explain the reasons as to why".

On a positive note, the vast majority of surveyed CSOs or 94% (n=43) stated that either often or always the information is generally provided free of charge. As per the legislation, it is free to file requests and information requested electronically is free of charge. But disclosure of information can be made against a fee, previously determined and made public by the public authority on its website and its premises. The fee is the cost

188 Unless otherwise provided for by the particular Law. (Article 15/1)

189 Article 15/2

for the reproduction of the information request and, where appropriate, the cost of delivery. The law envisages the exemption from fees for certain categories of requesters like citizens registered with the social assistance schemes and persons eligible under the Law "On Legal Aid"[190]. Information is received free of charge up to a certain number of pages for each request or to the equivalent value when the information is given in a different format.[191] FGD discussions highlighted that uneven practices are observed depending on the public authority where the requests are sent.

Table 12. Experiences with requests to information: When my organization requests free access to information…(%)

	Never	Rarely	Sometimes	Often	Always	Don't know
…information provided in the requested format.	4	35	24	**26**	**9**	2
…information provided within prescribed deadlines	9	22	35	**30**	**4**	
…. information provided free of charge.		2		**24**	**70**	4
…the person requesting access is asked to provide reasons for such a request.	**17**	**26**	15	22	17	2

Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%.
Base: N=46

Moving to the next three WeBER elements that focus on restrictions to the information requests, results show that the majority of surveyed CSOs did not have any experience with information that contained classified materials or personal data materials, as shown by the proportion of "Don't know" that varied from 30%-57%. Legislation envisages that right to information is not automatically refused when the information requested is found in documents classified as "state secret". In that case, the public authority, receiving the information request, shall start immediately the classification review procedure at the public authority that ordered the classification.[192] Regarding classified materials, 57% (n=26) of surveyed CSOs didn't know if when requesting access to information that contained classified materials, nonclassified portions of these materials were released. Only 2% (n=1) stated that this happened often, while 4% (n=2) sometimes. On the other hand, surveyed CSOs had more experiences with instances of information that contained personal data materials. The proportion of "Don't know" dropped to 37% but only 22% (n=10) of surveyed CSOs stated that portions not containing personal data were released either often or always. On the other hand, only 15% (n=7) of surveyed CSOs reported that often or always when only portions of requested materials are released, it was done so as to mislead the requester with partial information. 24% (n=11) stated that this happened sometimes, while 30% (n=14) that it happened rarely or never.

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190 No. 10039 of 22.12.2008

191 Article 13

192 The public authority shall immediately notify the applicant on starting the classification review procedure under the Law and decides whether to extend the deadline for providing information within 30 working days. In any case, the decision to handle or not the information request is taken and reasoned based on the criteria of this Article Article 17/5

Table 13. Experiences with requests to information that contains classified or personal data materials (%)

	Never	Rarely	Sometimes	Often	Always	Don't know
When requesting access to information that contains classified materials, nonclassified portions of these materials are released.	24	13	4	**2**		57
When requesting access to information that contains personal data materials, portions not containing personal data of these materials are released.	15	15	11	**15**	**7**	37
When only portions of requested materials are released, it is done so as to mislead the requesting person with only partial information.	15	15	24	**11**	**4**	30

Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. Base: N=46

Focusing on the work of the Commissioner as the supervisory body, CSOs perceive as average the standards set by the Commissioner. Around half of surveyed CSOs or 48% (n=22) agreed or strongly agreed that the Commissioner for Freedom of Information and Protection of Personal Data sets through its practice high standards of the right to access public information. Some 24% (n=11) were neutral, while 13% (n=6) disagreed or strongly disagreed.

Figure 32. Agreement with the statement "The Commissioner for Freedom of Information and Protection of Personal Data, sets, through its practice, sufficiently high standards of the right to access public information" (%)
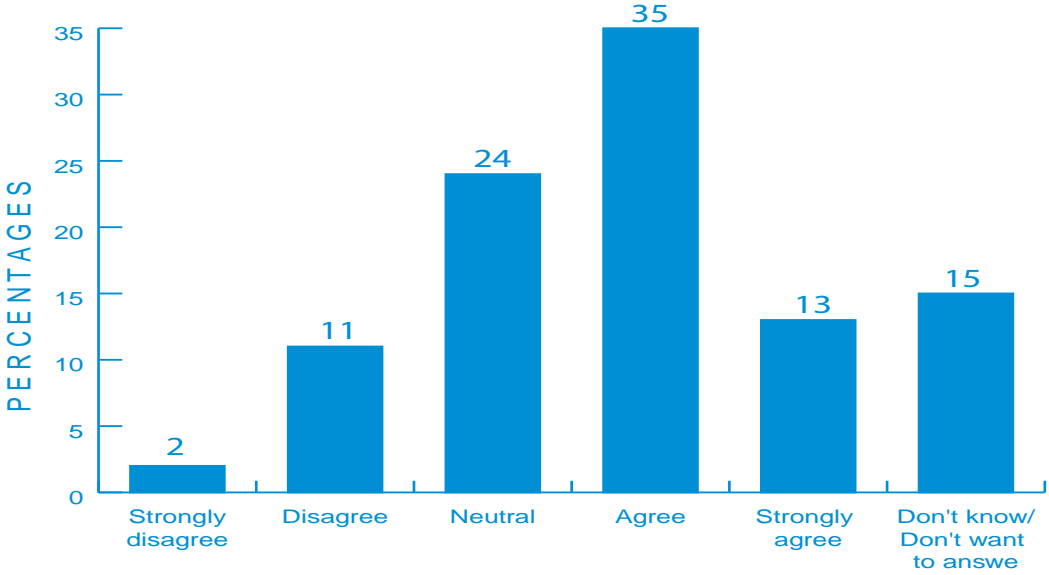
Note: Due to rounding, percentages may not always appear to add up to 100%. Base: N=46

Turning to the issue of effectiveness of measures issued by the Commissioner, 37% (n=17) of surveyed CSOs agreed or strongly agreed that soft measures issued were effective in protecting access to information, however 33% (n=15) were neutral. While 46% (n=21) agreed or strongly agreed that the sanctions prescribed for the violation of the right to free access information led to sufficiently grave consequences for the responsible persons in the non-compliant authorities, some 24% (n=11) disagreed or strongly disagreed.

Table 14. Effectiveness of the measures issued by the commissioner (%)

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	Don't know
Soft measures[193] issued by the Commissioner for Freedom of Information to public authorities are effective in protecting access to information.	7	20	33	**33**	**4**	4
The sanctions prescribed for the violation of the right to free access information lead to sufficiently grace consequences for the responsible persons in the non-compliant authorities	9	15	22	**35**	**11**	9

Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%.
Base: N=46

WeBER indicator "Proactive informing of the public by public authorities"

The second WeBER indicator for Principle 2 in the area of accountability analyses proactive informing of the public by public authorities. This is done through the analysis of the websites of a sample of state administration institutions for specified pieces of information and aspects of completeness, how up-to-date it is, accessibility and user friendliness. The specific elements of the indicator are:

Indicator elements	Scores
Websites of public authorities contain complete and up to date information on scope of work	2/4
Websites of public authorities contain easily accessible and citizen-friendly information on scope of work	1/2
Websites of public authorities contain complete and up to date information on accountability (who they are responsible to)	0/4
Websites of public authorities contain complete and up to date information on relevant policy documents and legal acts	4/4
Websites of public authorities contain accessible and citizen friendly information on relevant policy documents and legal acts	0/2
Websites of public authorities contain complete and up to date information on policy papers, studies and analyses relevant to policies under competence	0/4
Websites of public authorities contain accessible and citizen-friendly information on policy papers, studies and analyses relevant to policies under competence	0/2

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193 Prescriptions, recommendations and other non-binding measures

Indicator elements	Scores
Websites of public authorities contain complete and up to date annual reports	0/4
Websites of public authorities contain accessible and citizen friendly annual reports	0/2
Websites of public authorities contain complete and up to date information on the institution's budget	2/4
Websites of public authorities contain accessible and citizen-friendly information on the institution's budget	0/2
Websites of public authorities contain complete and up to date contact information (including e-mail addresses)	2/4
Websites of public authorities contain accessible and citizen friendly contact information (including e-mail addresses)	2/2
Websites of public authorities contain complete and up to date organisational charts which include entire organisational structure	2/4
Websites of public authorities contain accessible and citizen friendly organisational charts which include entire organisational structure	2/2
Websites of public authorities contain complete and up to date information on contact points for cooperation with civil society and other stakeholders, including public consultation processes	2/4
Websites of public authorities contain accessible and citizen friendly information on ways in which they cooperate with civil society and other external stakeholders, including public consultation processes	1/2
Public authorities proactively pursue open data policy	0/4
Total score	20/56
Indicator value (scale 0-5)[194]	2

The indicator analysis was performed on a sample of seven state administration authorities, therefore it may not reflect the situation in every institution of central government in the countries, but rather a prevailing practice. The period of observation for Albania was October-November 2017 and not September-November since following parliamentary elections on June 25th, 2017, the new ministers of the government assumed official mandates on September 15.[195] Below the sample of institutions monitored:[196]

Figure 36 Sample of 7 central administration institutions

Ministry of Finance and Economy	**Ministry of Interior**	**Ministry of Agriculture and Rural Development**	**Ministry of Culture**
Prime Minister Office	**Agency of Public Procurement**	**National Business Center**	
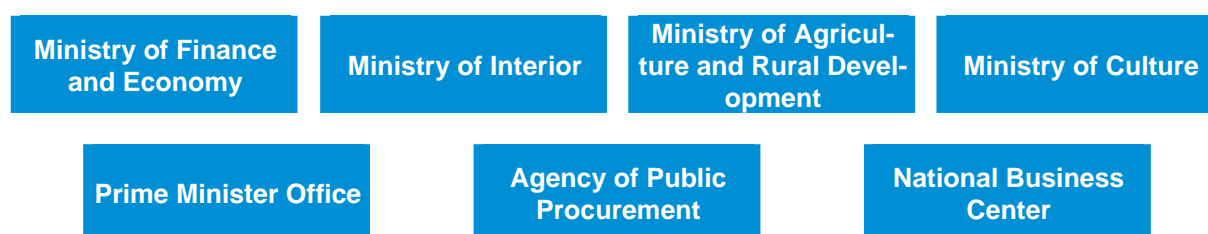
Note: Monitoring covered the period 24 October 2017 – 10 November 2017.

194 Conversion of points: 0-10 points = 0; 11-19 points = 1; 20-28 points = 2; 29-37 points =3; 38-46 points = 4; 47-56 points = 5.

195 Point allocation: 0 points if fewer than 60%; 1 point if from 60% to 80%; 2 points if more than 80%;

196 Ministry of Finance was merged with the Ministry of Economic Development, Trade and Enterprise. Ministry of Agriculture, Rural Development and Water Administration became Ministry of Agriculture and Rural Development. Their competences were updated on September 14th, 2017.

Review of the sample of 7 central administration institutions shows that transparency of government institutions remains a challenge both with regard to the opacity of information and to the bureaucratic approach in managing institutional transparency hampering the promotion of a high standard of open government. In Albania, the approach of promoting proactive disclosure of public information is organized around the transparency programmes adopted by public authorities. As shown by the table below, the major issue is that the transparency programme does not enable quick access to all information listed via links provided in the programme.

Table 15. Transparency Programmes of the sample

Central Administration Institution	Transparency programme	Format	Accessibility	Last update
Ministry of Finance and Economy	✓	Word document	Clickable links (partially)	June 2017
Ministry of Interior	✓	Part of the website	Clickable links	October 2015
Ministry of Agriculture and Rural Development	✓	Part of the website	No links available	April 2015
Ministry of Culture	✓	Part of the website	Clickable links	October 2015
Prime Minister Office (PMO)	✗[197]	PDF document		No info available
Agency of Public Procurement	✓	Part of the website	Clickable links	No info available
National Business Center	✓	Part of the website	No links available	No info available

"Description of the organisational structure, functions and competences of the public authority" is one of the categories of public information ought to be available without request in the Transparency Programme. Looking at the first two WeBER elements, monitoring shows that sampled public authorities – with the exception of the PMO – publish information on their scope of work online. Nevertheless, the structure of information varies, from general descriptions of the institutions to details on their competencies. In terms of updateness, ministries that had undergone internal restructuring following parliamentary elections of June 25th, 2017 tended not to have updated information on their scope of work – which ought to be updated after publication in the Official Gazette.[198] This was the case for the Ministry of Finance and Economy.

Information on the scope of work is considered as easily accessible[199] but – excluding sampled subordinate bodies – it is generally not presented in a citizen-friendly manner; there are no efforts to use formulations other than information just copied directly from (sub)legal acts. Positive examples include the formulations of the Agency of Public

197 Only the Structure of the PM was available

198 Their competences were updated on September 14th, 2017.

199 Less than three clicks away from the homepage

Procurement[200] and National Business Center.[201]
Although almost all sampled institutions publish organisational charts in their official websites, some of them were not updated following parliamentary elections of June 25th, 2017.[202] Furthermore, the new organisational chart of the Ministry of Interior was in a very poor quality, which made it illegible.[203]

Moving to the next WeBER element, Albania does not satisfy the requirements to receive any points since sampled public authorities, with the exception of subordinate bodies, do not publish information on accountability (who they are responsible to).[204]

"Laws, sub-legal acts, policy documents, and other documents" is also one of the categories of public information ought to be available without request in the Transparency Programme. Relevant policy documents and legal acts are generally assessed as complete and accessible in the official websites of the sampled public authorities, but more needs to be done in terms of citizen-friendliness – information lacks textual explanations (with one exception[205]). These documents are listed under integral, or separate website sections in the form of downloadable legal acts and strategic documents. In term of updateness, legislation relevant to the Ministry of Economy after the merger with the Ministry of Finance was not included in the website.[206]

Albania does not score any points on the element monitoring the publication of policy papers, studies and analyses relevant to policies under competence of the sampled institutions. Almost all sampled public authorities do not publish in their official websites policy papers, studies or analyses relevant to policies under their competence. For example, for the Ministry of Finance and Economy, there are no policy papers or studies available, apart from the reporting of the Fiscal Bulletin[207], Analytical Fiscal Indicators[208], The Economy and the Budget.[209] Again the new competences acquired by the ministry from the merger, were not yet available in the website. For the Ministry of Interior, there were some reports and analysis on the topic of migration and a subsection available for domestic and international reports on the topic of anti-trafficking.

Another highly critical issue is the lack of basic annual reporting by the public author-

200 Accessible here http://www.app.gov.al/rreth-nesh/fjal%C3%AB-hyr%C3%ABse/

201 Accessible here http://www.qkr.gov.al/qkb/misioni/

202 The organisational chart is not updated following the merger with the Ministry of Economy. Its last update dates in 19.12.2013. Also not updated for the Ministry of Culture. Accessible here http://www.kultura.gov.al/files/pages_files/Organika_e_MK.pdf

203 http://www.mb.gov.al/al/programi/programi-i-transparences/organigrama-e-ministrise-se-brendshme

204 Information on accountability is especially important for citizens in the case of authorities within institutions or independent agencies.

205 For the Ministry of Agriculture and Rural Development, it is considered as citizen-friendly because for every field of competence there is an introduction to the state of play and relevant laws.

206 E.g. as regards employment, VET, consumer protection etc.

207 Accessible here http://www.financa.gov.al/al/raportime/thesari/buletini-fiskal

208 Treguesit Analitik Fiskal - Accessible here http://www.financa.gov.al/al/raportime/programimi-ekonomiko-fiskal/raporte-dhe-statistika-fiskale-mujore/statistika-fiskale-mujore

209 Ekonomia dhe Buxheti Accessible here http://www.financa.gov.al/al/raportime/programimi-ekonomiko-fiskal/ekonomia-dhe-buxheti)

ities. With the exception of the practice of subordinate institutions[210], sampled public authorities do not publish annual reports on the work online. Furthermore, even for the subordinate institutions the practice of publishing annual reports was not regular. "Monitoring mechanisms, audit reports, documents with performance indicators" is also one of the categories of public information ought to be available without request in the Transparency Programme.

"Budget" is also one of the categories of public information ought to be available without request in the Transparency Programme. Pursuant to Article 65 of the Law on Management of Budgetary System in The Republic of Albania, monitoring and budget implementation reports are published by each authorizing officer in the respective official website of each general government unit, within a month after the end of the reporting period. Comments of the Ministry of Finance are published by the principal authorizing officer in official website of the Ministry of Finance. WeBER monitoring shows that monitoring and budget implementation reports[211] are regularly published for the sample (reference year – 2016) – with the exception of the Prime Minister's Office and National Business Center.[212] There are Comments and Recommendations on Monitoring Reports for year 2016 (for all ministries) available in the website of the Ministry of Finance and Economy.[213] However, the actual monitoring report for 2016 for the Ministry of Finance and Economy itself was not available online. Nevertheless, standalone budgets for 2017 were not available for the sampled institutions. The budget was contained in the monitoring reports for 2017 for the Ministry of Interior, Ministry of Culture, Ministry of Agriculture and Rural Development and Agency for Public Procurement.

Furthermore, although in 2016, the first citizens' budget was produced, individual institutions do not publish their own or provide any link to the general one.

"Data on the location of the offices of the public authority, working hours, name and contacts of the coordination of information" is also one of the categories of public information ought to be available without request in the Transparency Programme. Contact information is generally published in an accessible and user-friendly manner in the official websites of the sampled institutions. However, as a practice to avoid, for the case of the Ministry of Finance and Economy, while physical address and generic email are accessible at the drop-down menu "Contacts", generic numbers were accessible only in the English version of the website. Also, in the official Facebook page of the Ministry there is a generic number - different from the web.

While law 146/2014 stipulates the appointment of Coordinators of Notification and Public Consultation for every public organ, only two out of seven sampled institutions

210 Agency of Public Procurement (Agjencia e Prokurimit Publik) (subordinate body); Report for 2016 accessible here http://www.app.gov.al/rreth-nesh/analizat-vjetore/ National Business Center (Qendra Kombetare e Biznesit) (services) Only annual reports for 2015 and 2014 available in the website http://www.qkr.gov.al/newsroom/botime/

211 Completeness will be assessed by checking if financial plan for the current year (for 2017) and financial report for the previous year (for 2016) of each sampled institution are available on websites.

212 Only financial plans for 2017 and 2016 are included. Financial reports missing Accessible here http://www.qkr.gov.al/programi-i-transparences/programi-i-transparences/

213 http://www.financa.gov.al/al/raportime/buxheti/raporte-monitorimi/viti-2016/raporte-monitorimi-nga-ministria-e-financave-2016

had published online the name of their coordinators. See table below.

Table 16. Online publication of coordinators' names by institutions

Central Administration Institution	Transparency programme	Format
Ministry of Finance and Economy	✓	✓
Ministry of Interior	✓	✓
Ministry of Agriculture and Rural Development	✓	✗
Ministry of Culture	✓	✗
Prime Minister Office (PMO)	✓	✗
Agency of Public Procurement	✓	✗
National Business Center	✗	✗

Last, Albania does not score any points in the element regarding the pursuing of open data policy. For this element, researchers would award points if individual institutions published in an open format at least one comprehensive dataset pertaining to their competences of the institution or at least one document relevant from the FOI aspect[214] in an open format. As regards open data, Ministry of Finance and Economy and the National Business Center are found to publish datasets related to their work in an open format. Rulebooks on internal organization are also published online for the Ministry of Interior, Ministry of Culture and Ministry of Agriculture and Rural Development.[215]

How does Albania do in regional terms?

Indicator P2 I1: Civil society perception of the quality of legislation and practice of access to public information

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214 i.e. detailed contact list, employees lists, state officers and data on their salaries, rulebook on internal organisation, public procurement plan, financial plan

215 In non-readable pdf. 0 points: Public authorities do not pursue open data policy 1 point: At least one of the minimum requirements of open data policy is met in all sampled public authorities (or if the practice is uneven across authorities) 2 points: Both minimum requirements of open data policy are met in all sampled authorities

For more information on regional results, please visit www.par-monitor.org

Indicator P2 I2: Proactive informing of the public by public authorities

For more information on regional results, please visit www.par-monitor.org

V.4 Summary Results and Recommendations: Accountability

In the Accountability area, WeBER monitors the external accountability of the government and administration towards the public, particularly on the practice of reactive and proactive information provision by administration bodies. Firstly, civil society perceptions on the practice of access to public information, as the most frequent users, are not very positive. Just 28% of surveyed CSOs perceive that the information recorded and documented by public authorities is not sufficient for the proper application of the right to access public information. In addition, only 18% stated that legally prescribed exceptions to the public character of information are adequately applied in practice. With regard to their experiences with requests to information, CSOs mostly have problems with information that is not in the requested format (39%), followed by information not provided within the prescribed deadlines (31%). Additionally, 39% reported that either often or always they are also asked to provide reasons behind requests. 48% of surveyed CSOs stated that the Commissioner for Freedom of Information and Protection of Personal Data sets through its practice high standards of the right to access.

Although efforts were undertaken regarding proactive disclosure of information, transparency of government institutions remains a challenge both with regard to the opacity of information and to the bureaucratic approach in managing institutional transparency programmes. A critical issue remains the lack of basic annual reporting by public authorities on their work and that of financial transparency and accountability. Moreover, the citizen-friendliness aspect remains problematic given the uneven practices in the accessibility format of institutional transparency programmes, where in some instances they do not enable quick access to all information listed via links provided.

It is recommended that:
- In accordance with law 119/2014, public authorities should provide information within prescribed deadlines and in the requested format(s). If there are reason-

able barriers or justification for any delays or changes, information seekers should be informed in advance.

- Pending amendments to law 110/2014 should ensure proportionate restrictions to access to information, effective and proportional sanctions with regard to administrative liability mechanisms, and proactive disclosure of public information.
- Regarding proactive disclosure of information, public authorities should strive to inform citizens by using a simple, citizen-oriented language, focusing on ease of access and better user experience.
- Public authorities should display on their websites transparency programmes that are updated, easier to access and with information that is link clickable.
- Public authorities should establish the practice of publishing annual reports online.
- Public authorities should publish their annual budgets (financial plans) and establish the practice of producing and publishing citizen-friendly budgets.
- Public authorities should start publishing datasets pertaining to their scope of work in line with the open data standards.
- Public officials should be provided adequate training on how to comply with proactive disclosure.

VI. Service Delivery

WeBER indicators used in the Service Delivery and country values for Albania

P1 I1: Public perception of state administration's citizen orientation

0	1	2	**3**	4	5

P1 I3: Public perception and availability of information on citizens' feedback regarding the quality of administrative services

0	1	**2**	3	4	5

P4 I1: CSOs' perception of accessibility of administrative services

0	1	2	3	4	5

PP4 I2: Availability of information regarding the provision of administrative services on the websites of service providers

0	1	2	3	**4**	5

V.1 State of Play in Service Delivery

Improved service delivery represents one of the priorities of the public administration reform in Albania. The policy framework is comprised of the main PAR Strategy[216], the more overarching strategy for digital or information society (Digital Agenda)[217] and the separate policy document for service delivery (Long-Term Policy Document on the Delivery of Citizen-Centric Services by Central Government Institutions in Albania) adopted in 2016.[218] The policy document is organized around four components: standardization and re-engineering of services, separation of front office from back office and decentralization of service delivery, digitization and interoperability, and citizen feedback and performance monitoring. No monitoring reports on the strategy are available online. The law On the Method of Delivering Public Services at Front-Office Level[219], also approved in 2016, is the key legal instrument on which this reform lies, and it sets

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216 Approved with DCM no. 319, dated 15.4.2015.

217 Approved with DCM no. 284, dated 1.4.2015

218 Approved with DCM no. 384, dated 25.05.2016

219 http://www.adisa.gov.al/wp-content/uploads/2016/05/Ligj-Nr.-13-2016-Per-menyren-e-ofrimit-te-sherbimeve-publike-ne-sportel-ne-RSH.pdf

forth the main principles and rules for delivering public services by focusing on the one stop shop model of service delivery.[220]

At the institutional level, the key stakeholders involved in the implementation of the public services reform are: the Steering Committee of the Governmental Programme for Services and e-Governance led by the Deputy Prime Minister,[221] the Agency for the Delivery of Integrated Services (ADISA), the National Agency for Information Society (NAIS), along with line ministries and local authorities. ADISA is responsible for models and standards in citizen-centric public service delivery, but also for offering public services through integrated one-stop shop centers. To date, there are 4 integrated service delivery centers (one-stop-shops) located in Kavaja (offering 232 services), Kruja (232 services), Fier (343 services) and Gjirokastra (338 services) and the Immovable Properties Registration Office (IPRO) front-office in Tirana.[222] AIDSA has standardized a total of 128 forms for 301 public services offered by selected institutions and has compiled a total of 562 Public Service Information Cards informing citizens on the manner of application, documents required, tariffs, deadlines, etc.[223]

Concerning quality management in service delivery, there is no Government-wide policy on quality management models in the public administration and no practices in place for using advanced user-engagement methods in service design processes. However, ADISA has developed a framework for quality management for service delivery in its front offices[224] and is currently implementing quality assurance methodology in the one-stop shops it manages. ADISA has also created a guideline for a unified approach to the process of managing user complaints. It includes a standardised complaint form and a standardised process for handling complaints by the front and back offices.[225] However, results from the second nationwide mystery shopper assessment conducted by the Institute for Development, Research and Alternatives (IDRA)[226] showed that, excluding ADISA, institutions do not have a clear and consolidated procedure for filing complaints.

A new Code of Administrative Procedures was adopted on April 2015 to align it with EU principles in the area. The law came into force in May 2016 and sets clear standards for good administration. As noted by SIGMA (2017), a series of measures have been carried on to strictly implement the Code of Administrative Procedures but there are no concentrated efforts to review and harmonize special regulations.

NAIS, on the other hand, is responsible for coordinating government work in the ICT area and providing services through the government portal e-Albania.al. As reported

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220 As well as the loan agreement with the World Bank for the project "Citizen-Centric Service Delivery", which entered into force on March 22, 2016

221 Komiteti Drejtues i Programit Qeveritar per Dorezimin e Sherbimeve dhe e-Qeverisjes

222 http://www.adisa.gov.al/qendrat-adisa/

223 http://dap.gov.al/publikime/dokumenta-strategjik/204-raportet-e-monitorimit-te-strategjise

224 Based on the Common Assessment Framework and on the Organisation for Economic Cooperation and Development (OECD) Integrity Management Framework. SIMGA Monitoring (2017)

225 All citizens should receive responses to complaints within ten working days, and the Guideline also covers implementation of similar complaint-management procedures for other service points that have not been consolidated into one-stop shops.

226 file:///C:/Users/Planet/Downloads/Anglisht%20perfundimtar.pdf

in the latest annual monitoring report of the PAR Strategy (2018), e-Albania offers 527 transactional services. However, only 275 services are considered as level 4 automation or fully digitalized services (UN Public Administration Network (UNPAN) classification).[227] One of the reasons hindering full digitalisation is the low implementation rate of electronic signatures in practice (SIMGA, 2017).[228] The first examples of fully digitalised services included the health card, declaration of taxes, application for construction permits and university application. Whilst applications for consular services for Albanians living abroad was the most used service for 2017 (over 40,000 applications), these e-services also constituted the most used services of last year.[229]

Last, regarding the accessibility of administrative services, there is certainly room for improvement. The issue of accessibility by people with disabilities is a policy objective in the National Action Plan on Persons with Disabilities 2016-2020, but, in practice, enforcement of standards is weak and the needs of customers with disabilities are not adequately addressed in practice. An exception here are ADISA one-stop-shops that require all established Citizen Service Centers (CSCs) be wheelchair accessible for people with limited mobility. However, web accessibility standards[230] for public web pages and e-service channels have not been adopted, even though it is a goal in the Digital Agenda Action Plan, as well as in the National Action Plan on Persons with Disabilities. To this regard, SIGMA (2017) has recommended the Government to complement the general policy on access for special needs users with concrete policy measures and metrics.

VI.2 What does WeBER monitor and how?

Under the Service Delivery area of PAR, three SIGMA Principles are monitored.

> **Principle 1:** Policy for citizen-oriented state administration is in place and applied;
>
> **Principle 3:** Mechanisms for ensuring the quality of public services are in place;
>
> **Principle 4:** The accessibility of public services is ensured.

From the perspective of the civil society and the wider public, these Principles bear the most relevance in terms of addressing the outward-facing aspects of the administration that are crucial for daily provision of administrative services and contact with the administration. In this sense, these are the principles most relevant to the quality of everyday life of citizens.

The approach to monitoring these principles relies, firstly, on public perception of service delivery policy, including how receptive the administration is for redesigning administrative services based on citizen feedback. This is complemented with the percep-

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227 SIGMA (2017).

228 By the end of 2017, 29 services were offered with digital signatures.

229 PAR Strategy Monitoring Report 2018

230 Web Content Accessibility Guidelines [WCAG]

tion of civil society about distinct aspects of service delivery. Moreover, the approach to the selected Principles goes beyond perceptions, exploring aspects of existence, online availability and accessibility of information on services.

Four indicators were used, two fully measured by perception data (public perception and civil society) and two by using a combination of perception and publicly available data.[231] The public perception survey employed three-stage probability sampling targeting the public. It focused on citizen-oriented service delivery in practice, covering the various aspects of awareness, efficiency, digitalization and feedback mechanisms.

In the measurement of accessibility of administrative services for vulnerable groups, and in remote areas, a survey of civil society and a focus group with selected CSOs were used, the latter for complementing the survey data with qualitative findings. The existence of feedback mechanisms was explored by combining public perception data and the online data on the sample of five services. Finally, the websites of providers of the same sample of services were analysed to collect information on accessibility and their prices.

VI.3 WeBER Monitoring Results

Principle 1: Policy for citizen-oriented state administration is in place and applied

WeBER indicator "Public perception of state administration's citizen orientation"

WeBER approaches this principle from the perspective of public perceptions on the citizen orientation of the administration. The following elements are analysed as part of this indicator:

Indicator elements	Scores
Citizens are aware of government administrative simplification initiatives or projects	1/2
Citizens confirm that administrative simplification initiatives or projects of the government have improved service delivery	4/4
Citizens confirm that dealing with the administration has become easier	2/4
Citizens confirm that time needed to obtain administrative services has decreased	2/4
Citizens consider that administration is moving towards digital government	1/2
Citizens are aware of the availability of e-services	1/2
Citizens are knowledgeable about ways on how to use e-services	2/2
Citizens use e-services	0/2
Citizens consider e-services to be user-friendly	2/4

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231 Refer to the methodological note in the end.

Indicator elements	Scores
Citizens confirm that the administration seeks feedback from them on how administrative services can be improved	1/2
Citizens confirm that the administration uses their feedback on how administrative services can be improved	4/4
Total score	20/32
Indicator value (scale 0-5)[232]	3

Survey results show a generally encouraging public perception towards the citizen orientation of the administration. Overall, regarding red tape in public administration, half of Albanian citizens either agreed or strongly agreed that there had been efforts or initiatives by the government to make administrative procedures simpler for citizens and businesses in the past two years, while other 36% disagreed or strongly disagreed. Citizens' interaction with the administration to receive any administrative services accounted for a large difference. Around 6 in 10 citizens who had interacted with the administration agreed on the existence of simplification efforts in comparison to just 38% who had not interacted with the administration – marking an interaction perception gap of 20 p.p.

Figure 33. There have been efforts by the government to make administrative procedures simpler (%)
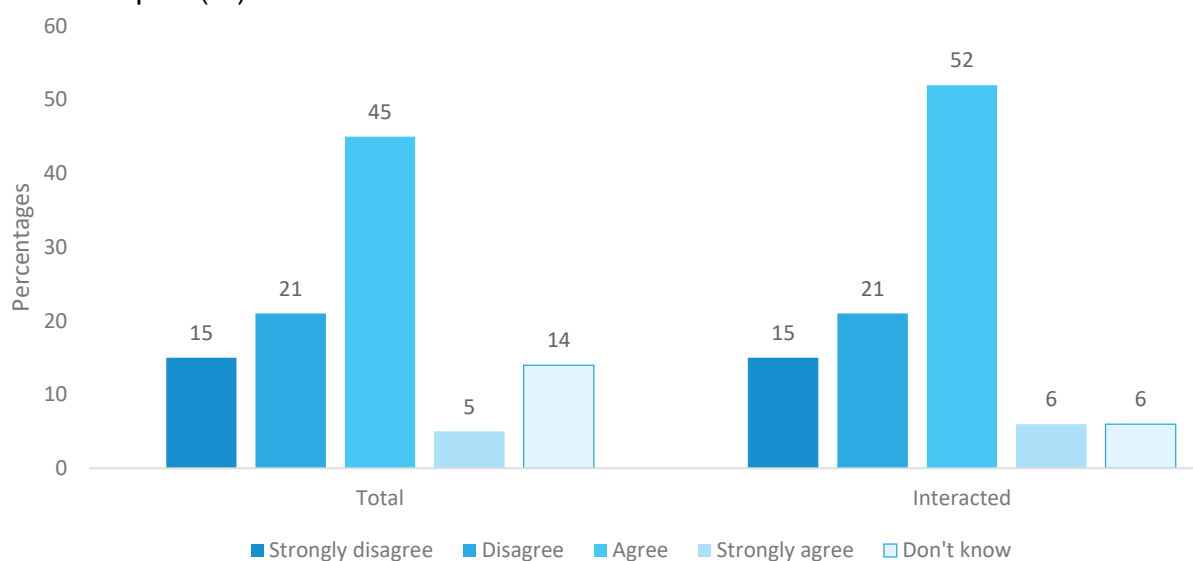
Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. Base: N1=1013, N2=622

Along the same line, under half of Albanian citizens (45%) agreed or strongly agreed that dealing with the administration had become easier in the past two years, while 39% disagreed or strongly disagreed. Those who had contacts with the administration were more likely to report that dealing with the administration has become easier (51%) than those who did not have any contacts (34%).[233]

232 Conversion of points: 0-5 points = 0; 6-11 points = 1; 12-17 points = 2; 18-22 points =3; 23-27 points = 4; 28-32 points = 5.

233 Differences are statistically significant. Our results indicate that 61% of Albanian citizens have had contacts with their administration to receive any administrative services in the past two years. In order to increase the compre-

Figure 34. Dealing with the administration has become easier in the past two years, by interaction with the administration (%)
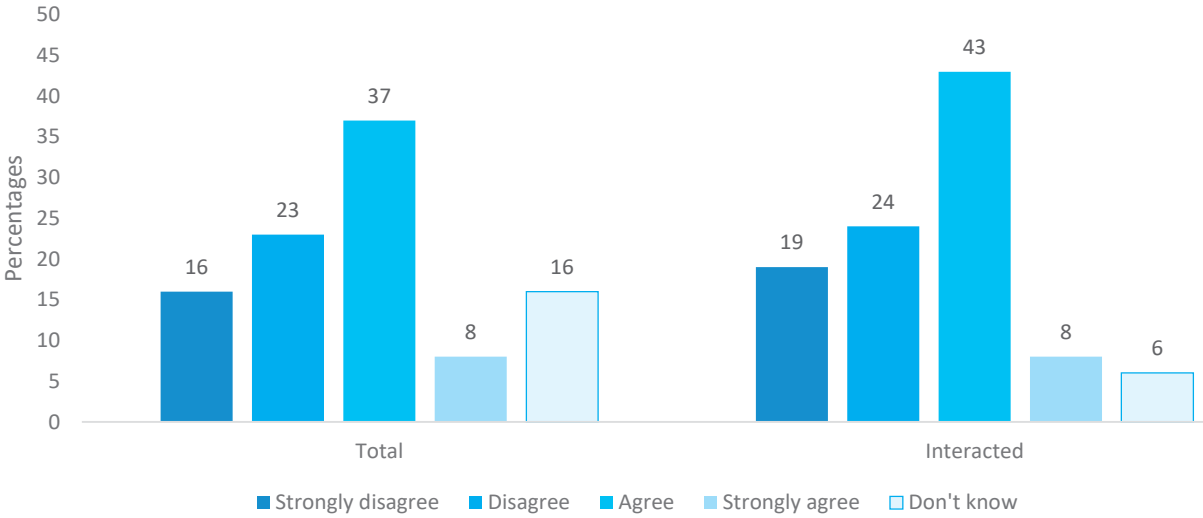

Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. Base: N1=1013, N2=622

When comparing perceptions by the socio-economic characteristics of the citizens, there appear gaps in views that dealing with the administration has become easier especially with regard to the educational attainment of the respondent and their sector of employment. To this regard, 75% of Albanians working in the public sector as compared to 49% working in the private sector perceived that dealing with the administration had become easier. Also, those with a highest education level were more likely to perceive that dealing with the administration has become easier (62% vs. 49%, respectively).

Figure 35. Perceptions on dealing with the administration for the sub-sample who has interacted, by background factors (%)
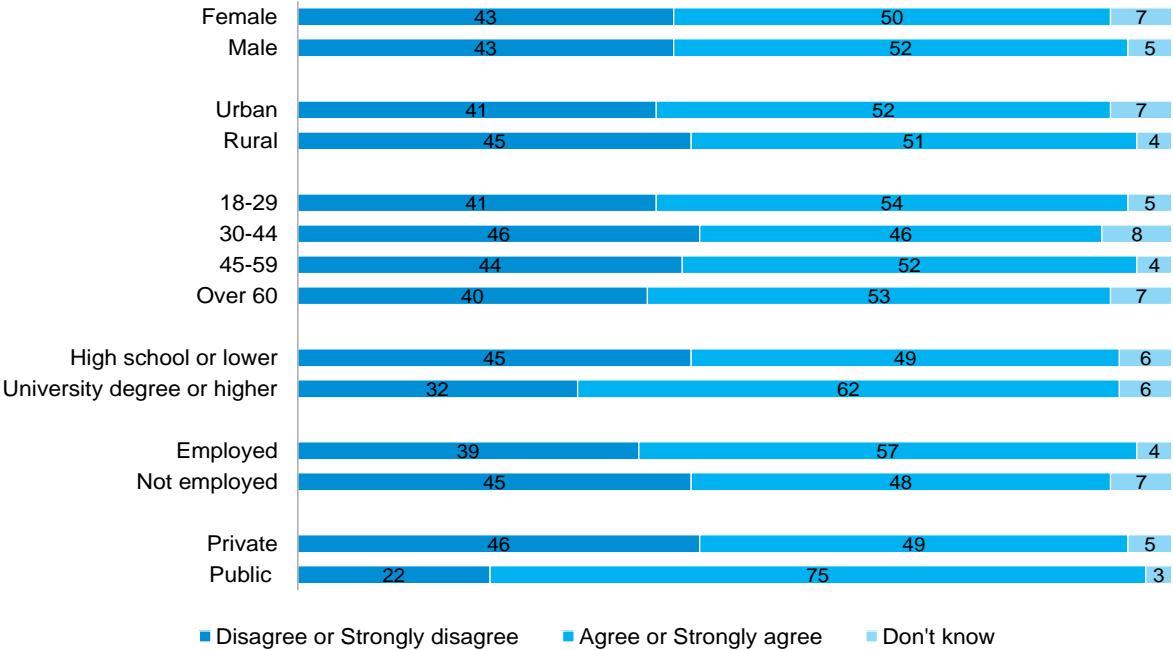
Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. Base: N1=622, N2=622, N3=622, N4=622, N5=622, N6=261

hension of the questions asked, respondents were given definitions of key concepts at the start of each question.

Moving on to digitalization, 55% of the Albanian citizens either agreed or strongly agreed that the government is moving towards digitalization in the past two years, while other 25% disagreed or strongly disagreed. 19% stated that they didn't know or weren't aware on the topic. Citizens who had interacted with the administration were more likely than those who had not interacted to report that their government had been moving towards digitalization - 61% agreed or strongly agreed as compared to 42%. Along similar lines, awareness of e-services in Albania does not surpass half of the Albanian population or 49%.

Figure 36. Awareness on the availability of e-services
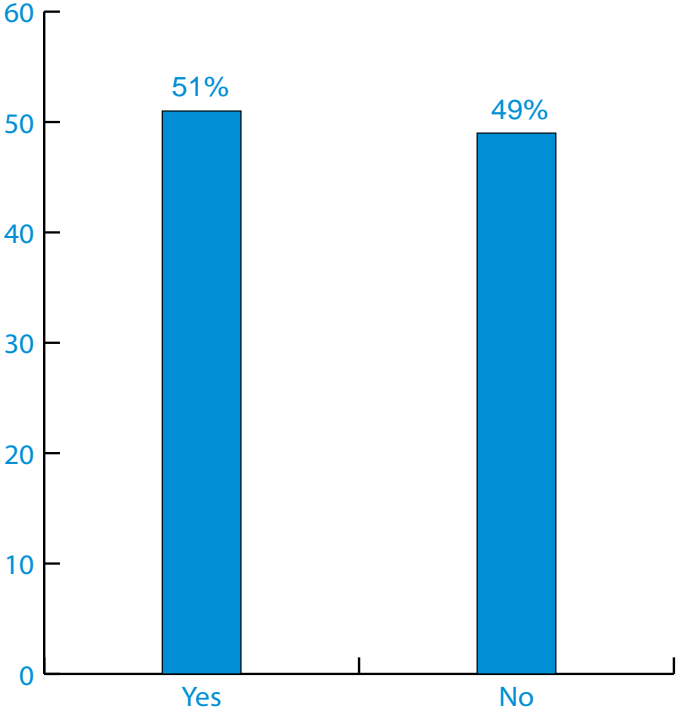
Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. Base: N=1013

The next figure shows level of awareness among different population groups. Our data confirm that awareness has a positive relationship with age. While 60% of 18-29 year-olds were aware on the availability of e-services, just 35% of those aged over 60 were aware. There are also gender differences. More men (54%) were aware than women (44%). The level of awareness was the highest among those with a university degree or higher (68% vs. 46%). Moreover, citizens that had interacted with the administration in the past two years appeared to be more aware (58% vs. 36%).

Figure 37. Awareness on e-services, by background factors (%)
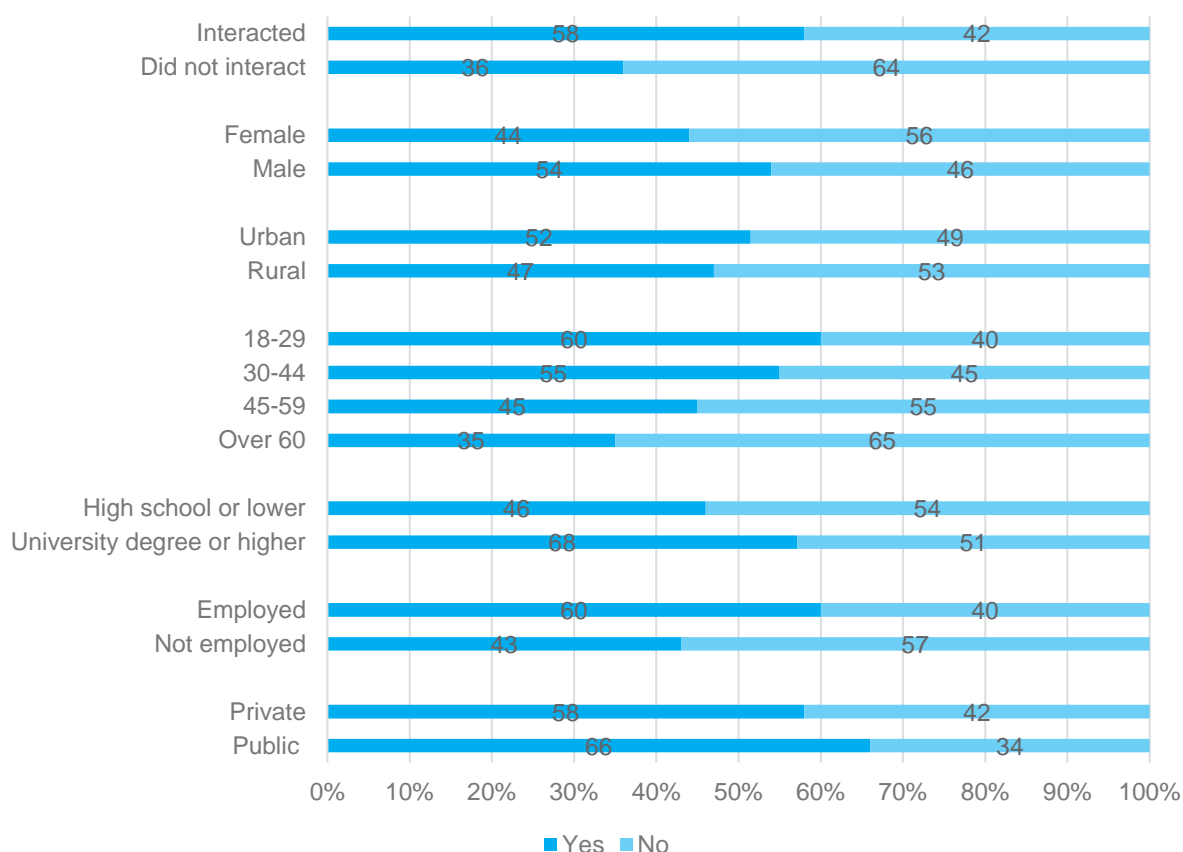
Note: *Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%.*
Base: $N_1=1013, N_2=375$

Furthermore, citizens who reported to be aware were asked if they were informed on how to use e-services. Out of those that were aware, nearly 63% believed they were informed and knowledgeable about using them. However, 34% confirmed to be generally uninformed. Citizens with university degree or higher (74% v. 62%), in paid work (71% v. 60%) and employed in the public sector (74% v. 69%) were more likely to be informed on the ways to use e-services.

Referring to usage rates of e-services among those citizens that are aware of them, data reveal a generally low e-service usage level and also take-up gaps across certain groups of the population. Just 19% of citizens have used them "sometimes" or "often" during the past two years, while the majority or 53% have never used them. In terms of socio-economic characteristics, the divergence is most pronounced between citizens with higher education and those with lower (37% vs. 14%), followed by status of employment (25% vs. 13%), and employment sector (36% vs. 21%).

Table 20. User experience with e-services in the past two years

|	Never	Rarely	Sometimes	Often	Always	Total
How often have you used e-services?	53% (n=237)	28% (n=123)	18% (n=78)	**1% (n=6)**	**(n=444)**	57
How often have you managed to finalize e-services you requested?	2% (n=4)	38% (n=78)	37% (n=77)	**23% (n=48)**	**(n=207)**	37

However, what is worrisome is that data reveal a gap between the willingness to use e-services and actually obtaining the service requested. Asked on how often they managed to finalize the service they requested online, only 23% of respondents' reported that they "always" managed to obtain the service requested. User-friendliness and usability appears to determine the fact of actually obtaining the service and subsequent e-service usage rates, since perceived user-friendliness increases e-service usage. Those citizens stating that e-services were easy or very easy to use were more likely to have managed to finalize the e-services requested (70%).

Table 17. Correlation between user-friendliness of e-services and obtaining of e-services

		In your experience, how easy to use are e-services in general?	
	Never or rarely	Very difficult or difficult	Easy or very easy
How often have you managed to finalize e-services you requested?	Sometimes or often	73% (n=32)	30% (n=48)
	Total	27% (n=12)	70% (n=113)
		100% (n=44)	100% (n=205)

The last two WeBER elements look at the cooperative relationship of the administration with its citizens with regard to availability for suggestions. 44% of citizens either agreed or strongly agreed that the administration seeks feedback from them on how administrative services can be improved, while other 39% disagreed or strongly disagreed. However, out of those that agree, 81% confirmed that the administration uses their feedback to improve service delivery.
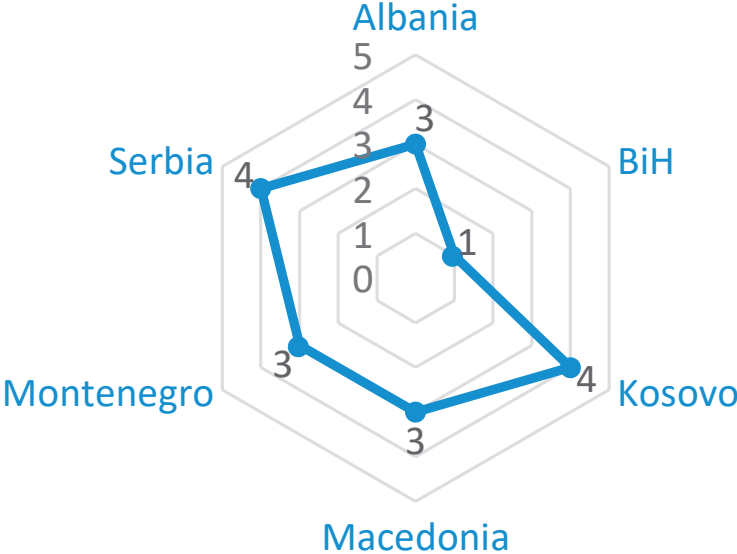
Figure 38. Administration asks for citizens' proposals on improving services (%)
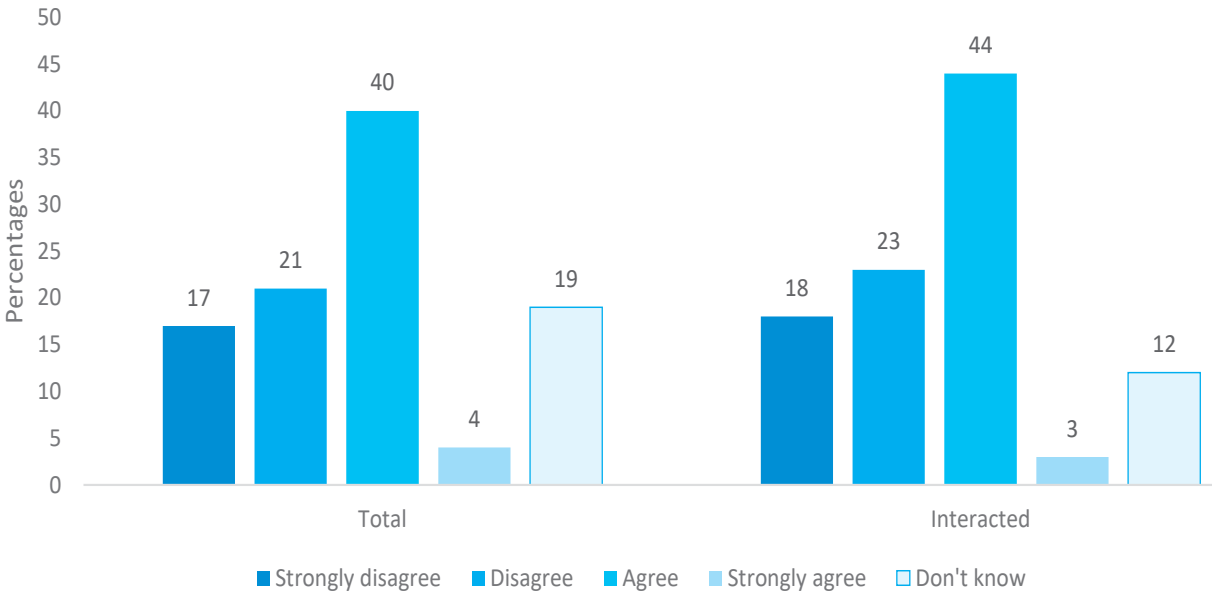
Note: *Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%.* **Base:** *N₁=1013, N₂=622*

How does Albania do in regional terms?

Indicator P1 I1: Public perception of state administration's citizen orientation

For more information on regional results, please visit www.par-monitor.org

| **Principle 3:** Mechanisms for ensuring the quality of public services are in place

WeBER indicator "Public perception and availability of information on citizens' feedback regarding the quality of administrative services"

Principle 3 is approached from the perspective of citizens' views on quality management of public services along with the analysis of websites of service providers to determine availability of information on citizen feedback. The elements of this indicator are as follows:

Indicator elements	Scores
Citizens consider they have the possibility to provide feedback on the quality of administrative services	1/2
Citizens perceive feedback mechanisms as easy to use	4/4
Citizens perceive themselves or civil society as involved in monitoring and assessment of administrative services	2/4
Citizens perceive that administrative services are improved as a result of monitoring and assessment by citizens	4/4
Basic information regarding citizens' feedback on administrative services is publicly available	0/4
Advanced information regarding citizens' feedback on administrative services is publicly available	0/2
Total score	11/20
Indicator value (scale 0-5)[234]	2

Overall, just more than one-third of the citizens (35%) either agreed or strongly agreed that they have possibilities as users of administrative services to give their feedback on the quality of services they receive. 46% do not disagreed or strongly disagreed. Fur-

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234 Conversion of points: 0-4 points = 0; 5-8 points = 1; 9-11 points = 2; 12-14 points = 3; 15-17 points = 4; 18-20 points = 5.

thermore, the proportion of disagreement rises to 49% if we consider only those that have received any services from the administration the last two years.

Figure 39. Possibilities to give feedback on the quality of services received (%)
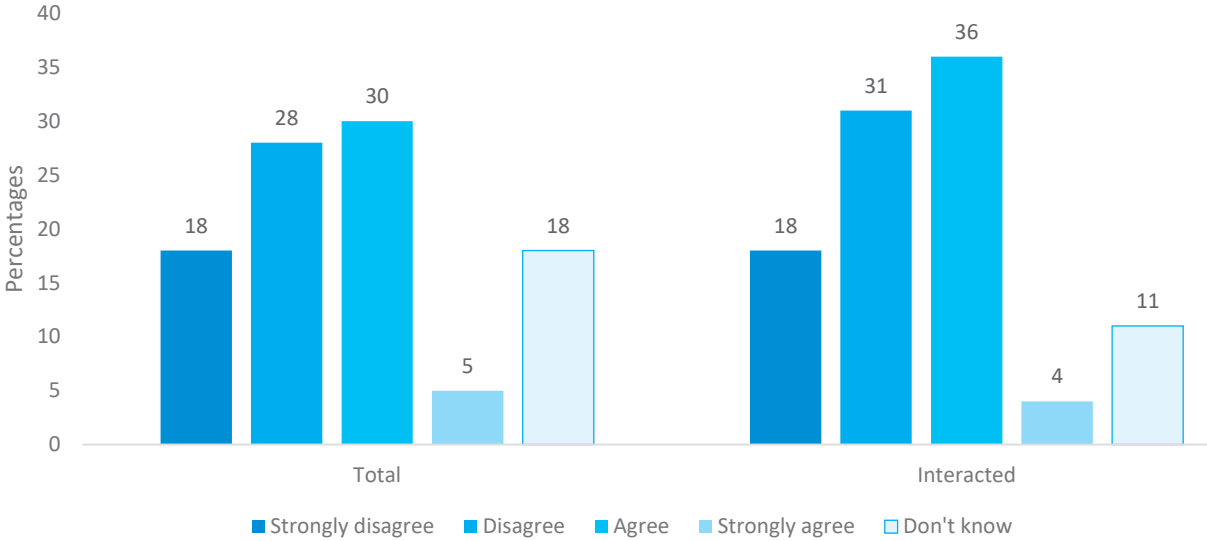
Note: *Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%.* **Base:** N_1=1013, N_2=622

Out of those that confirmed that they had possibilities to give feedback on the quality of administrative services, more than one-fourth (29%) actually gave their feedback in the past two years or around 10% of the whole sample (n=104). 67% reported not have any chance.

The majority of those that had given feedback on the services used in the past two years rated those feedback channels as either easy to use or very easy to use (87%, n=90). 10% considered them difficult to use (n=10).

Regarding perceptions on the inclusiveness of the process of monitoring service delivery, 35% of the Albanian citizens either agreed or strongly agreed that citizens and civil society had been involved in the monitoring of services, while 42% disagreed or strongly disagreed. Out of those who agreed, 85% perceived that administrative services had improved as a result of such monitoring efforts, while 21% held the very opposite opinion.

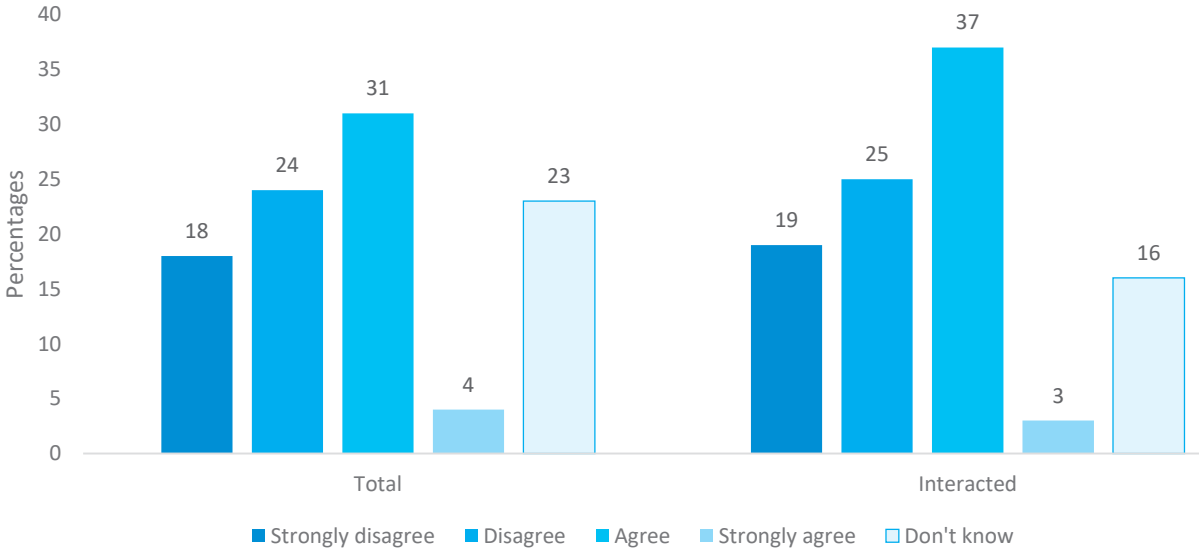Figure 40. Citizens and civil society have been involved in the monitoring of services

Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. Base: N_1=1013, N_2=622

The assessment of the last two WeBER elements is based on a review of websites of the providers of a sample of five administrative services along with the portal E-Albania in search of basic and advanced performance information on citizens' feedback on the quality of those services. Basic performance data include information from at least one source - be it an administrative data or survey data, whereas more advanced reports on citizens' satisfaction include the combination of more than one data source or include segregated data on gender or other characteristics.

Figure 41. Sample of 5 service providers

Immovable Property Registration Office	Albanian National Business Center	General Directorate for Road Transport Services	General Directorate of Civil Registry

General Directorate of Taxation	E-Albania
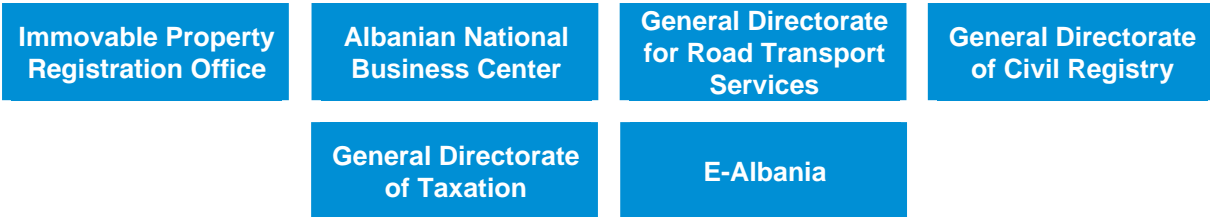
Note: Monitoring covered the period January 2018.

For Albania, review of the websites for the 5 service providers showed that they do not have even basic performance information on citizens' feedback available online.

How does Albania do in regional terms?

Indicator P3 I1: Public perception and availability of information on citizens' feedback regarding the quality of administrative services
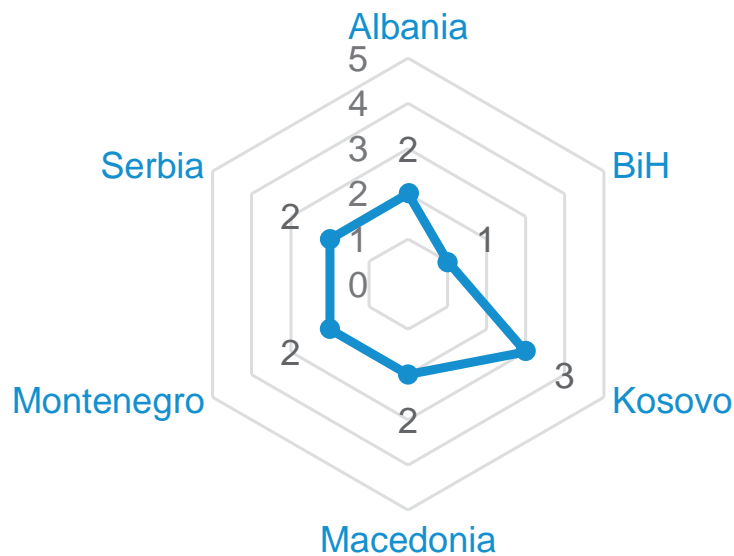
For more information on regional results, please visit www.par-monitor.org

WeBER indicator "CSOs' perception of accessibility of administrative services"

Accessibility of public services was measured with two indicators, one of which is based on the perceptions of civil society organisations and the other one on the analysis of the websites of the providers for a sample of administrative services.[235] Below the elements comprising the first indicator:

| Indicator elements	Scores
CSOs confirm the adequacy of territorial network for access to administrative services	0/4
CSOs confirm that one-stop-shops are made accessible to all	2/4
CSOs consider administrative services to be provided in a manner that meets the individual needs of vulnerable groups	0/4
CSOs confirm that administrative service providers are trained on how to treat vulnerable groups	0/2
CSOs confirm that the administration provides different channels of choice for obtaining administrative services	1/2
CSOs confirm that e-channels are easily accessible for persons with disabilities	0/2
Total score	3/18
Indicator value (scale 0-5)[236]	0

Survey results show that civil society opinions about the accessibility of public services appear overwhelmingly negative. As it is illustrated in the graph, just 23% of surveyed

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235 The sample of services is the same as for the indicator 5SD_P3_I1 above.

236 Conversion of points: 0-4 points = 0; 5-8 points = 1; 9-11 points = 2; 12-14 points = 3; 15-17 points = 4; 18-20 points = 5.

CSOs either agreed or strongly agreed that service providers are adequately distributed in such a way that all citizens have easy access across the territories of the country, while over half of the sample (55%) disagreed or strongly disagreed. Along the same vein, more than one-third of CSOs perceive one-stop-shops as easily accessible through their geographic distribution by all citizens, whereas 41% disagreed or strongly disagreed. 36% of surveyed CSOs either agreed or strongly agreed that the public administration provides different channels of choice (in-person, electronic) for obtaining administrative services, while other 26% were neutral. 31% disagreed or strongly disagreed.

Figure 42. Statements regarding general accessibility (%)
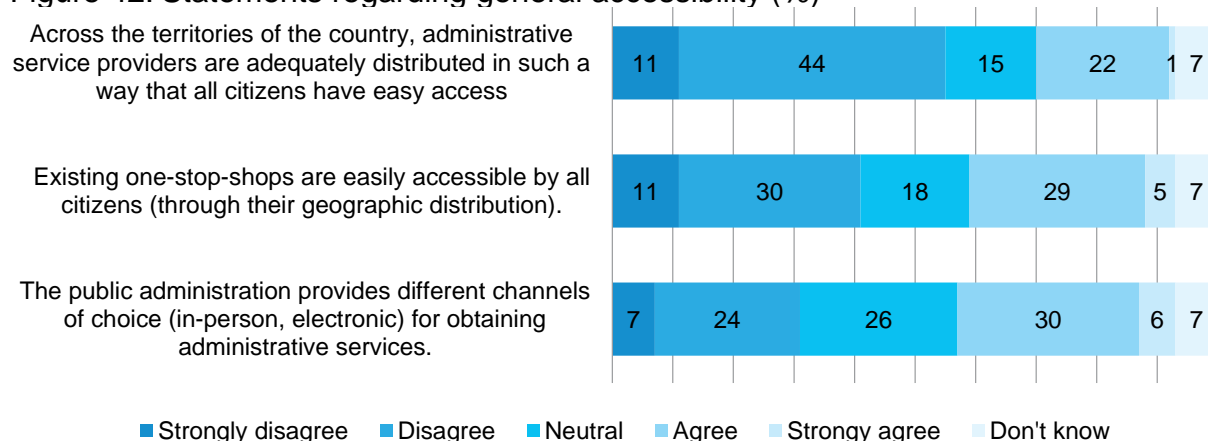
Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. Base: N=87

Furthermore, our survey results show that the adaptation of administrative services to vulnerable groups remains especially problematic. Just 7% of surveyed CSOs either agreed or strongly agreed that administrative service provision is adapted to the needs of vulnerable groups, whilst the vast majority or 63% disagreed or strongly disagreed. This concern is extended also to e-services, given that only 11% of surveyed CSOs agreed or strongly agreed that e-channels for accessing administrative services are easily accessible for vulnerable groups, while 65% reported the opposite. Also, regarding the staff working on administrative service delivery, only 10% of surveyed CSOs agreed that in general they are trained on how to treat vulnerable groups. 45% disagreed, while 17% strongly disagreed.

Figure 43. Statements regarding service delivery adaption to vulnerable groups (%)
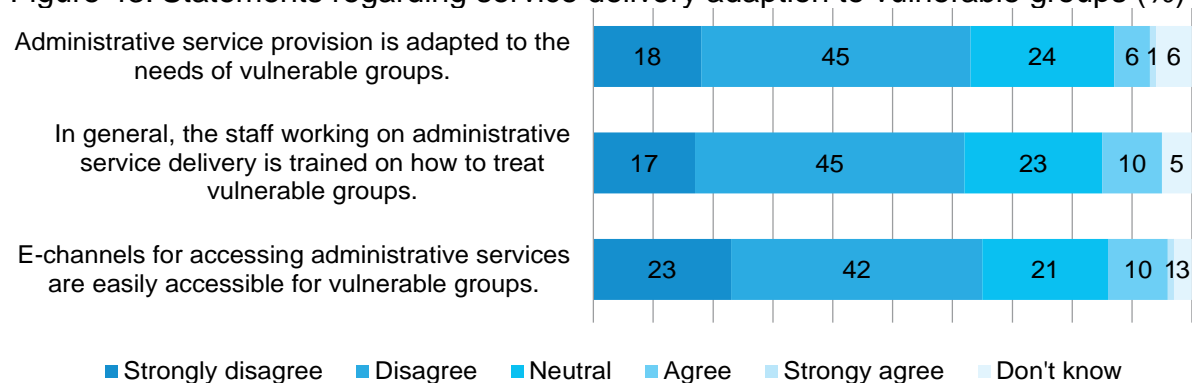
Note: Results are rounded to the nearest integer. Due to rounding, percentages may not always appear to add up to 100%. Base: N=87

How does Albania do in regional terms?

Indicator P4 I1: The accessibility of public services in ensured

For more information on regional results, please visit www.par-monitor.org.

WeBER indicator "Availability of information regarding the provision of administrative services on the websites of service providers"

The second accessibility indicator looks at the availability of information regarding the provision of administrative services on the websites of service providers, for a sample of five services. The indicator uses the following elements:

Indicator elements	Scores
Websites of administrative service providers include contact information for provision of services	4/4
Websites of administrative service providers include basic procedural information on how to access administrative services	4/4
Websites of administrative service providers include citizen-friendly guidance on accessing administrative services	2/2
Websites of administrative service providers include information on the rights and obligations of users	2/2
Individual institutions providing administrative services at the central level publish information on the price of services offered	4/4
The information on the prices of administrative services differentiates between e-services and in-person services	0/2
Information on administrative services is available in open data formats	0/2
Total score	16/20
Indicator value (scale 0-5)[237]	4

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237 Conversion of points: 0-4 points = 0; 5-8 points = 1; 9-11 points = 2; 12-14 points = 3; 15-17 points = 4; 18-20 points = 5.

The websites of institutions delivering the following services were analysed along with the website of ADISA and e-Albania.

Figure 44. Sample of 5 services

Immovable Property Registration Office	National Business Center	General Directorate for Road Transport Services	General Directorate of Civil Registry	General Directorate of Taxation
Property registration	Business registration	Vehicle registration	Applying for passport	VAT for companies

Note: Monitoring covered the period February 2018

Monitoring revealed that Albania fares very well on the online availability of information regarding the provision of administrative services, in particular through the established practice of Information Cards available from the ADISA website. They include a standardized citizen-friendly guidance and detailed information on each of the 5 services reviewed, inter alia, as regards: necessary required documentation, location for getting the service, information on the rights and obligations of users, fees, deadlines for receiving the services and e-services availability. As a result, information that might not be available in the websites of the service providers is accessible on the ADISA and e-Albania website. However, there is no differentiation between prices of in-person and e-services, as only one service sampled – VAT for companies – can be fully obtained electronically. Additionally, no information relevant for sampled services is available in open data format.

How does Albania do in regional terms?

Indicator P4 I2: Availability of information regarding the provision of administrative services on the websites of service provider
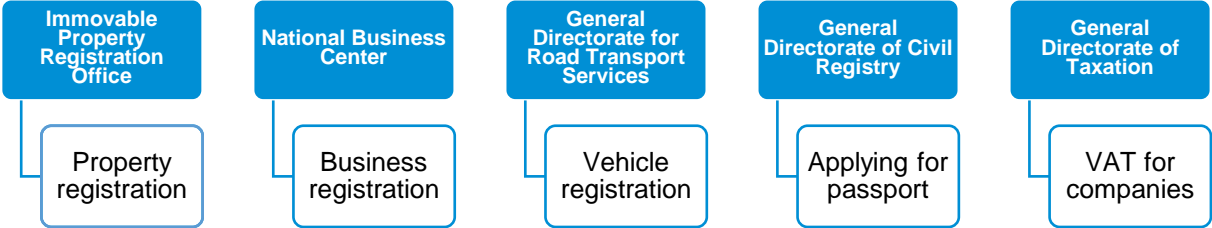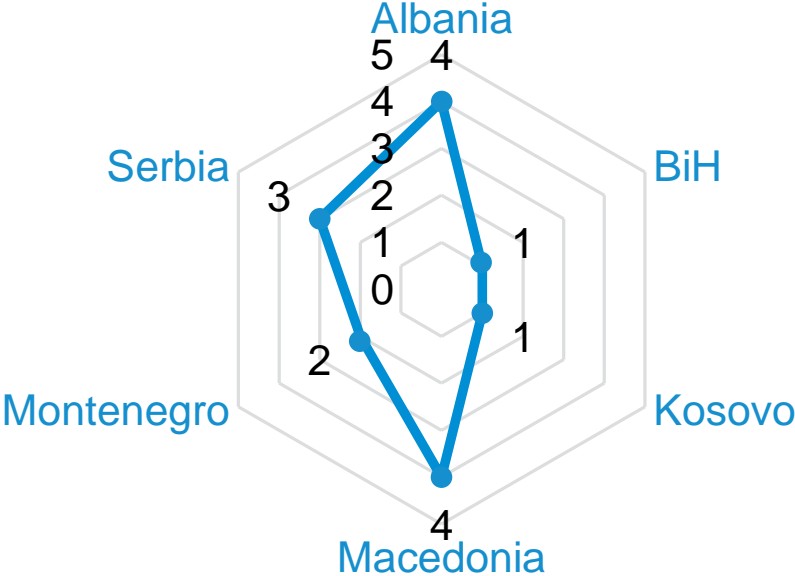

For more information on regional results, please visit www.par-monitor.org.

VI.4 Summary results and recommendations: Service Delivery

WeBER approaches service delivery from the perspective of its citizen orientation, focusing on public and civil society perceptions regarding the availability and accessibility of services. It also explores aspects of availability and accessibility of information on services. Regarding red tape in public administration, half of Albanian citizens stated that there had been efforts by the government to make administrative procedures simpler for citizens and businesses in the past two years. Citizens who recognised government's efforts to make administrative procedures simpler also confirmed that these initiatives have improved service delivery. Along the same line, 45% of Albanian citizens perceived that dealing with the administration had become easier in the past two years. Those who have had contacts with the administration were more likely to report that dealing with the administration had become easier (51%) than those who did not have any contacts (34%). Moving on to digitalization, 55% of the Albanian citizens agreed that the government has been moving towards digitalization, but awareness of e-services did not surpass half of the Albanian population (49%).

44% of citizens confirmed that the administration had asked for citizens' proposals on how to improve administrative services in the past two years. But mechanisms for ensuring the quality of administrative services are largely not in place; only 35% of citizens claimed that they have possibilities as users to give their feedback on the quality of services received. Furthermore, service providers in Albania do not even offer any basic information about user satisfaction on their websites. Regarding the availability of information on the provision of administrative services, the Agency for the Delivery of Integrated Services Albania (ADISA) has established a good practice of providing standardized, advanced and user-friendly guidance on how to obtain services through the compilation of Information Cards.

On the other hand, accessibility of public services appears particularly problematic. 23% of surveyed CSOs confirmed that service providers are adequately distributed in such a way that all citizens have easy access across the territories of the country, while over 55% disagreed. Furthermore, just 7% agreed that administrative service provision is adapted to the needs of vulnerable groups. Also, regarding the staff working on administrative service delivery, only 10% of surveyed CSOs reported that in general they are trained on how to treat vulnerable groups.

It is recommended that:
- The Government should expand its work on administrative simplification in order to cut red-tape and improve service delivery.
- The Government should engage in activities specifically aimed at increasing the awareness and promotion of e-services take-up and increase public awareness of the portal E-Albania.
- The Government should identify gaps in e-service delivery and pay attention to usage differences and divides among different socio-economic groups of the population, especially the older generation, the less educated and those living in rural areas.
- The Government should prioritize the development of a wide-encompassing policy framework on quality management models in public administration.

- Service providers should enable and promote on their websites feedback channels aimed at improving administrative services.
- Service providers should proactively publish basic information data regarding citizens' feedback on administrative services.
- The Government should promote inclusive monitoring of service delivery by civil society and citizens.
- The Government should address accessibility and the needs of the customers with disability and review disability-specific policies and services to identify gaps and barriers and to plan actions to overcome them.
- Service providers should ensure that their staffs are adequately trained about communication with and assistance to people with disabilities and other vulnerable groups.
- ADISA should make available information on administrative services in open data formats

VII. Public Finance Management

WeBER indicators used in Public Finance Management and country values for Albania

P5 I1: Transparency and accessibility of budgetary documents

0	1	2	**3**	4	5

P6&P8 I1: Public availability of information on public internal financial controls and the parliamentary scrutiny

0	1	**2**	3	4	5

P16 I1: SAIs communication and cooperation with the public pertaining to its work

0	1	2	3	**4**	5

VII.1 State of Play in Public Finance Management

This state of play herein will focus exclusively on three sub-areas of PFM reform: budget transparency, public internal financial control (PIFC) and external audit.

PFM reforms are implemented though the Albania Public Finance Management Strategy 2014-2020 (PFM Strategy) and its Action Plan 2014-2020[238]. The overall objective of the PFM Strategy is to achieve a better balanced and sustainable budget with a reduced debt ratio through stronger financial management and control and audit processes and where budget execution is properly linked to government policies. It is a comprehensive strategy organized in six pillars: 1) Sustainable and prudent fiscal framework, 2) Well-integrated and efficient planning and budgeting of public expenditure, 3) Efficient execution of the budget, 4) Transparent government financial reporting, 5) Effective internal controls and 6) Effective external oversight of the public finances. The monitoring and reporting of PFM reform is led by the PFM Reform Secretariat and has been supported through the development of a detailed methodology and guidance on performance indicators.[239] Annual Monitoring Reports are produced and publicly available on the website of the Ministry of Finance and Economy.[240]

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238 Available at: http://www.financa.gov.al/wp-content/uploads/2017/09/Albanian_PFM_strategy_2014-2020-1.pdf

239 Indicator passports.

240 http://www.financa.gov.al/raportet-e-monitorimit-2/

Pillar 4 of PFM Strategy seeks to establish a better budget documentation through measures targeting the improvement of the content and quality of budget documents submitted to the parliament along with budget documents of local government units and the preparing of citizens' budgets.[241] Regarding the component of financial and performance monitoring and reporting, it seeks to establish timely and accessible financial and performance reporting on budget execution through measures targeting the improvement of procedures and formats for in-year and year-end budget implementation reporting and of the accessibility of data on government's finances and operations.[242]

Table 17. Relevant activities foreseen in the pfm strategy and their reported progress

Activity	Deadline	Output	Progress		
			2015	2016	2017
4.1.1 Improve the information content and quality of the budget documents that go to Parliament	2015	Budget document template, comprehensive budget document	There is no reporting on the Component "Budget documentation" in the monitoring reports	There is no reporting on the Component "Budget documentation" in the monitoring reports	There is no reporting on the Component "Budget documentation" in the monitoring reports
4.1.3 Prepare a Citizens' Budget Guide	2015	Citizens' Budget Guide			
4.3.1 Improve procedures and formats for in-year budget implementation reporting	2015	Document template, comprehensive budget monitoring report format	In progress	Completed	n/a
4.3.2 Improve formats for a comprehensive government yearly budget execution report including substantive as well as financial information	2015	Document template, comprehensive budget report format	In progress	In progress	In progress
4.3.3 Improve access to data on the government's finances and operations	2020	Reporting templates Monitoring module of the IFMIS Web portal	In progress	In progress	In progress

Sources: PFM Strategy and PFM Monitoring Reports

Focusing on budget transparency, the latest EC Report (2018) noted that budget transparency has further improved with government publishing seven out of eight key budget documents in a timeframe consistent with international standards.[243] However, comprehensives in budget information remains problematic. SIGMA monitoring (2015, 2017) particularly suggested the need for progress in annual budget reporting in order to mirror the annual budget proposal and explain variations. In comparison with 2015, in-year financial reporting has improved due to new legal requirements, with monthly

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241 Pg 51-53 of the PFM Strategy

242 Pg 56-58 of the PFM Strategy

243 Budget documents include: pre-budget statement, executive's budget proposal, enacted budget, citizens budget, in-year reports, mid-year review, year-end report and audit report. https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-albania-report.pdf

spending information for ministries and other first-line budget users being published by the end of the following quarter. Despite marking improvements from 2015[244], Open Budget Survey 2017 still assessed Albania as a country that does not provide sufficient budget information to enable the public to engage in budget discussions in an informed manner.[245] It provides the public with limited budget information and with few opportunities to engage in the budget process.[246] The EC Report (2018) also highlighted that public participation in the budget process needs to be further strengthened.

Regarding PIFC, Pillar 5 of PFM Strategy seeks to establish effective internal control through a wide range of measures, covering issues from monitoring of FMC law implementation, information systems needed and series of FMC pilot rollouts to enhanced status for the Heads of Finance.[247] Concerning internal audit (IA), measures are geared towards the professionalization of IA through additional training and strengthening of the CHU/IA to seek for a well-functioning and efficient IA in the public sector.[248] The EC Report (2018) noted that several institutions do not fully implement the PIFC legislation, and the rate of implementing internal audit recommendations remained low.

Regarding external audit, Pillar 6 of the PMF Strategy seeks to strengthen external oversight function by bringing it in line with international standards through measures targeting legal changes, alignment and incorporation of new audit approaches and capacity building.[249] According to the 2017 Open Budget Survey, the legislature and SAI in Albania provide adequate oversight of the budget. SIGMA (2017) noted that audit activities of SAI do not yet comply with the ISSAIs, and the core of its audit work is still a form of compliance audit, with emphasis on defining economic damages rather than on preventing such damages. The impact of audit work is also limited (EC 2018).

One of the measures of the PFM Strategy seeks to especially "Improve the communication with the Parliament, the Government, media and citizens in order to increase the impact of the audit work".[250] Progress has been achieved towards the development of a Communication Strategy for SAI, but improvements toward the reviewing of the structure of audit reports are lagging behind.

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244 Albania's score of 50 on the 2017 Open Budget Index is substantially higher than its score in 2015.

245 Albania scores scores 50 out of 100 on Open Budget Index, whereas score above 60 is interpreted as sufficient budget information to enable the public to engage in budget discussions in an informed manner, available at: https://www.internationalbudget.org/open-budget-survey/results-by-country/country-info/?country=al

246 Albania scores 2 out of 100 on public participation, see at: https://www.internationalbudget.org/open-budget-survey/results-by-country/country-info/?country=al

247 Pg 59-63 of the PFM Strategy

248 Pg 63-65 of the PFM Strategy

249 Pg 67-70 of the PFM Strategy

250 Measure 5.

Table 18. Relevant activities foreseen in the pfm strategy and their reported progress

Activity	Deadline	Output	Progress		
			2015	2016	2017
6.5.1 Development and implementation of a new communication strategy, emphasizing its relations with the public and Parliament, as well as including other partners at national and international level	2016	New Communication Strategy	In progress	In progress	Completed
6.5.2 Improving the impact of its products by reviewing its reporting structure of audit reports	2016	Introducing the formulation of an executive summary, presentation of findings selectively, using graphical methods and language	In progress	In progress	In progress

Sources: PFM Strategy and PFM Monitoring Reports

VII.2 What does WeBER monitor and how?

Monitoring of the Public Finance Management area is performed against four SIGMA Principles.

Principle 5: Transparent budget reporting and scrutiny are ensured.

Principle 6: The operational framework for internal control defines responsibilities and powers, and its application by the budget organisations is consistent with the legislation governing public financial management and the public administration in general.

Principle 8: The operational framework for internal audit reflects international standards, and its application by the budget organisations is consistent with the legislation governing public administration and public financial management in general.

Principle 16: The supreme audit institution applies standards in a neutral and objective manner to ensure high-quality audits, which positively impact on the functioning of the public sector.

As these Principles are thoroughly assessed by SIGMA, the WeBER approach considers and enhances the elements of transparency and accessibility of information, external communication, but also a proactive and citizen-friendly approach to informing the citizens.

WeBER monitoring is based on three indicators, one per each PFM sub-area covered: annual budget policy, PIFC, and the external audit. The first indicator assesses transparency and accessibility of budgetary documents, measuring how accessible

key budget documents are to the citizens (annual state-level budget and budget execution reports), but also to what extent budgetary information is presented and adapted to citizens and civil society. To this end, the primary online sources are the web presentations of ministries in charge of finance and the data available thereon, but also official portals of governments and open data portals.

The second indicator measures the public availability and communication of essential information on PIFC to the public and other stakeholders (consolidated reporting, IA quality reviews, FMC procedural information). The analysis considers official websites and the available documents of government institutions in charge of PIFC policy. However, the websites of all ministries are analysed for availability of specific FMC-related information, while official parliamentary documentation serves for the measurement of the regularity of parliamentary scrutiny of PIFC.

Lastly, in the external audit area, the indicator approach considers the supreme audit institutions' external communication and cooperation practices with the public. It covers the existence of a strategic approach, the means of communication used, citizen-friendly audit reporting, the existence of channels for reporting on issues identified by external stakeholders and consultations with civil society. For this purpose, a combination of expert analysis of SAI documents and analysis of SAI websites is used, complemented with semi-structured interviews with SAI staff to collect additional or missing information.

VII.3 WeBER Monitoring Results

| **Principle 5:** Transparent budget reporting and scrutiny are ensured

WeBER indicator "Transparency and accessibility of budgetary documents"

WeBER monitoring focuses on segments of enhanced transparency and accessibility of budget documentation and data. This is done through measuring specific elements of online budget transparency and accessibility at the level of central government as follows:

Indicator elements	Scores
Enacted annual budget is easily accessible online	0/4
In-year budget execution reports are easily accessible online	4/4
Mid-year budget execution reports are easily accessible online	0/4
Budget execution reports (in-year, mid-year, year-end) contain data on budget spending in terms of functional, organization and economic classification	0/4
Annual year-end report contains non-financial information about the performance of the Government	2/2
Official reader-friendly presentation of the annual budget (Citizen Budget) is regularly published online	4/4
Budgetary data is published in open data format	2/2

Indicator elements	Scores
Total score	12/24
Indicator value (scale 0-5)[251]	2

The (current) Annual Budget 2018 was approved on 30.11.2017 with law no. 109/2017[252]. The Annual Budget 2017 was approved on 15.12.2016 with law no. 130/2016.[253] Enacted annual budgets for the current and previous fiscal years are accessible online on the web page of the Ministry of Finance and Economy.[254] However, even though they are available, enacted annual budgets do not meet good practice standards on accessibility. They are more than three clicks away from the homepage[255] and as a result Albania scores 0 points in the first WeBER element. When it comes to previously enacted budgets, they are also available at the same section dating back to 2003.

In-year[256], mid-year and year-end budget execution reports are available online with varying degrees of accessibility and completeness. Regarding in-year budget execution reports, they are accessible monthly and quarterly and published in the website of the Ministry of Finance and Economy. "Fiscal analytical indicators" reports provide information about actual total revenue by taxes and other income, total expenditures by economic classification, including capital expenditures, general government deficit and deficit financing.[257] They are prepared and issued within four weeks from the end of each month. They are assessed as easily accessible, being accessed on the front page of the Ministry under Monthly Fiscal Statistics.[258] Furthermore, the Ministry also publishes more detailed quarterly reports on fiscal statistics of the Government "Fiscal Bulletin", which include actual data for each month on revenue collection, borrowing and expenditures by functional classification.[259] However, neither of these in-year reports provides relevant information on variations against the plan, which restricts analysis of in-year budget execution for external analysts, including civil society.

Regarding mid-year budget execution reports, only the mid year budget execution report for 2017[260] is available online, and not for 2016. However, it is more than three clicks away from the homepage and is not assessed as easily accessible. Mid-year report in Albania covers January-May.

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251 Conversion of points: 0-4 points = 0; 5-8 points = 1; 9-12 points = 2; 13-16 points =3; 17-20 points = 4; 21-24 points = 5.

252 http://www.qbz.gov.al/Botime/Akteindividuale/Janar%202017/Fletore%20229/LIGJ%20nr.%20109-2017,%20 date%2030.11.2017.pdf

253 http://www.qbz.gov.al/botime/fletore_zyrtare/2016/PDF-2016/251-2016.pdf

254 http://www.financa.gov.al/buxheti-ne-vite/

255 5 clicks away: http://www.financa.gov.al/al/raportime/buxheti/buxheti-ne-vite/buxheti-2018/buxheti-2018-fillestar and http://www.financa.gov.al/al/raportime/buxheti/buxheti-ne-vite/buxheti-2017/ligji-i-buxhetit-2017

256 In-year budget execution reports for the last six months were taken into consideration.

257 http://www.financa.gov.al/3014-2/

258 http://www.financa.gov.al/al/raportime/programimi-ekonomiko-fiskal/raporte-dhe-statistika-fiskale-mujore/ statistika-fiskale-mujore

259 http://www.financa.gov.al/buletini-fiskal/

260 http://www.financa.gov.al/raporti-i-mes-vitit-mbi-zbatimin-e-buxhetit-2017/.

Table 19. Online accessibility of in-year budget reports

	In-year reporting	Mid-year reporting
Type [261]	Monthly, quarterly	5 months
Easily accessible	✓	✗

Note: Sample included in-year reporting 2018 (first six months) and mid-year reporting 2017,2016

Moving to year-end budget execution reporting, the amended law No.9936 dated 26.06.2008 "On Management of Budgetary System in the Republic of Albania stipulates that consolidated budget execution report shall be published by the Ministry of Finance within the month of June of each budget year. The annual consolidated budget for 2016[262] was approved by the parliament with Law 97/2017, dated 2.11.2017[263] and the Report on the Budgetary and Macroeconomic Situation 2016 (published on May 2017) was available at the Ministry of Finance and Economy. [264]

Apart from accessibility, the quality of reporting needs improvement, especially towards the format and comprehensiveness of budget classification information. Regarding in-year budget execution reports, reporting on expenditures is done according to the economic classification. However, the quarterly reports on fiscal statistics (Fiscal bulletin), also include expenditures by functional and administrative classification. Nevertheless, mid-year and end-year execution reports only report expenditures according to the economic classification. For the year-end report, data on expenditures according to the organizational (administrative) and programmatic classification were available separately in .xls format in the website of the Ministry, but at the time of monitoring, the link to the functional classification was not working.

Table 20. Data comprehensiveness in budget reporting

Data type	In-year reporting	Mid-year reporting	Year-end report-ing
Economic	✓	✓	✓
Functional	✓	✗	✗
Organisational	✓	✗	✗
Performance		✓*	✓*

Turning to non-financial information on the performance of the government, the mid-year and year-end report contain some elements of nonfinancial performance information. The year-end report includes nonfinancial performance information available for individual policies under Chapter III.3 of the report "Actual work and investments,

261 For in-year reporting, last six months prior to monitoring were taken into consideration. For mid-year reporting, reports for the current and last fiscal year, or for the last two fiscal years were considered, depending on the legal deadline for publishing of the mid-year budget report in each country.

262 http://www.financa.gov.al/buxheti-faktik-2016/

263 http://www.qbz.gov.al/Botime/Akteindividuale/Janar%202017/Fletore%20200/Ligj%20nr.%20972017,%20 date%202.11.2017.pdf

264 http://www.financa.gov.al/TTTTkQZKi/HHHnRVOm/al/buxheti/buxheti-ne-vite/buxheti-faktik-nder-vite/buxhe-ti-faktik-2016.

financed with the budget of 2016".[265] Nevertheless, it should be highlighted that non-financial information should be compared against the realization of its targets and performance indicators.

Albania scores maximum points in the last two WeBER elements. The first citizen budget was published in 2016 and subsequent citizen budgets 2016-2018 are accessible online. The latest citizen budget is also easily accessible online from the front page of the Ministry, in contrast to the enacted budgets. Finally, budgetary data for 2017 and 2018 are available in open data format in the website of the Ministry of Finance and Economy.

How does Albania do in regional terms?
Indicator P5 I1: Transparency and accessibility of budgetary documents
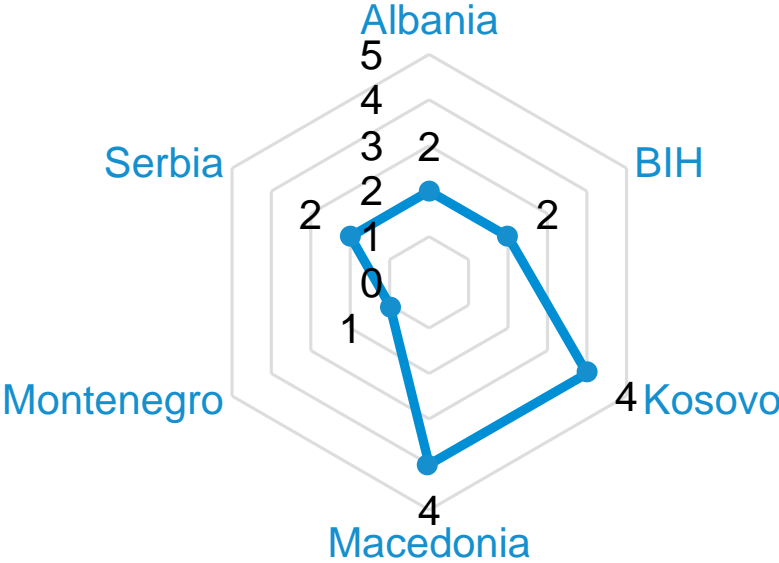
For more information on regional results, please visit www.par-monitor.org.

> **Principle 6:** The operational framework for internal control defines responsibilities and powers, and its application by the budget organisations is consistent with the legislation governing public financial management and the public administration in general

> **Principle 8:** The operational framework for internal audit reflects international standards, and its application by the budget organisations is consistent with the legislation governing public administration and public financial management in general

WeBER indicator "Public availability of information on public internal financial controls and the parliamentary scrutiny"

WeBER approach to these two Principle concerns transparency of public internal financial control system - financial management and control (FMC), internal audit (IA), and central harmonisation units (CHU). It is comprised of the following elements:

265 Policy fields include: education, health, economy, infrastructure, agriculture and rural development, social protection and employment, justice, urban development and toursim, culture, and local budget.

Indicator elements	Scores
Consolidated annual report on PIFC is regularly produced and published online	4/4
Quality reviews of internal audit reports are regularly produced and published online	0/2
Ministries publish information related to financial management and control	1/2
CHU proactively engages with the public	0/2
The Parliament regularly deliberates on/reviews the consolidated report on PIFC	2/2
Total score	7/12
Indicator value (scale 0-5)[266]	3

CHU within the Ministry of Finance regularly prepares consolidated annual reports on the state of development of PIFC as part of its statutory requirements. Article 17 of Law No. 10296, dated 8/7/2010 (amended) "On Financial Management and Control" regulates the deadline of publishing of PIFC annual reports. It stipulates that the Minister of Finance presents to the Council of the Ministers and State Supreme Audit, each year by the end of June, an annual report on the quality and functioning of public financial internal control for the previous year, including important findings and recommendations to improve the system. In practice, consolidated annual reports on PIFC are regularly published online and Albania scores maximum points in the first WeBER element. PIFC annual reports "Report on the Functioning of Public Internal Financial Control System in the General Government Units" up to 2009 are accessible on the website of the Ministry of Finance and Economy. The latest available report is of 2017. Nevertheless, quality reviews of internal audit reports are not published online.[267] During 2017, Ministry of Finance approved Order no.22 dated 06.03.2017 "On the approval of the methodology for the external review of the quality of internal audit in the public sector". During the year, based on the new methodology, five quality assurance reviews were conducted in two line ministries, one dependent institution and in two municipalities.[268] In the latest PIFC report of 2017, it is stated that quality reviews will continue to be in the focus of CHU.[269] However, findings were not published separately from the consolidated 2017 report on PIFC in order to awards points.

The PIFC annual report is submitted to the Government at the same time as the annual budget statement, and both documents are also tabled in the Parliament.[270] The 2016

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266 Conversion of points: 0-2 points = 0; 3-4 points = 1; 5-6 points = 2; 7-8 points =3; 9-10 points = 4; 11-12 points = 5.

267 Quality review reports/analyses will be considered for the two reporting cycles preceding the measurement. To allocate point for this element, quality review reports need to be published separately from consolidated annual reports on PIFC.

268 PIFC 2017

269 Pg.66 ibid.

270 Article 7/2 of FMC law. The Principle Authorizing Officer is reports to the Minister of Finance for the management of the budgetary system and for monitoring of implementation of public financial internal control according to this law, and submits to the relevant Parliamentary Commission progress reports, financial statements and the annual report on the execution of budget law in Albania. With request of Commission, he reports during all the year about issues of budget and public internal financial control implementation.

annual PIFC review was presented to the Council of Ministers and published in May 2017, while the main findings were discussed in the Parliament in June 2017. The 2015 annual report on implementation of PIFC was adopted and submitted to Parliament in June.

Review of the websites of the ministries revealed that they are scarce in providing information related to financial management and control online, which includes risk registers, book of procedures and information on the appointed FMC manager. Information on FMC managers or Authorizing Officers (as they are known by the Albanian legislation) is rarely available in the websites of the Ministries and when found available it is through the Internal Regulations – published for 5 out of 11 ministries.[271] The Authorizing Officer is responsible and reports to the Head of the institution for the implementation of financial management and control systems in all units, structures, programs, activities and processes managed from him/her.[272] While the General Secretary of the Ministry of Finance is the Principal Authorizing Officer for central government units,[273] the Heads of central government units shall appoint Authorizing officers, as per Law on "Management of Budgetary System in Republic of Albania".[274] The Authorizing Officer, as a rule, is the employee in the public administration with the highest ranks in the civil service (i.e the Secretary General). The Executing Officer is the manager of the structure responsible for finance in the general government unit, which meets the specific employment criteria and covers the areas of responsibility set out in the legislation on financial management and control.[275] The CHU is responsible for creating and updating of the register of Authorizing Officers and Executing Officers.[276]

The Authorizing Officer is also the Financial Management and Control Coordinator and Risk Coordinator. The Authorizing Officer may delegate some of his/her duties to coordinate financial management and risk control and coordination to employees' part of the finance structure.[277] Review showed that no risk registers are available online for any of the ministries. Furthermore, it is surprising that even Ministry of Finance and Economy does not have any of the aforementioned information online.

Table 21. Publishing information related to FMC by ministries

No. of ministries	No. of ministries publishing FMC information			
	Risk register(s)	Book of procedures	Appointed FMC Manager	% of all ministries publishing any of the three information
11	0	1	4	45%

Note: Date of measurement: July-August 2018

271 Ministry of Defence, Ministry of Infrastructure and Energy, Ministry of Culture, Ministry of Agriculture and Rural Development, Ministry of Health and Social Protection.

272 Article 9 of FMC law

273 The Principal Authorizing Officer reports to the Minister of Finance for the management of the budgetary system and for monitoring of implementation of public financial internal control, and submit to the relevant Parliamentary Committee progress reports, financial statements and the annual report on the execution of budget law in Albania. Article 7 of FMC law

274 Article 8 of FMC law

275 Article 20 of Law no.9936

276 Article 26 of FMC law

277 Article 10 of FMC law

Moving to the last WeBER element, very scarce evidence was found on the CHU pro-actively engaging and communicating with the public in a citizen-friendly manner. There is no evidence on production and dissemination of booklets, leaflets, and other promotional and info material targeting the public, either at own initiative or with the external support, or on publishing citizen-friendly digests or summaries of reports produced by the CHU (consolidated reports on PIFC). In addition, the CHU does not run any active social media page and no public events were organized with participation of non-state stakeholders during the monitoring period.

How does Albania do in regional terms?

Indicator P6&8 I1: Extent to which information on the public internal financial controls is reported to the public and the Parliament

For more information on regional results, please visit www.par-monitor.org.

> **Principle 16:** The supreme audit institution applies standards in a neutral and objective manner to ensure high-quality audits, which positively impact on the functioning of the public sector

WeBER indicator "SAIs communication and cooperation with the public pertaining to its work"

WeBER approaches this principle from the view of SAIs' external communication to all interested stakeholders, outside of the parliament, as a way of pursuing greater government performance and accountability. This indicator considers the following elements:

Indicator elements	Scores
SAI develops a communication strategy for reaching out to the public	4/4
SAI has dedicated at least one job position for proactive communication and provision of feedback towards the public	4/4
SAI utilises various means of communication with the public	2/2
SAI produces citizen-friendly summaries of audit reports	0/4
Official channels for submitting complaints or initiatives to SAI by external stakeholders are developed (wider public, CSOs)	0/2
SAI consults CSOs and their work for the purpose of identifying risks in the public sector	2/2
Total score	12/18
Indicator value (scale 0-5)[266]	4

Albania scores maximum points in the first WeBER element, since apart from its organizational development strategy,[279] SAI has also adopted a communication strategy for specifically communicating its work/results/goals towards the public and external stakeholders. The Communication Strategy 2017-2019 was approved on 31.07.2017[280] and has 6 objectives:

1) Increasing public profile of SAI and the understanding of its mission, vision and role in society, to strengthen citizens' trust in the institution.

2) Increasing the external communication tools of SAI with citizens and different stakeholders in order to increase public awareness.

3) Promoting of SAI audit results to transmit to the public the results and values of the institution in improving governance through the fight against corruption.

4) Increasing the communication and interaction of SAI with the citizen, through the active participation of citizens in activities and roundtables.

5) Consolidating the participation of auditors in the opinion giving in the written media and the gradual transition to public opinion on TV shows.

6) Increasing internal communication in the institution and exchange of information between departments and audit departments.

Nevertheless, the published version of the Strategy does not contain a robust action plan, since it lacks financial resources and verifiable indicators of success/monitoring. A separate Action Plan has been developed. The Directorate of Communication, Publishing and External Relations is the unit responsible for reporting on the implementation of the Communication Strategy.[281] The mission of the Directorate is to enhance the communication capacities and publications of the SAI, providing transparency in public relations through broad cooperation with the media and other partners.

278 Conversion of points: 0-3 points = 0; 4-5 points = 1; 6-7 points = 2; 8-11 points =3; 12-15 points = 4; 16-18 points = 5.

279 Available here http://www.klsh.org.al/web/strategjia_zhvillimit_klsh_2018_2022_2_opt_4004.pdf

280 Available here: http://www.klsh.org.al/web/strategjia_e_komunikimit_2017_2019_3391.pdf. Action Plan here: http://www.klsh.org.al/web/plan_veprimi_sdp_2018_2022_3960.pdf

281 Communication Strategy 2017-2019 http://www.klsh.org.al/web/strategjia_e_komunikimit_2017_2019_3391.pdf

Next, WeBER monitors if SAI has dedicated at least one job position for proactive communication and provision of feedback towards the public. As stipulated in its internal regulation[282], the following job positions are responsible for the part of communicating with the public: "spokesperson in charge of public relations"[283] and the "specialist in processing letters of the public".[284] At the time of measurement and as confirmed by the interview with SAI representatives, the job position of "specialist in processing letters of the public" was filled and it primarily dealt with the provision of feedback towards the public.

One of the measures under Objective Nr.2 of the Communication Strategy 2017-2019 is the appointment of a coordinator for public and citizens relations[285] near every auditing department of SAI. SAI representatives stated that the process of appointing the coordinators was finished by January 2018 and that their work tasks are focused towards the part of proactive communication. Additionally, as per the requirements of the law 119/2014 "On the right to information", SAI has appointed its Coordinator for the Right to Information.

Analysis also shows that SAI attempts to utilize various means of communication with the public.[286] In the past year, it continued to be active on social networks through the FB account "Department of Performance of SAI".[287] Under the Communication Strategy, the measures under Objective Nr.2 include the creation of social networks accounts for each audit department. During 7 November - 11 December 2017, SAI also organized the Open Month for Citizens[288] with the aim of strengthening public trust in SAI. Although produced, information brochures and leaflets are not published online.[289] Furthermore, even if it is not listed in the WeBER methodology, SAI during 2017 has been present in the written media with 125 articles written by auditors of SAI.[290] On the other hand, production and online publication of videos, multimedia presentations or similar promo materials or the use of online interactive data presentations and visualisations was not utilized.

SAI is empowered to carry out financial, compliance and performance audits. The main

282 http://www.klsh.org.al/web/rregullore_e_brendshme_e_organizimit_dhe_funksionimit_admisnitrativ_te_klsh_1894.pdf

283 has inter alia the following tasks: To ensure the SAI's relations with the public and realize transparency of audit results To examine and follow up on the problems that arise with the daily tools of public information To facilitate the reception of the public, its documentation, to evaluate the complaints and coordinate meetings with the heads of respective departments to analyze and generalise complaints. To keep a separate register for the letters (complaints) arriving at the institution, to distribute by departments, verify and return responses within the legal deadline.

284 To contribute to the examination and information of letters addressed to the Chairman of the SAI by different subjects and their distribution to the respective Departments and / or Departments according to the direction and instructions of the Chairman. To follow up the treatment and response of all letters, claims or complaints of the public, legal entities, state or private. To draft documents, information relating to various issues of addressing the letters of the public.

285 (alb. Koordinator per marredheniet me publikun dhe qytetarin)

286 Period of twelve months preceding the measurement

287 https://www.facebook.com/Performanca/

288 http://www.klsh.org.al/web/KLSH_organizon_Muajin_e_Hapur_per_Qytetaret_2950_1.php

289 As confirmed in the interview with SAI representatives

290 http://www.klsh.org.al/web/raporti_i_performances_4085.pdf

part of the SSAI's work, traditional compliance audits, focuses on determining economic damage and violations of rules and regulations. Audit reports are shared with auditees for their comments, and summaries of audit reports or decisions on audits are published online on the SSAI website. During 2017, SAI carried out 156 audits, 25 were compliance audits, 14 financial, 15 performance, 92 regulatory, 5 ICT and 5 thematic.[291] Table 26 presents the online availability of SAI audits.

Table 22. Availability online of SAI audits 2017

	Nr. of audit carried	Nr. of final reports online	Nr. of decisions on audits online	Total published
Compliance au-dits	25	20		20
Financial audits	14	14		15
Performance audits	15		15	15
Regulatory audits	92		20	20
ICT audits	5		5	5
Thematic audits	5			5
TOTAL	156	34	40	80

Source: http://www.klsh.org.al/web/buletini_nr_4_i_vitit_2017_3834.pdf and www.klsh.org.al. Last checked on October 2018

For monitoring the production of citizen-friendly summaries, WeBER checked reports published in the period July 2017-July 2018. The analysis shows that SAI in Albania doesn't have the practice of producing citizen-friendly summaries of audit reports and Albanian scores 0 points in this WeBER element.[292]

Regarding the channels for submitting complaints or initiatives to SAI by external stakeholders, SAI has handled 623 letters in 2017 out of 660 letters dealt with in 2016 (Annual Report of SAI 2017). Of the 377 complaints under the authority of SAI, 204 of them were verified and answered, while 173 were in the process of being verified. Under the Communication Strategy, the measures under Objective Nr.2 include also the running of new interactive and direct communication window with the citizens on the website. However, there are no details on its progress.

SAI consults CSOs and their work for the purpose of identifying risks in the public sector. Topics in the last two years where CSOs have been consulted included public procurement and health.[293] Furthermore, there is a website section in the website of SAI that lists the Memorandums of Cooperations that SAI has signed with CSOs.[294] In the SAI Annual Performance Report 2017, it is stated that SAI has implemented joint mini-projects with civil society and that it has provided the required information to CSOs. When CSOs were asked on the effectiveness of various institutions in over-

291   http://www.klsh.org.al/web/buletini_nr_4_i_vitit_2017_3834.pdf

292   The period of measurement is July 2017-July 2018.

293   As confirmed in the interview with the SAI representatives

294   http://www.klsh.org.al/web/Me_Shoqerine_Civile_98_1.php The latest update is as of 07 October 2016.

seeing the work of the state administration, SAI was perceived more favorably than the Parliament, Courts and the Ombudsman. More than a third of surveyed CSOs (34%) either agreed or strongly agreed that the SAI was effective in overseeing the work of the state administration, while 37% stated the opposite.
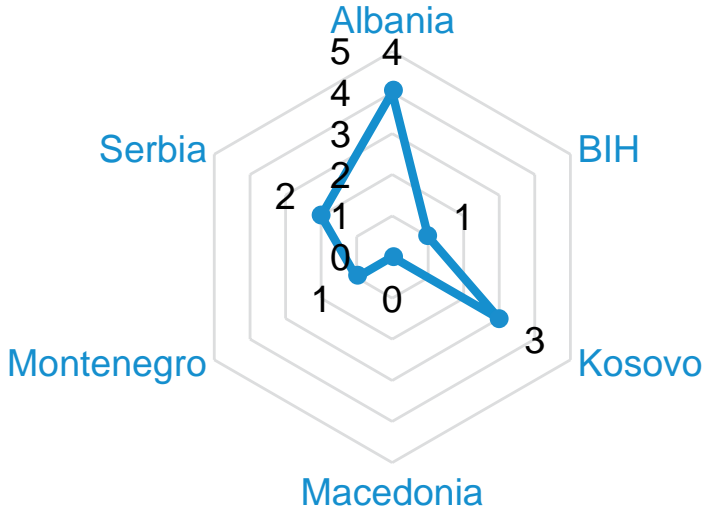
Figure 45. Effectiveness in overseeing the work of the state administration (%)
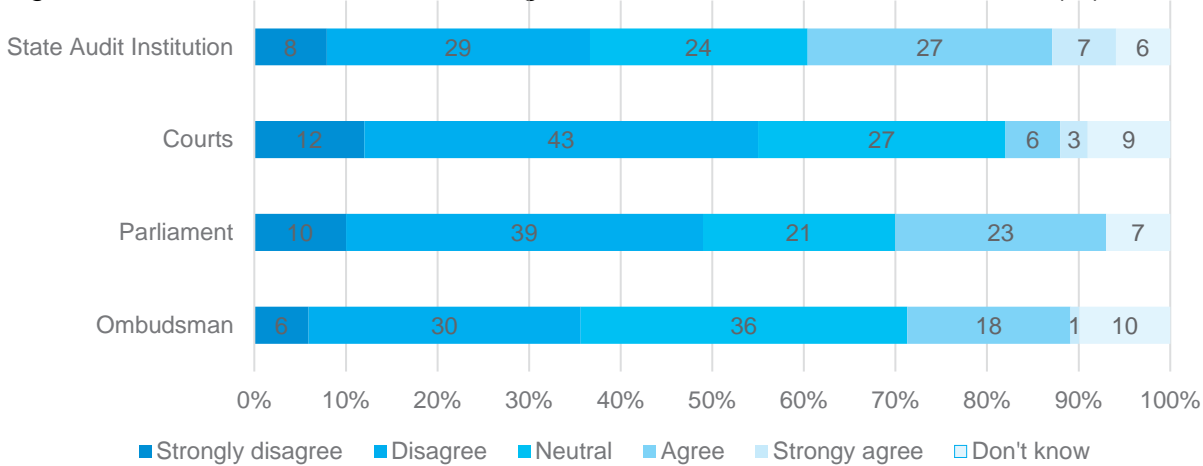
Note: Due to rounding, percentages may not always appear to add up to 100%. Base: N=90

How does Albania do in regional terms?

Indicator P16 I1: SAIs communication and cooperation with the public pertaining to its work

For more information on regional results, please visit www.par-monitor.org.

VII.4 Summary results and recommendations: Public Finance Management

Although enacted annual budgets are regularly published online on the web page of the Ministry of Finance and Economy, they are not assessed as easily accessible (more than three clicks away). In-year, mid-year and year-end budget execution reports are also available online, with varying degrees of accessibility. Only in-year budget execution reports are assessed as easily accessible. Nevertheless, the quality of

budget execution reporting needs improvement, especially towards the unification and comprehensiveness of budget classification information. All budget execution reporting contains data on budget spending in terms of economic classification. Only quarterly reports on fiscal statistics (Fiscal bulletin), also include expenditures by functional and administrative classification. Moreover, regarding year-end reporting, links on tabular data on expenditure as per the organisational, economic and functional classification were not working during the measurement period. Regarding non-financial information on the performance of the government, the mid-year and year-end report contain some elements of nonfinancial performance information about the performance of the government available for individual policies, but not compared against the realization of its targets and performance indicators. The first citizen budget for Albania was published in 2016 and subsequent citizen budgets are easily accessible online for 2016-2018. Annual data on executed budget can be found in open format online.

The Ministry of Finance and Economy regularly publishes online consolidated annual report on PIFC since 2009. Quality reviews of internal audit reports are not published online. Ministries are scarce in providing information related to financial management and control online (incl. risk registers, book of procedures and information on the appointed FMC manager). The PIFC annual report is submitted to the Government at the same time as the annual budget statement, and both documents are also tabled in the Parliament. The Parliament regularly deliberated on the consolidated reports on PIFC. Very scarce evidence is found on the CHU proactively engaging with the public.

SAI, apart from its organizational development strategy, has also adopted a communication strategy for specifically communicating its work towards the public and external stakeholders. In the past two years, various means of communication with the public were utilized ranging from the publication of articles in written media, an active Facebook account for the "Department of Performance of SAI" to the organization of the Open Month for Citizens. But, in spite of this, SAI doesn't have the practice to produce citizen-friendly summaries of audit reports. Regarding channels for submitting complaints, citizens, might, in practice, submit complaints and concerns through mail, and the running of a new interactive communication window with the citizens on the SAI website is pending. More than a third of surveyed CSOs (34%) agreed that SAI was effective in overseeing the work of the state administration.

It is recommended that:
- In-year budget reporting should include commentaries to accompany numerical data, particularly through providing explanations of significant divergences between actual and forecast amounts.
- Mid-year and Year-end reporting should be more comprehensive through classifying expenditures apart from economic categories also by functional and organisational categories.
- Year-end report budget report should mirror the presentation format of the annual budget proposal.
- Year-end budget report should provide non-financial performance information of the Government compared with performance targets and actual results achieved (incl. outputs, targets, results).
- Ministry of Finance and Economy should facilitate better access to budgetary documents through creating a comprehensive and user-friendly repository of

budget documents in a single place on its website – with information on executed budget (in-year, mid-year, annual).

- Ministry of Finance and Economy should publish all budget data in line with the open data standards – accessible and machine-readable.
- Ministry of Finance and Economy should regularly produce and publish online quality reviews of internal audit reports.
- Ministries should publish updated and comprehensive information related to financial management and control within their organisation, including responsible persons for implementing PIFC, internal procedures, and information on risk management.
- The Central Harmonization Unit at the Ministry of Finance and Economy should also work towards its external communication, by publishing materials explaining PIFC to the public.
- SAI should introduce standardized citizen-friendly summaries for each published audit report – especially for performance reports – in order to increase understanding of SAI's findings and recommendations.
- SAI should consider expanding the use of citizen-friendly tools for effectively communicating its work, including infographics, videos, and data visualisation.
- SAI should closely monitor the implementation of its Communication Strategy.

Appendix: Methodological note

PAR Monitor Methodology was developed by the research and expert team of WeBER and widely consulted among all relevant WeBER associates. Overall, the methodology is based on the selection of 21 SIGMA Principles within six key areas of PAR, and selected Principles are monitored through 23 compound indicators that focus on different aspects of PAR.

PAR Monitor methodology (master) document provides details on the overall approach of WeBER PAR monitoring, the process of developing the methodology, the selection of the Principles which the WeBER project monitors and the formulations of indicators with the basic methodological approaches. Detailed information needed for the measurement of each indicator is provided in separate detailed indicator tables. Each detailed indicator table contains the formulation and focus of a specific indicator, as well as the following information for each of the indicator elements: formulation, weigh, data Sources, detailed methodology, and point allocation rules.

PAR Monitor methodology, and detailed indicator tables are available at the following link: http://www.par-monitor.org/pages/par-monitor-methodology

For producing this National PAR Monitor report, following research methods and tools were used for data collection and calculation of indicators:

- Analysis of official documentation, data and official websites
- Requests for free access to information
- Focus groups
- Interviews with stakeholders
- Public perception survey
- Survey of civil servants
- Survey of civil society organisations

Public perception survey

The public perception survey is based on a questionnaire targeting the general public (aged 18 and older) of 6 Western Balkan countries. It was implemented as part of regional omnibus surveys conducted in Albania, Bosnia and Herzegovina, Montenegro

and Serbia (ad hoc surveys were conducted for Kosovo and Macedonia) during 15 October - 30 November 2017. The survey was conducted through computer-assisted personal interviewing (CAPI), using a three-stage random stratified sampling. For Albania, the margin of error for the total sample of 1013 citizens was ± 3.08%, at the 95% confidence level. The table below provides a breakdown of the sample.

Table 23. Sample characteristics

Key groups	Frequency	%
Gender		
Male	502	49.6
Female	511	50.4
Age		
18-29	266	26.3
30-44	254	25.1
45-59	272	26.9
60+	220	21.8
Educational attainment		
No education	8	0.8
Primary school	490	48.4
High school	357	35.2
University degree or higher	158	15.6
Employment status		
In paid work	375	37
Unemployed	343	33.9
In education	74	7.3
Permanently sick or disabled	3	0.3
Retired	217	21.5
Employment sector		
Public	92	24.7
Private	283	75.3
Area of residence		
Rural	462	45.6
Urban	551	54.4

CSOs survey

CSO survey results are based on a unified questionnaire targeting representatives of CSOs working in Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro and Serbia. The survey instrument included 9 sections covering the following topics: involvement in evidence-based policy-making, participation in policy- and decision-making, the right to free access of information, transparency of decision-making processes, perceptions on government's planning, monitoring and reporting on its work, effectiveness of mechanisms for protecting the right to good administration, integrity of public administration, and the accessibility of administrative services. Data collection was conducted from April through May 2018 using a self-administered questionnaire (web SAQ).

For Albania, a total of 93 CSOs completed the survey from 23 April-28 May 2018. The Agency for the Support of Civil Society (ASCS) supported the dissemination of the survey.

Final survey data were processed statistically with the statistical package SPSS. All percentages are based on the total number of respondents who replied to a given question, rather than the overall number of respondents in the survey.

Table 24. Sample characteristics

Key groups	Frequency	%
Type of organization*		
Policy research/Think-tank	11	11.96
Watchdog	20	21.74
Advocacy	42	45.65
Service provider	35	38.04
Grassroot	27	29.35
Other	11	11.96
Field of operation*		
Governance and democracy	40	43.48
Rule of law	16	17.39
Human rights	36	39.13
Public administration reform	13	14.13
European integration	22	23.91
Gender issues	26	28.26
Children and youth	33	35.87
Environment and sustainable development	24	26.09
Education	37	40.22

Key groups	Frequency	%
Culture	17	18.48
Health	11	11.96
Media	11	11.96
Economic development	28	30.43
Civil society development	24	26.09
Social services	30	32.61
Other	5	5.43
Year of registration		
Mean= 2006; SD=7.1; Range=1992-2018		
Location		
Tirana-based	58	63.7
Other	33	36.3
Position of the respondent in the organization		
Senior-level management	67	72
Mid-level management	7	7.5
Senior non-management	7	7.5
Mid-level non-management	3	3.4
Other	9	9.7
Years working with the organization		
Mean= 9.24 years; SD=7.2; Range=0-25 years		

Note: Multiple-response questions

Civil servants survey

Civil servant survey results are based on a unified questionnaire targeting civil servants working in the state administrations of Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro and Serbia. The survey instrument included 5 sections covering: recruitment of civil servants, temporary hirings in the administration, status of senior civil servants, salary/remuneration, and integrity and anti-corruption. Data collection was conducted from April through May 2018 using a self-administered questionnaire (web SAQ).

For Albania, a total of 1116 civil servants completed the survey from 3-25 April 2018. The Department of Public Administration (DoPA) facilitated the dissemination of the survey.

Final survey data were processed statistically with the statistical package SPSS. All percentages are based on the total number of respondents who replied to a given question, rather than the overall number of respondents in the survey. The table below

provides a breakdown of the sample.
Table 25 Sample characteristics

Key groups	Frequency	%
Civil service position		
Top-level management	6	0.7
Middle-level management	65	7.9
Low-level management	160	19.5
Expert level	590	71.9
State administration institution		
Prime Minister apparatus	5	0.6
Ministry	167	20.3
Central subordinate institution	616	75.0
Administration of the prefect	33	4.0
Gender		
Male	362	44.1
Female	418	50.9
Don't want to answer	41	5.0
Years working in the administration		
Mean= 12.6 years; SD=10; Range=0-41 years		
Sector worked before joining the administration		
Local or regional administration	103	12.5
Other branch of power	23	2.8
Public services	170	20.7
International organisation	19	2.3
Non-governmental organisation	22	2.8
Media	4	0.5
Private sector	284	34.6
This was my first job	112	13.6
Other	84	10.2